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FIFTY-FIFTH PARLIAMENT

FIRST SESSION

Book 1

26, 27 and 28 August 2003

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MEMBERS INDEX.....i

Tuesday, 26 August 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 2.05 p.m. and read the prayer.

The SPEAKER — Order! At the start of this spring sitting the Parliament of Victoria acknowledges the land of the tribes and nations of the Aboriginal people of Victoria.

ASSISTANT CLERK AND CLERK OF COMMITTEES

The SPEAKER — Order! Pursuant to the provisions of the Parliamentary Officers Act 1975 I have appointed Mrs Elizabeth Clare Choat, manager, procedure office, to be Assistant Clerk and Clerk of Committees, following the retirement of Mr Geoffrey Herbert Westcott. Welcome.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

Study tours

The SPEAKER — Order! As required by the Commonwealth Parliamentary Association study tour guidelines of September 2001, I advise that the following members have completed their study tours and submitted reports since my announcement to the house on 26 February 2003: Mr T. Languiller, MP, part 2; and Mr H. Lim, MP, part 2.

CONDOLENCES

Hon. Michael John

Mr BRACKS (Premier) — I move:

> That this house expresses its sincere sorrow at the death of the Honourable Michael John, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Bendigo East from 1985 to 1999 and Minister for Community Services and Minister responsible for Aboriginal Affairs from 1992 to 1996.

The house was saddened by the passing on 6 June this year of the Honourable Michael John, a former member for Bendigo East and minister in the Kennett government.

I am sure I speak on behalf of all members who knew Michael in this house and through his work as a member of Parliament and a minister and shadow minister when I say that he was respected by people from all sides of politics and all members of this house who had the opportunity to work with him. We pay our respects to his family on behalf of the Parliament and acknowledge his contribution.

Michael John was born in Wales on 29 April 1943. He migrated to Australia with his family in 1956 and they settled in the Western District. He attended Hamilton High School, where he was an active student, holding the positions of school prefect and Grange house captain and establishing a reputation as a keen sportsman.

Michael John matriculated with first-class honours in modern history and was awarded a Myer scholarship and a commonwealth scholarship to the University of Melbourne. At Melbourne University he studied politics and graduated with a Bachelor of Arts degree and a Bachelor at Laws degree in 1965. Michael John established himself as a solicitor in general practice in Bendigo in 1965 and was admitted to the bar in 1967. He maintained his legal practice in Bendigo for about two decades.

Michael John enjoyed a long and effective political career in Victoria. Like many young people he had a thirst for ideas and was involved in debates and politics at university. He co-founded the university's debating team in 1964. He became an active member of the Melbourne University Liberal Club and held the presidency of the Bendigo Young Liberals from 1966 to 1967.

Michael John entered the Victorian Parliament as the member for Bendigo East in April 1985. His colleagues recognised his talent almost immediately, and he assumed the position of secretary to the shadow cabinet and served as a member of the Parliament's House Committee. As any member of this house would know, the role of secretary to the cabinet or shadow cabinet is a privileged position, and it is a great credit to Michael John that he assumed that role so soon after entering this chamber.

Between 1985 and 1992 he held a range of shadow portfolios, and in 1991 was appointed shadow Minister for Community Services and shadow Minister for Aboriginal Affairs. Recognising the strength of his contribution in those shadow portfolios, after the successful election of the Kennett government he was reaffirmed as the minister responsible for those two portfolio areas — that is, he became the Minister responsible for Aboriginal Affairs and the Minister for Community Services. Michael John was a local member in touch with the concerns of his electorate

who was able to show great understanding and empathy for the needs of Victorians and who brought these qualities to his two difficult and onerous portfolios.

Though no longer a minister after the 1996 state election, Michael John remained a respected member of Parliament until the 1999 election. He had been an active servant of the community prior to entering Parliament. He was involved in a wide range of activities, from being a member of school committees to fundraising for Apex, Lions and hospitals. He was an active sportsman. In his younger years he took part in many sporting competitions with the Hamilton Amateur Athletics Club, and he was among the top finishers in the 1969 Stawell Gift — no mean achievement in that event. He was a co-founder of the Hamilton Athletics Basketball Club and the Bendigo soccer league, which subsequently awarded him life membership for his valued support and contributions. He was also devoted to both horseracing and horse breeding. Together with his wife he ran a small thoroughbred breeding enterprise near Bendigo for some seven or so years in the late 1970s and 1980s.

Michael John's untimely death at the young age of 60 years has saddened us all. It is very appropriate that we acknowledge his great contribution to his electorate, the Parliament and the broader Victorian community.

On behalf of the government, I extend condolences to Michael John's family: his wife, Belinda; his daughters, Louise, Rebecca and Cath; his sons-in-law, Mark and Martin; and his grandchildren, Henry, Lucy, Nicholas and Jessica.

Mr DOYLE (Leader of the Opposition) — I am honoured to second the Premier's condolence motion and to recognise the life of the Honourable Michael John and his lifetime of service to his local community and the state of Victoria. Michael will be remembered as a passionate advocate of Bendigo; a man with a big heart who served the Parliament of Victoria with a great degree of distinction and compassion.

As the Premier has said, Michael was born on 29 April 1943 in Swansea, Wales, and sadly died on 6 June this year. He was the son of Bert John, a Welsh coalminer, and Beryl John, nee Lewis, who was affectionately known to Michael and her family as Punch. His family migrated to Australia in 1956 on an assisted passage scheme and settled in Hamilton. Michael was committed to his family. When his father died in October 1958 aged 53, Michael worked long hours at a local milk bar, on top of his schooling, to help his family get by.

In the classroom he did his family proud. He became school prefect at Hamilton High School as well as being a house captain. On matriculating, as the Premier has said, he was awarded a commonwealth scholarship and a Myer scholarship, which enabled him to study at the University of Melbourne for the degrees of Bachelor of Arts in political science and Bachelor of Laws. Michael enjoyed a debate and began to hone his sharp debating skills at university, where he co-founded the Melbourne University debating team. He was also a member of that university's A debating team.

After graduating Michael joined in the Bendigo law firm of Hyatt and Hyatt, where he later became a partner. He was president of the Bendigo Law Association in 1973 and 1974 and was a member of the Council of the Law Institute of Victoria.

Michael's career took a new turn in 1985 when he had the honour of being elected to the Parliament of Victoria as the member for Bendigo East, a position he held for 14 years. He will be remembered as a member of Parliament who helped others, who worked tirelessly for his community and who performed his ministerial and many shadow ministerial roles with excellence.

After gaining Liberal Party preselection for the seat of Bendigo East in 1984, Michael immediately and specifically identified areas in which he could make a difference. In an interview with the *McIvor Times* on 16 May 1984, he said:

> The Shire of McIvor is one of the fastest developing municipalities in the state and, if elected, I will be paying close attention to the Heathcote district.

He did just that, as well as effectively representing all other areas of his electorate.

Michael was a parliamentarian who knew what he wanted to achieve. In his maiden speech he spoke of the need to enhance Bendigo's economic prosperity and to capitalise on its tourism potential. Michael's enthusiasm and passion for Bendigo never wavered.

He also spoke of his vision to seek a state where all children, regardless of their social, economic and racial backgrounds, receive a proper and a sound education. Michael said, 'I see that as providing the social mobility that is so necessary in a just society'. It was a commitment that Michael maintained during his 14-year parliamentary career.

Following responsibility for many shadow portfolios — as the Premier has outlined and I will not repeat — Michael was recognised for his accomplishments by his appointment to cabinet in 1992, where he served as

Minister for Community Services and Minister responsible for Aboriginal Affairs. He presided over these two difficult and sensitive portfolios with understanding and did significant work in areas such as child protection, support for the disabled, preschools, programs for problem gamblers and Aboriginal justice and education.

As minister Michael made a commitment to promoting policies which achieved better outcomes and real progress for Aboriginal people; and I think, Speaker, he would have been delighted with the acknowledgment you made for the first time in this Parliament earlier this afternoon. Indeed, one of Michael John's first actions as Minister responsible for Aboriginal Affairs was to take to cabinet the national commitment for improved outcomes in the delivery of services for Aboriginal people and Torres Strait Islanders — a document which was immediately endorsed by cabinet. In 1996 Michael John was appointed chair of the Federal-State Relations Committee.

However, it was not only in his professional life that Michael achieved excellence. As we all know, he was a very talented athlete. He was a finalist in the 1969 Stawell Gift and successfully competed in a host of other sprint titles. He had a love of the race; as the Premier noted — not just of the footrace but also of the equine variety. He had a major passion for horseracing, and he served on the Bendigo Jockey Club committee and raced horses himself.

Sport was central to Michael's life. He found time to be a central football umpire, and he was instrumental in setting up the Bendigo soccer league. In fact in 1971 Michael and his friend David Wilkinson created the Bendigo soccer league. They basically told the soccer players in Bendigo that they had to have six teams ready for competition on a particular date. The fact that it happened is something of a miracle, and it owes an enormous amount to the hard work and commitment of Michael John. Michael played in that league for South Bendigo, and his team was successful in winning a number of titles.

Michael John also served as president of the Bendigo soccer league and was honoured by that league with life membership. More than 30 years on, soccer in Bendigo is flourishing, and I believe it owes much to the vision of Michael John. As if that were not enough, he was also a co-commentator for Southern Cross Ten, where he called athletics and cycling.

Michael John was respected by all members of Parliament, as the Premier has said, and that was evident on Friday, 13 June this year, when a state funeral mass was held for Michael at St Paul's Cathedral in Bendigo. Parliamentary colleagues from all sides were there to pay tribute to a man who was a problem solver, who was committed to his community and who advocated a better future for the young and the underprivileged.

I would like to quote from the eulogy given by Michael John's friend Ted Ellinghaus at the state funeral mass. In his tribute Ted said Michael would be:

> … remembered by those close to him as a man of significant achievement, profoundly committed to Bendigo, with a deep compassion for the underdog, an irrepressible sense of humour, an unquenchable zest for life and enormous personal warmth, generosity, gentleness and charm.

Sadly, Michael left us early at the age of 60, leaving behind nevertheless a legacy of loyalty and of service. On behalf of the Victorian Liberal Party I want to offer my condolences to the family of Michael John. He is survived by his dear wife, Belinda; their three daughters, Louise, Catherine and Rebecca; sons-in-law Mark and Martin; and loved grandchildren, Lucy, Nicholas, Henry and Jessica. They are all in our thoughts.

Mr RYAN (Leader of the National Party) — I join with the Premier and the Leader of the Opposition on the occasion of this condolence motion to honour the memory of Michael John. Michael John was an able and a decent man who in his prime could run very fast. He was born in Wales. He matriculated in Hamilton, studied law and subsequently practised in Bendigo. He was, as has been reported here, a very accomplished athlete with interests in a variety of spheres.

Perhaps the attribute most remembered is his having competed as a finalist in the Stawell Gift in 1969. In 1986 he entered the Parliament as the member for Bendigo East; and although even Michael himself would not have said he brought with him the svelte figure that crossed the line in Stawell in 1969, he did bring with him many other attributes.

Michael served with distinction in the ministry of the Kennett government from 1992 until 1996, when he was the Minister for Community Services and the Minister responsible for Aboriginal Affairs. I remember coming to the Parliament in 1992 when Michael had only recently been appointed as a minister. In those years as a raw, then-young backbencher who was anxious to save the planet — as most new backbenchers are when they come to this place — I often had need to seek his advice and assistance, given the very important roles which he had. He always displayed a very keen mind, and he had an

extraordinarily caring disposition. He had time to talk to people and time for people.

Throughout his time in his ministerial roles Michael certainly made his mark in this place. It is also noteworthy that in 1996, after he left the ministry, he became the chair of the parliamentary Federal-State Relations Committee, which I believe was the first such appointment around Australia. He fulfilled what we now know to be a very important role with absolute distinction.

All of this of course was built upon the foundation that he laid in the course of his maiden speech. When he first spoke in this place he talked about the history of Bendigo and about the difficulties which that city was experiencing in 1985, but he also spoke about the capacity for the future growth of Bendigo and its region. He talked about the importance of reward for personal endeavour. He spoke passionately about Victoria and the future of this great state. He also said:

> I enter Parliament with a goal and a vision for a just, prosperous and free society. When I leave I hope I will have contributed to the welfare of our children and our children's children.

As history now records, it was a portent of things to come. Governments of all persuasions are remembered by the way in which they look after the disadvantaged people in their communities. Michael John had the honour of being able to carry that ministry in that very important area — and he did so, as I said, with distinction. On behalf of the Victorian parliamentary National Party I convey to Michael's wife, Belinda, their three daughters, Louise, Rebecca and Cath, and his extended family our sincere condolences.

Ms ALLAN (Minister for Education Services) — As we have heard, Michael John was the member for Bendigo East from 1985 through to 1999. I have the honour of following him in representing this seat in state Parliament. We have heard already that Michael was born in Wales and was very proud of his Welsh heritage. His family moved to Hamilton, where Michael was schooled. Michael's father was a labourer, and as we have heard, he passed away when Michael was just 15. As we would expect, this was a formative moment in Michael's life. In reflecting on this it is clear that Michael's success in his adult life — in law and in politics — was because of his hard work and his commitment to obtaining a good education.

We have heard that Michael was a recipient of a Myer scholarship and a commonwealth scholarship. These are testimony to his hard work, his desire to succeed and his intelligence. Michael was very proud to be a recipient of these awards. As I have said, his commitment to education was no doubt influenced by his own family experiences. We have heard again of his inaugural speech of 17 April 1985, when he told this house:

> I seek a state where all children regardless of their social, economic and racial backgrounds, receive a proper and sound education.

It is also worth noting that the election in 1985 saw two classmates from Hamilton High School's class of 1960 elected to state Parliament. One was Michael John and the other was Roger Hallam. Also in his inaugural speech in 1985 Michael said:

> I enter Parliament with a goal and a vision for a just, prosperous and free society. When I leave I hope I will have contributed to the welfare of our children and our children's children.

Indeed Michael made a fine contribution to the welfare of children in Victoria — and also directly to the children of the community of Bendigo — through his roles as Minister for Community Services and Minister responsible for Aboriginal Affairs between 1992 and 1996. In the early 1980s Michael established and was the chairman of the initial gifts committee of the St Luke's Family Care Foundation Appeal. This foundation appeal raised hundreds of thousands of dollars that went directly to support children in need in the local community. He also extended his own personal generosity to the welfare of children by donating all the moneys he received for his television commentary on athletics to the St Luke's foundation.

These two examples and what we have heard again today throughout these recollections of Michael and his contribution to politics, the law and the community show that there is a theme — and that theme is that Michael was a decent man. This was repeated on a number of occasions, through the reporting of his passing in the local paper, the *Bendigo Advertiser*, at his eulogy on a number of occasions and from people throughout the Bendigo community.

My personal recollection of Michael was certainly that he was a very decent person whenever our paths crossed in the lead-up to and during the 1999 election. Then I had the opportunity to experience first hand Michael's decency when, only a couple of days after the 1999 election, he rang me personally both to congratulate me but also importantly with an offer of assistance. In that offer of assistance he gave his personal home phone number and also a very thorough run-down on the ins and outs of the electorate office — how bits of machinery in the electorate office worked, which was very useful and also some of the constituents

I could expect to be coming early to my door. This was followed up a couple of months later when he paid a personal visit to my office and again during that visit made the offer of assistance.

During my early days as a member of Parliament my office heard time and again from a number of people who came to my office seeking assistance and were very keen to impress upon us how pleased they were with the representations — indeed, they often made reference to the vigorous representations — Michael had made on their behalf.

The theme of decency also came through from a former colleague of Michael, a former member for Bendigo West, David Kennedy, who served with Michael in representing Bendigo between 1985 and 1992. I can just imagine the sight of David and Michael sharing a cup of tea in the strangers corridor! As David recollects, Michael liked talking to people because he liked people. David also recalls that as a political campaigner Michael's conduct was ethical and commendable. He had a keen sense of decency and propriety in his public political life. He also had a good sense of humour and always liked to tell and hear a joke.

I would like to finish by reflecting on the eulogy that was delivered by John Higgs, a very close friend of Michael's, at Michael's funeral on 13 June. John's eulogy captured the spirit of Michael and, as John eloquently put it, his bountiful qualities. One of the comments I would like to make to the house that John made at the funeral is that Michael's 'dignity, compassion and understanding were the hallmarks of his approach'. John also said, 'He was a man of his word'.

The state funeral held in Bendigo on 13 June reflected the person that Michael was. There was a large contingent of people from his days in Parliament and of course there were his close friends and family. There was also a very large and strong representation from the people of the Bendigo community who wanted to pay their respects to Michael and to thank him for his many years of service to the community of Bendigo.

I would also like to pass on my respects to Michael and my deepest sympathy to Belinda and her daughters, Louise, Cath and Rebecca, and also thank Michael for his fine service to the communities of Bendigo and Bendigo East.

Mr HONEYWOOD (Warrandyte) — My favourite story about the late Michael John was one that Michael himself very much enjoyed telling. It involves a central role by the Minister for Transport's good friend, a former member for Mordialloc in this place, Geoff Leigh. Michael had discovered a small problem in his electorate in Bendigo. That problem was that out of a residential premises was being run an introduction or escort agency. He was not sure quite what to do about it, but he knew that he wanted it closed down.

He came to our shadow Minister for Consumer Affairs at the time, Geoff Leigh — our up-market version of Peter Spyker — and requested Geoff's advice as to what should be done regarding this illegal premises. Geoff Leigh, of course, hopped in the car straightaway and went up to Bendigo. He organised the media on the way up there: he had WIN TV and the *Bendigo Advertiser* in tow, and they arrived at the front door of this illegal premises.

The way Michael told the story, he wanted to knock on the door, but Geoff took matters in hand, knocked the door down and was heard yelling up and down the corridors, 'Come out, you scumbags', with Michael bringing up the rear. The alleged perpetrators of these crimes were last seen heading over the back fence with Geoff Leigh in hot pursuit. A very young Helen Ballard, who worked at the time with WIN TV, was heard saying to Geoff Leigh and Michael John, 'Next time you have something happening, Michael, could you please get Geoff Leigh up here? We figure we can get quite a few stories out of him'. Geoff Leigh was most impressed by the headline in the *Bendigo Advertiser* the next day, which read, 'Elliott Ness and the Untouchables'. Michael's telling of the story was somewhat different: he said he had played a supporting role but was quite pleased that this problem was out of the way.

Michael's style was more consultative, and he did his research thoroughly before pursuing any course of action. I discovered this when I was the Parliamentary Secretary for Multicultural Affairs from 1992 to 1996 during the Liberal Party's term in office. On several occasions Michael called me in to discuss disability issues with him so he could gain a better insight into how they affected multicultural communities. He genuinely wanted to know whether his department's support and assistance was appropriately configured to meet the needs of the various communities he was trying to serve. We had many long discussions about, for example, the difficulties experienced by eastern European men with psychosomatic problems and by women from the Horn of Africa, and the problems faced by other communities also in need. Michael tried very hard to ensure that the support that was available was delivered appropriately to those communities. I know he adopted the same approach in his Aboriginal affairs portfolio.

Previous speakers have mentioned Michael's difficulties at a young age. Imagine for a moment the challenges faced at 13 years of age when you are going through adolescence and your parents say they are hopping on a ship and moving from Wales to Australia. Imagine having just settled into a country town after two years and then your father passes away. Michael's formative years would have been very challenging indeed, but he overcame all obstacles and obviously succeeded in life despite all the difficulties along the way.

I know that Michael worked tirelessly for the people of Bendigo. He earned the right to represent his community, because time and time again he put into the community in many voluntary capacities. He raised money for charities, he was involved in sporting and professional associations, and importantly he was involved in rebuilding the Liberal Party in Bendigo in the early 1980s.

One project that is surely a tribute to Michael's work — and I am sure the honourable members representing Bendigo would agree — is the effort he put into transferring the former Bendigo saleyards from the old, traditional site in the centre of Bendigo to a brand new location. Having persuaded Jeff Kennett to fund this project he said, 'We now have this great big hole in the middle of Bendigo. We need to fill it in with something'. He managed to get Jeff Kennett and me to agree to spend of the order of $29 million over several stages on construction of an industry training centre which was housed in a brand new campus on the site of the former saleyards. I am sure that one of Michael's biggest regrets was that it fell to the current government to perform the opening ceremony for that state-of-the-art industry training centre for young people in the town which he served for so long.

My final comment about the late Michael John is that he had smiling eyes, a wonderful laugh and a genuine interest in other people's stories. I offer my condolences to his wife, Belinda, and to his three daughters and family.

Mr CAMERON (Minister for Agriculture) — I join with other members in remembering the Honourable Michael John who served as the member for Bendigo East from 1985 until 1999. My memories of Michael are very much as a central Victorian in the dealings that I had with him throughout our political lives. Michael was one of those people whom you could not help but like. He was the coalition MP in central Victoria with whom I always got on well.

Michael was one of those people who had an ethical framework about how you conducted political life: there was politics and there was not politics, and it had to be done in accordance with these very basic rules of decency. Very early on after the 1996 election I said something or other. Michael's retort had nothing to do with the topic. His retort in the *Bendigo Advertiser* was that that was it, that he would not introduce me to people when we were at the same functions in the future. That very much symbolised the pattern that Michael set, although Michael was of course incapable of ever following through with such a threat because he was so likeable. He had such an interest in people. He had an interest in talking to people from all walks of life. I suspect that is very much reflective of his background.

Michael was a Welsh immigrant boy who made good, but he never forgot how to have that common touch. You would see him always talking with people, because he took an interest in them. He would do that in this place: he would always talk to people on all sides. This place is unusual. There are people whom you are in combat with, but there are people with whom you can always be on very friendly terms. Michael John was one of those people. You could be apolitically very friendly with him and at the same time you could be a political foe, and the two were not ever in conflict. That is certainly the way Michael conducted himself. I think he is a great role model for conducting our lives in a civilised sort of way.

Being a government local MP in the mid-1990s could be difficult, and there was no exception to that in Bendigo, but Michael was still a champion — the honourable member for Warrandyte has mentioned it — of the TAFE development in Bendigo. That is certainly his great legacy. The site went from being an old saleyards to being a tremendous TAFE facility. That certainly is Michael's lasting legacy and his lasting contribution to central Victoria which we can all see.

I rang Michael a couple of years ago to suggest that he might put himself forward to go onto the board of the TAFE college. During that conversation Michael reflected on how proud he was of those achievements, just as central Victoria is still very proud of him for that TAFE achievement.

Michael always liked a yarn and to tell a joke. Honourable members have already reflected on that. He had a tremendous sense of humour. You could be with him for however long, and he would continue to entertain you. One night he drove me home, and for 2 hours he regaled me with a whole collection of

stories — stories of being an old Bendigo lawyer, stories of — —

Mr Honeywood interjected.

Mr CAMERON — We did have something in common, being Bendigo lawyers, but he would regale you with his old stories and all the silly and quaint things in life which add up to bring colour to the life we all lead.

Locally in Bendigo Michael made contributions to St Luke's principally, and also in the area of racing, both in athletics and with horses. Michael was a keen member of the Bendigo Jockey Club and served on its committee for many years. That sense of always wanting to contribute and to develop young people never left him.

I join with other honourable members in paying my formal condolences in this house to his wife, Belinda, and to his family, just as I know that I join with central Victorians and Bendigo Labor in remembering the late Michael John.

Dr NAPTHINE (South-West Coast) — I rise to pay tribute to Michael John as a colleague and a very good friend. I wish to pass on my sympathy to Belinda and to his daughters, Louise, Catherine and Rebecca, and their families.

Michael was the member for Bendigo East from 1985 to 1999, and he was the Minister for Community Services and the Minister responsible for Aboriginal Affairs from 1992 to 1996.

As other speakers have said, Michael was born in Wales and migrated to Australia in 1956 at the age of 13. His father came from a labouring and coalmining background and tragically died at a relatively young age while Michael was still at high school. As other speakers have said, that gave Michael throughout his political and legal life a real sense of understanding and compassion for families who faced difficulties.

Michael attended Hamilton High School, which was in my former electorate. He matriculated in 1960 with excellent results. He achieved those results in a circumstance where he was not only studying but also working to make a financial contribution to his family and a contribution to the broader community at the same time. As was mentioned by the Minister for Education Services, the 1960 matriculation class at Hamilton High School had the dual distinction of having not only Michael John as one of its members but also Roger Hallam, both of whom served Victoria very well and as ministers in the Kennett government.

Michael was a school prefect, a house captain and the school athletics champion. Until recently, when Hamilton High School merged with Hamilton Technical High School to form Baimbridge College, Michael John's name was on the honour board for holding many of the sprint records at Hamilton High School.

Following his completion of high school he competed at the highest level in professional athletics. He was a placegetter in the 1969 Stawell Gift and won the 200 metres Jack Donaldson Handicap at Stawell in 1971, which capped off a career of many years of very successful athletics in the sprinting field.

As other speakers have said, he was a passionate soccer player. He was involved not only in playing soccer but also in its administration and was a leader in the development of soccer in Bendigo. He was also involved in basketball and was the founder of the Hamilton Athletics Basketball Club, which is one of the longest serving and proudest basketball clubs in western Victoria.

He was also involved in horseracing through being on the committee of the Bendigo Jockey Club and also as an owner and breeder of racehorses, which says a lot about Michael John, because if you are an owner and breeder of racehorses, you must be an optimist with a great sense of humour!

He was a graduate of Melbourne University in both law and arts and successfully practised law in Bendigo.

I followed Michael as the Minister for Community Services. When I went around Victoria and talked to people within the department and to people in the agencies who were doing community service work, the words came back to me time and again — that Michael was a caring and compassionate minister, a minister who was prepared to listen, a minister who was prepared to take on board what people had to say and a minister who worked extremely hard to try to deliver and improve community services outcomes.

There are three things in particular that Michael will be remembered for during his period as minister. The first is that Michael John introduced mandatory reporting to Victoria and brought the legislation through this Parliament. As parliamentarians, we can reflect and say that the introduction of mandatory reporting was one of the most significant improvements to child protection services in our community.

Michael also had a passion in the area of intellectual disability services. His wife, Belinda, worked at the Peter Harcourt Centre in Bendigo, and Michael had a

knowledge and understanding of intellectual disability services and the impact of having a child with an intellectual disability on the family. Two of the programs that he introduced are the Making a Difference and the Early Choices programs. The key element of both of those programs is that for the first time they were flexible in that they provided services to people with disabilities and their families by involving them in making decisions and giving them choices about how they wanted the services to be delivered. They empowered both the family of and the person with the disability. I think that change in direction and emphasis was very much Michael's passion.

Michael unfortunately died far too young, and he will be very sadly missed. What I will miss most about Michael is not only that he was a caring and compassionate person and a person who made a difference to his community at Bendigo — as was evidenced by his work on the transfer of the saleyards to the new regional sales centre, where they are now breaking records in making Bendigo a regional centre, at the same time reinvigorating the heart of Bendigo with the development of the TAFE facility there. He was also a person who had a great sense of humour and a great love of life, and a person you could very much depend on as a friend and colleague. Again I pass on my condolences to Belinda and his daughters and their families.

Mr BRUMBY (Treasurer) — I rise today to support the motion of the Premier and to extend my condolences to the family of the late Michael John. The Premier mentioned in his remarks that Michael John was a person who earned the respect of all sides of politics. He was indeed such a person.

I knew Michael when I was the federal member for Bendigo from 1983 to 1990. Michael was elected to this place in 1985, so we attended many functions when I was the federal member and Michael was the state member. As the Minister for Agriculture remarked, the other state member at the time was David Kennedy, and there were many functions that all three of us attended.

I developed a very strong and very positive relationship with Michael over those years. Michael stayed in state Parliament and became a minister, and when I entered the lower house in the 1990s I saw him again and came to know him in his role as Minister for Community Services.

I attended the state funeral at St Paul's Cathedral in Bendigo in June. Many members of the house here today were present at that funeral. I think it is testimony to the respect that Michael earned on all sides of politics and in the community that St Paul's was full. For those who know Bendigo, I point out that the hall next door was full as well. So a very large crowd turned out to pay its respects to Michael, to Belinda and to the family.

During the service there were some great eulogies. We heard from John Higgs and Ted Ellinghaus many colourful stories about Michael — some of which I would not attempt to summarise today, including his prowess as a soccer umpire. The short summary of those stories is that it was a relatively short-lived aspect of his role in soccer. He made a couple of unfortunate decisions involving the son of a major client of his law firm, and I think he desisted from soccer umpiring from that point on!

If you talk about Michael, there are many adjectives you could use to describe him. Indeed the *Bendigo Advertiser* described Michael as a man who was 'strong, committed, energetic, involved, loving, generous, knowledgeable, informed, articulate, concerned, passionate, caring, professional and had a gift for telling stories'. I think Michael was all of those things. But to my mind the attributes that really stood out about Michael were that he was a very generous person, a very likeable person and a big and warm-hearted individual. I guess, to use an old-fashioned expression, he was very much a gentleman in every sense of the word.

The Minister for Agriculture indicated before that Michael was the Bendigo politician or the opposition politician that he best got on with during that period, and I can only echo those remarks. Michael was a strong local member. We used to contest elections vigorously and hard, but at functions and other occasions on which we would meet he would be a good political friend.

We can say about Michael, and we have heard it in many of the comments made today, that he was a person who was very community minded and active. We heard earlier about his involvement in and support and fundraising for organisations like the Bendigo Art Gallery, Apex and Lions. One of the reasons he was preselected by the Liberal Party and subsequently won the seat of Bendigo East in 1985 was his wide reach into the community.

He was also a person who loved sport and horseracing, and these things have been mentioned today. He was involved with the Bendigo soccer league and the Bendigo Jockey Club. He was a member, too, of the

Victoria Racing Club and the Mooney Valley Racing Club. He bred horses with Belinda.

The Minister for Agriculture mentioned the Bendigo International Madison and the Bendigo 1000 bike and foot races. For those who know Bendigo these big events are held every year during the Labor Day weekend. If you are a politician there you never go away on the Labor Day weekend. You are always there for the Madison and the Bendigo 1000, and you make sure that you are seen in the crowd, shake a lot of hands and sponsor some of the races.

Michael was there on every occasion. It has been remarked today that he was a commentator, and the fees he received for that role he always donated to charity. It has also been remarked today that in his younger days he was very much an athlete in his own right, being a finalist in the Stawell Gift in 1969.

The other things which have been emphasised today and which I want to emphasise as well include Michael's genuine commitment to those in need. Whether it was the work he did with St Luke's Family Care, the time he was on the board of Mount Alvernia Mercy Hospital or indeed his period as Minister for Community Services, he was an individual genuinely concerned about and committed to those who were in need and underprivileged.

It is worth remarking on the period when Michael was Minister for Community Services, because these were difficult times. The member for South-West Coast in his remarks picked out some of the achievements of Michael's period as minister. In preparing for these remarks today I went back to the report in *Hansard* of November 1993 of a debate on child protection. During that debate Michael John remarked:

> The community services budget is to be reduced by 10 per cent over a two-year period: that is the target.

If you think back, you will remember that it was a pretty tough period for ministers in those sorts of portfolios. The Kennett government's budget cabinet of the day made decisions about funding, and ministers had to implement them — but to oversee a portfolio where you are required to deliver a 10 per cent cut over a two-year period is an extraordinarily difficult task. We can say of Michael that he did what was required of him as a minister, but he did it in a way that was as caring as possible in those circumstances.

During the state service many people talked about Michael and his generosity, his big heartedness and his success in life. During the state funeral his daughter Louise read from the poem *What is Success?* by Ralph Waldo Emerson. It probably highlights many of the things that have been said today about Michael:

> What is success?
> To laugh often and much;
> To win the respect of intelligent people
> and the affection of children;
> To earn the appreciation of honest critics
> and endure the betrayal of false friends;
> To appreciate beauty, to find the best in others;
> To leave the world a bit better, whether by
> a healthy child, a garden patch
> or a redeemed social condition;
> To know even one life has breathed easier
> because you have lived.
> This is to have succeeded.

That sums up Michael very well. He was a generous person, and he was one of those people that you meet and immediately like. I extend my sincere condolences to Belinda and to his children, Louise, Rebecca and Cath.

Ms ASHER (Brighton) — I wish to also speak briefly in memory of the late Michael John. His achievements have been outlined by many speakers here today. The achievements in politics were having a range of shadow ministries, his ministry for community services from 1992 to 1996, his sporting achievements and his sterling law career in Bendigo.

I had most to do with Michael John in his capacity as Minister for Community Services and in my then frequent visits to Bendigo. I had the opportunity under Michael's jurisdiction to chair as a backbencher two committees or task forces in his area of community services. The first one was on intellectual disability, which I think ended up with a better outcome for the state, and these things are of course incremental. The second one was in the area of domestic violence.

I want, in part picking up from the comments of the Treasurer earlier, to relay Michael's attitude to his stewardship of the area of domestic violence when he was community services minister. He asked me to chair a task force. He had been set funding cuts, which were appropriate at the time, but as all ministers are aware, when the concept of productivity savings or funding cuts comes up it gives an opportunity to one's department to delineate where cuts could be made in its opinion. This is often in stark contrast to what ministers may actually want to do.

Michael's department came up with an astounding proposal in relation to domestic violence. It came up with the idea that in order to meet some of the funding cuts we could shut every women's refuge in Victoria, or alternatively if we did not want to do that we could run them from 9 to 5. It was a wonderful piece of bureaucratic paperwork which he gave to me and said, 'I need your help here. I need a task force not to do this. Can you please consult, talk, go round the state and come up with the goods for me?'. I did that.

I also said to him, as I became more embroiled in the policy area without any of the sense of pragmatism that ministers have, 'We need more outreach workers as well'. To this he unbelievably said, 'Yes'. In an era of very harsh cutbacks he actually increased funding for probably the state's most vulnerable women. That increased my respect for him enormously, and I think in a small example encapsulates his humanitarian approach to his portfolio.

On a personal note I was particularly grateful to have received opportunities from a minister in my early days on the backbench, as many members of the government backbench now will experience pride in doing work, having their recommendations picked up and seeing advances in the way in which programs are run in the state of Victoria. It is a special minister who offers those opportunities to backbenchers, and I am particularly grateful for the opportunities he gave to me.

Michael was particularly proud of his achievements, in part because of his background from his humble beginnings. He had a strong liberal sense of society providing avenues of opportunity for people from humble beginnings. He was particularly proud, and spoke to me often, about the fact that he was actually educated at a high school. I was flicking through the backgrounds of members of this place on both sides of politics, and the proportion of people here educated in government schools would not be reflective of the proportion of people in society as a whole educated in government schools. He often spoke about his complete pride in having come from a humble background and through the government school system, and about what he was able to achieve using that as a base.

He was particularly proud of Bendigo. He was elected in 1985 as the new member for Bendigo East. In his inaugural speech, which has been referred to by other members, he talked about the pursuit of excellence and free enterprise, as you would expect from a newly elected Liberal member of Parliament. But he also concentrated on what he termed, and the Leader of the Opposition referred to it as well, social mobility. He strongly believed in structures in society, in particular in the education system, which would allow people this social mobility.

I refer to another member from central Bendigo, a former member for North Western Province in the other place, my husband, Ron Best, who also wishes to send his condolences to Belinda and the family. Members of the Legislative Assembly will well know it is not always easy to get on with one's Legislative Council members — there are often tensions.

I guess there are people, certainly on this side of the house, who will know that there are also often tensions between Liberal Party and National Party representatives in the same constituency. However, I can vouch for — —

Mr Doyle — What have you done about that?

Ms ASHER — I have done a lot.

I can vouch that there was a harmonious and cooperative approach from Michael John in particular. He was a very decent man; a man who was willing to get the best outcomes. He was a man without a massive ego, which is rare in this place. He was someone who just wanted to achieve outcomes and get the best for his own community. He always worked with the elements of harmony, cooperation and decency.

I would like to pass on our condolences to Belinda and Michael's extended family.

Mr MAUGHAN (Rodney) — I join the Premier and other members in paying my tribute to the life and work of Michael John. I do it for a range of reasons, the first of which is that we held adjoining electorates for a number of years, and I worked very closely with Michael. I shared 10 years in the Parliament with Michael John and got to know him very well. Like the member for Brighton I was very honoured that I was chosen by him to chair the community services committee for the whole of the time that he was the community services minister. That was a very interesting and challenging time. As members have already referred to, during that time mandatory reporting was introduced and there were significant amendments to the Children and Young Persons Act and significant changes to intellectual disability services.

I formed a very close association with Michael and his staff. I came to know Belinda and to appreciate Michael for what he had achieved in his life. There were very significant achievements, most of which have been alluded to by earlier contributors — the fact that he came to Australia as a young migrant, the fact that his

father died at an early age and the fact that he then went on to achieve at a very high level at high school. He matriculated with honours and achieved great success on the sporting field, and as the Leader of the National Party and others have already mentioned, he had a notable classmate in the Honourable Roger Hallam. I think Hamilton High School can be proud of the fact that it produced two such distinguished people who became members of the Victorian cabinet at the same time and both of whom made considerable contributions to the state of Victoria.

Michael won a commonwealth scholarship, went on to Melbourne University and graduated in both arts and law. He practised as a solicitor in Bendigo; married a fellow university student, Belinda; and continued with his athletics career for quite a number of years after university, the highlight of course being his Stawell Gift appearance in 1969.

Michael John was very highly regarded as a decent man. I think if we can aspire to anything in life it is to be remembered as a decent person — a person who has tried his best; a person who has made a change to the community in which he has had an opportunity to serve. Michael John certainly did that. He was a decent man. He was a man with a very warm sense of humour who was always good company to be with. We have heard many stories today of Michael's endless fund of stories and the fact that across political boundaries he formed very good friendships. I think those of us who knew him well remember Michael with a great sense of affection.

The Leader of the Liberal Party and the Leader of the National Party both referred to Michael's very laudable objectives, which he outlined in his inaugural speech in this place and in all of which he made very considerable contributions. I suggest that he achieved many of those objectives that he set out to achieve and left the state of Victoria a much better place for his having been here.

The state funeral held in Bendigo on 13 June was, I believe, a fitting tribute from the broader community to the life and work of a truly outstanding individual. I am pleased to be able to contribute to this motion of tribute to Michael John and to extend my condolences to his wife, Belinda, and to their daughters, Louise, Catherine and Rebecca, and their respective families.

Ms KOSKY (Minister for Education and Training) — I join with the Premier and other members of this house in expressing sincere sorrow at the death of the Honourable Michael John on 6 June 2003. I do not wish to go through the record of Michael John's great contribution in this place, but to add my own personal experiences with Michael.

I got to know Michael when I was working as an adviser for Kay Setches — she was the Minister for Community Services at that time. We had difficult issues around child protection, which certainly continued when the Kennett government came to power, and Michael then had to deal with some of those issues. One of the issues was mandatory reporting. I remember we had some discussions with Michael, and he indicated that he very much wanted to cooperate with the then government; but after speaking with a few of his colleagues and, I think, getting directions, he then commented that maybe he could not cooperate as much at that time. But that was an indication that he was very much committed to improving the child protection system. We certainly know, and have heard today in this house, about what he then went on to do around the child protection issue — he made it a much better system.

I got to know Michael very well when I came into this house in 1996, because I was a member of the parliamentary committee on federal-state relations, of which Michael was the chair. I place on record that he was a fantastic chair of a great committee. He was incredibly thoughtful, very insightful, extremely hardworking and very generous not only in terms of his time but also about the views expressed around the table. He had the capacity to bring those different views together so that we could all agree, which is very difficult to achieve in parliamentary committees.

Michael John was one of the best chairs at managing to get a parliamentary committee working incredibly well. We produced a lot of reports, but — more importantly — we learnt an enormous amount when we were on that committee together. That committee included the member for Murray Valley; the previous Speaker, Mr Andrianopoulos; Leonie Burke, who was in this house, and other members. The committee worked very well together and very hard under Michael John's leadership. We enjoyed some interstate and overseas trips — and we know that what happens overseas stays overseas! We travelled overseas with Michael and with his wife, Belinda, as well, so I was able to get to know them not only on a professional but also a personal level.

I suppose I would refer to Michael's sense of humour as a wicked sense of humour, which we enjoyed on many occasions. I still remember the member for Murray Valley one evening entertaining, I think, the whole restaurant with his singing, and Michael with his jokes.

It was a great committee that worked well together, had fun together, but also learnt a lot. The reports that it produced stand in very good stead now, as they did when they were produced, showing how the commonwealth and the states can work together in a much more harmonious way in our federal system.

The commitment Michael made towards the Bendigo saleyards — to getting a new saleyard site in Bendigo and ensuring that the old saleyard site was put to good use through the TAFE institute — has been mentioned. His quality of commitment to the Bendigo community and his hardworking nature — the very intelligence of the man — were the qualities that convinced me to appoint Michael to the Bendigo Regional Institute of TAFE when a vacancy arose in 2002. In the time that he served as a member on the BRIT council he put his legal and community knowledge to great use. The board has indicated to me that it really valued his appointment. In the short time he was on the board he made a great contribution through offering the TAFE institute council invaluable advice and filling a gap in its knowledge base.

I want to tell a very brief story. Michael developed good relationships with everyone — not only members in this house but with his staff and with people who came into his electorate office. He was a very genuine, friendly, warm person. We were talking about cappuccino machines at one stage, and he said, 'I've got one for sale'. I was keen to have one in my electorate office for my staff, who used to spend a lot of time going down to the local milk bar. He said to me that he had a machine because he had an Italian electorate officer who would only come to work for him if he had a cappuccino machine — which he went out and bought. I am not sure if it worked for the time that she was in the office, but I have had great difficulty with it ever since. But I know it was a demonstration of Michael's generosity and commitment to the staff in his electorate office, which he also had with the staff in his ministerial office. On the parliamentary committee he got on very well with the committee staff and the members.

He will be greatly missed. I do consider Michael to be a political friend. I very much enjoyed the time that I worked with him and his friendship as well as his wisdom. I wish to extend my sincere sympathies to his wife, Belinda, and their three children and grandchildren.

Mr COOPER (Mornington) — There is always a special bond between people who are elected on the same day. I am sure people who were elected at the last election for the first time have that bond. That bond existed between Michael John and me, because we were both elected to this place in 1985.

The contributions that have been made so far today certainly reflect the Michael John I knew and the Michael John I think we all knew — a good bloke and a decent, honourable, amusing individual. He was great company, and the times my wife and I spent in the company of Michael and Belinda at the races — we particularly saw a lot of each other in our first seven or eight years in this place — were always great fun and Michael was great company.

There were always those amusing stories that people have referred to. I have a myriad of Michael John stories, some of which definitely cannot be told — one in particular which cannot be told in this place, and perhaps nowhere! But it happened in this building, and it was one of the funniest incidents I have ever seen.

Honourable members interjecting.

Mr COOPER — I am really building you all up on this! Perhaps if you would like to talk to me privately some time I will regale you with that story.

Michael's range of interests has been mentioned, particularly his interests outside of politics. In the sporting area there is the fact that he started up the Bendigo soccer league and played soccer and also was involved in horseracing. He was a very keen punter — not a good tipper, I must say; Michael very rarely gave me a winner, but he was a very enthusiastic punter — and he was also a breeder. He and his wife certainly put a lot of their hearts and souls into something that they really enjoyed.

The part of Michael's sporting life that interested me more than anything else was the fact that a Welshman could end up as an Australian Rules football umpire. I found that quite strange, although when you see some of the Australian Rules football umpiring decisions these days you think the umpires probably are Irish or Welsh or something, but certainly not Australians. Michael's career as an Australian Rules football umpire came to a spectacular conclusion. I could never tell the story as Michael did, but it was both alarming and amusing at the same time. It revolved around a match in Kerang where he had to report a local player of some note, a dearly loved player, somebody who had the whole of Kerang on his side. Michael one Saturday afternoon had to report this guy, and then on a very cold night a few evenings later had to return to Kerang to give evidence to the tribunal.

The tribunal met in the pub. When Michael went into the pub he saw the player and all the player's mates —

in fact probably the whole town, as Michael recalled it — sitting in the bar having a drink waiting for the tribunal to start. Michael walked into this atmosphere and gave his evidence, and then when he went back to his car it was about 10 o'clock at night. Kerang was of course lively, on a winter's night, midweek — there was nobody around except a couple of guys standing there looking at his car. He jumped in and drove away, and as he recounts the story he drove back to Bendigo with his foot through the firewall with a pair of headlights in his rear-vision mirror chasing him out of town. He really did fear for his life. But as he told it, you could not help but laugh. No matter how many times you heard the story you could not help but laugh, because the way Michael would recount anything like that was both entertaining and amusing, even though it was alarming.

A number of honourable member's have mentioned Michael's maiden speech. I commend it to those who have not read it, because it is a speech of quality. He said a number of excellent things in the speech, and I want to quote one small paragraph:

> I seek a state where our children are encouraged to work and to be rewarded for their efforts; where they are encouraged to pursue excellence in all things; where they will grow up appreciating the value of individual initiative and where they will acclaim the value of the free enterprise system as the best means to create wealth in the state to pay for educational and welfare needs.

Michael went on to argue for the strengthening of the ethic of our pioneers, which he described as 'Leave it to me, I will do it', rather than the modern cry of 'Leave it to the government' — or 'Where is the government?', as some of us might put it.

He said in his speech that when he left this place as a member:

> I hope I will have contributed to the welfare of our children and our children's children.

Michael has left this place and left this world, but he has certainly done all of that and a whole lot more. Michael was a friend of mine, and I send my sincere condolences to Belinda, Louise, Catherine and Rebecca.

Mr HULLS (Attorney-General) — I want to speak briefly about Michael John. I think honourable members have encapsulated the spirit of Michael John: he was a very decent and compassionate human being. He was certainly regarded by members on both sides of this place as a compassionate minister in government, and his record of service to the community of Bendigo, as we have heard, was very impressive.

He was, like me, a lawyer, and he practised for many years in Bendigo, but unlike me he was a lot quicker on his feet. That is certainly evidenced by the fact that he was the winner of many professional sprint titles and, as we have heard, a finalist in the 1969 Stawell Gift.

We know he was a lover of sport and a co-founder and life member of the Bendigo Soccer Club, as well as maintaining a lifelong interest in athletics. He was a freelance commentator for ABC TV and TV 8, as it then was, in Bendigo on the Bendigo 5000.

I remember Michael best, I guess, for his passion for a sport that is also close to my heart and that of the Leader of the Opposition — horseracing. When I had the racing portfolio I bumped into Michael on many occasions at tracks right around Victoria, particularly at Bendigo. Michael was a member of the Bendigo Jockey Club, the Victoria Amateur Turf Club and the Moonee Valley Racing Club. On many occasions I would see him in his capacity as a committee person of the Bendigo Jockey Club. Regardless of our differences in politics he was always extremely hospitable and very keen not just to tell me the tips he had for the races that day but to introduce me to all and sundry around the place. I was a relatively new racing minister at that stage, and he took the time to take me around the track to introduce me to many of his colleagues. I certainly appreciated that.

He was also someone, when he was in this place, who was happy to speak his mind, whether as a minister or indeed as a backbencher. I recall an article that appeared in the *Australian* in December 1997 after the Mitcham by-election where, in no uncertain terms, he was happy to give advice to the government of the day. The then government had taken a bit of a drubbing in the Mitcham by-election, and Michael John was quoted as follows:

> 'We do need to communicate better in the community. We need to listen more and explain more (of the government's achievements)', Mr John, now a backbencher, told his local newspaper on Sunday.

Obviously it was such a drubbing that party strategists started to get a bit nervous because the article goes on to say:

> Liberal Party officials and government strategists are now desperate to avoid another potentially disastrous by-election and are expected to pressure state MP Victor Perton to abandon a possible move to federal politics.

I am sure that was supported by everyone in this place.

Michael John was more than happy to speak his mind. He was a very decent human being and a great bloke.

That is evidenced by what everyone has said today. He was very strongly supported throughout his career by his wife, Belinda, his kids, Louise, Rebecca and Cath, and other members of his extended family. They can be proud of Michael's record of service to the Parliament, to the people of Bendigo and to the people of Victoria.

Mr BAILLIEU (Hawthorn) — As everyone has said, Michael John was a very likeable man. He was a great member of Parliament. The people of Bendigo liked Michael, his colleagues liked him, the Liberal Party liked him and I liked him. I got on very well with him. As someone who served as vice-president and president of the party for nine of the years Michael was in this place I enjoyed a positive and warm relationship with him.

Michael's passing is cause for me to reflect that this is the third occasion on which I have risen to speak on a condolence motion for a minister of the Kennett government — Vin Heffernan, Ann Henderson and Michael John. The Treasurer noted earlier the tough times endured in that period, particularly when Michael was a minister. Michael handled it well, but no-one should underestimate the impact of the pressure and the hard work in this place. Everyone here needs to keep that in mind. I feel for the families of those members; I think this is another sad moment to reflect on.

As I said, Michael was a terrific bloke and a very likeable man who had a great affection for the Bendigo region. I will not repeat many of the things said by others, but I think Michael's political legacy is a very strong one, as is his personal legacy. I have discussed his achievements with those who served on his staff, particularly in the community services portfolio, and they reflect well on his achievements in community services. As the member for South-West Coast said, Michael's achievements in mandatory reporting are a very positive legacy for this state. His staff reflect well on the balanced approach he brought to deinstitutionalisation, particularly in ensuring that appropriate facilities were built in lieu of the institutions from which those people came.

Michael took a very balanced approach to juvenile justice and was very keen to see capital upgrades in the youth services field. I understand Michael was the first minister in his portfolio to establish a regular visiting program at the Melbourne Juvenile Justice Centre. I gather that that is a tradition which has been encouraged ever since.

I am proud to say I worked with Michael, albeit in a voluntary capacity, and all those who worked with him were very conscious of his extraordinary commitment to the disadvantaged in this state. That was reflected in the tributes paid to him by the community groups he worked with. He was held in very high regard by those groups, particularly child protection, juvenile justice and, as we have heard, disability groups. Michael gave his all to leverage his enthusiasm to achieve additional resources for those areas and he was successful in that even though they were hard times financially. Michael was constantly pushing for new and innovative measures he could introduce into his portfolio area, in particular best practice, evidence-based programs for youths in detention. He also established very effective relationships with the commonwealth government and used them well.

From a personal perspective, Michael was a great friend of the Liberal Party. He was regarded very fondly among Liberal Party members. He was an integral part of the Liberal Party team in Bendigo for so many years. He will be greatly missed. I pass on my condolences and those of the Liberal Party in general to his family and his friends.

Mrs SHARDEY (Caulfield) — I join this condolence motion for Michael John, who served as the member for Bendigo East in this house from 1985 to 1999. I certainly convey my sincere sympathy to his wife, Belinda, and his three daughters.

Michael's untimely death at the age of 60 years brings great sadness to many and reminds us that life can be all too short and we should enjoy it, although Michael did seem to enjoy very much his service in this place and his service to the community.

He was a successful Minister for Community Services and Minister responsible for Aboriginal Affairs between 1992 and 1996, and prior to those times had been a shadow minister in a number of portfolio areas. I believe to be a successful Minister for Community Services and Minister responsible for Aboriginal Affairs you need to be a person with a great heart and a great soul. He was certainly both of those. You also need to be extremely sensitive to the needs of others. Michael was just that. Although a number of members have already quoted from his maiden speech, it encapsulates Michael's feelings and what he sought to achieve as a member of Parliament and did achieve as a minister. He said in his maiden speech:

> I enter Parliament with a goal and a vision for a just, prosperous and free society. When I leave I hope I will have contributed to the welfare of our children and our children's children. I do not want change for the sake of change. I want change only where I know it will be for the better. I want our children to prize the rights of the individual over the rights of the state. My commitment is to traditional conservative values blended with new hope and new vision for Victoria.

I believe he achieved a great deal of that.

I shall focus on a few of the specific achievements in his portfolio responsibilities, because I think they have formed the basis for many of the successful programs that are being continued today. It was Michael who launched the carer strategy in early 1996 which brought about great focus for those in our community who care for others. That was something he was particularly proud of. In the community services portfolio he was responsible for bringing together and focusing on families' and children's programs in the newly formed primary care division. He was responsible for Positive Parenting programs, Healthy Futures programs, the extensive support for families in crisis and the introduction of the Families First program.

Many members have mentioned mandatory reporting, which for the first time meant that a lot of children who had been abused in our society came to the notice of those who could do something to help them. In the portfolio of Aboriginal affairs Michael likewise achieved a great deal.

Personally, Michael welcomed me as a new member in 1996 and had a lot to offer in terms of advice, which I surely needed and probably still do today. In any event, he had a wonderful sense of humour and a wild twinkle in the eye, and we all appreciated his stories and jokes. Michael will be fondly remembered by us all, by the Bendigo community and by Victorians, to whom he contributed much.

Mr THOMPSON (Sandringham) — While Michael John did not perhaps bring into this chamber the svelte figure that carried him over the line successfully in many professional footraces, he did bring into this Parliament his sense of fairness, his sense of justice and his innate decency. From my perspective the epitaph for Michael that I will contribute appears on the exterior wall of the Robinvale Aboriginal Cooperative, where on 1 December 1995 Michael opened the new health services being delivered through that centre.

For those members of the chamber who have not had the privilege of visiting that Aboriginal cooperative, it is of outstanding design that is a product of other departmental work at another point in time.

Michael was a man of special stories ranging between the skydiving school in Bridgewater, where I met him in the early days, through to Ottawa, where he was leading a parliamentary delegation, and to Spring Street. Some of the stories were generated by the pictures on his wall, which may have been of a footrace, or an Aboriginal artefact on his desk that gave rise to the discussion of the occasion upon which something which was of great meaning had been presented to him.

In addition, upon a little bit of probing other stories then followed of his early years in Wales, his early days of hardship in Hamilton, of his very deep love of his mother and his regard for her and the way that she had brought him up in his teenage years following the early death of his father. He was also very proud of his achievements as a student at Melbourne University, having made his own way there on scholarship and having graduated in two courses; and the way his life compass was then set towards the Liberal Party, based upon his understanding of the political process and what would build in his view a just, prosperous and fair society.

His contributions in the sporting arena outside athletics in the fields of soccer, soccer administration and also a brief tenure as a football umpire are the source of other stories in the chamber today.

In telling stories, there are some that will live on in this chamber. Some were carried into the parliamentary chamber from the parliamentary dining room, where Michael's vivacity, sense of humour and sense of moment often held sway. He was a very gregarious person. Michael's enthusiasm for life and his innate interest in people was balanced and also counterbalanced by his outstanding wife, Belinda, herself deeply committed to the welfare of others through her professional role in disability services. Often as Michael was engaged in conversations in public meetings and gatherings it was Belinda who perhaps had a sense of political timing and moment to move him through an audience to enable them both to successfully conclude their responsibilities on a particular occasion.

Also part of Michael's political career covered the educational span of his children, Louise, Catherine and Rebecca. Their contribution in support of him, together with that of his wife, is not to be underestimated in a political career.

In my closing words I choose to draw from Ted Ellinghaus's eulogy given on the day, followed by another quote:

> Michael will be remembered by those close to him as a man of significant achievement, profoundly committed to Bendigo, with a deep compassion for the underdog, an irrepressible sense of humour, an unquenchable zest for life and enormous personal warmth, generosity …

In Michael's concluding words in his maiden speech he made the comment:

> A politician thinks of the next election. A statesman thinks of the next generation.

Michael's contribution to indigenous issues bears testimony to his regard for the next generation.

Mr SAVAGE (Mildura) — I have only been in this place a very short period of time, but when I was first elected Michael John showed me some friendship and consideration which I have never forgotten. I formed the opinion then that he was a very decent and likeable person, and I have not changed my mind.

Obviously other members of this place have formed the same opinion. I know that both of the members representing Bendigo have always spoken highly of Michael John, and I think that is a good reflection. We have learnt much about Michael — I know I certainly have today. There were many things I was not aware of in his past and in his character, but I think he fits many of the categories in the definition of success, and my sympathies go to his wife, Belinda, and his children.

Mr PERTON (Doncaster) — I had selected the same poem that the Treasurer had selected, and as we listened to the poem being read a number of my colleagues and I agreed that it really summed up Michael's life. These things are often about memories and remembering these things fondly. I hope I can dedicate myself, and I suspect that the Minister for Education and Training and the Minister for Education Services would also dedicate themselves to that thing that Michael sought in his maiden speech:

> I seek a state where all children, regardless of their social, economic and racial backgrounds receive a proper and a sound education.

If we can do that as parliamentarians during the course of our parliamentary career we will have done a great thing and built a great memorial to Michael John.

The SPEAKER — In concluding this debate and reflecting on Michael it brings to mind an expression my father used to use about people of whom he had a high opinion. He used to describe them as 'one of nature's gentlemen', and I think those of us who had the pleasure of being in Parliament with Michael would see that as an apt description for him.

The comments made about Michael, not only today but at his funeral, bear great testament to the fact that he had a great deal of love for Bendigo and for the whole state of Victoria. Not only in his life as a member of Parliament but outside that life he worked very well to try and improve the lot of people in his own community and more broadly. It is a sadness to all of us who knew him that he died so young. On behalf of all members of the Parliament I express our deep sympathy to his wife, Belinda, his family, his children and his grandchildren.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

ADJOURNMENT

Mr BRACKS (Premier) — I move:

> That, as a further mark of respect to the memory of the late Honourable Michael John, the house do now adjourn until 8.00 p.m. this day.

Motion agreed to.

House adjourned 3.36 p.m.

The SPEAKER took the chair at 8.04 p.m.

QUESTIONS WITHOUT NOTICE

Police: files

Mr DOYLE (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services, and I ask — —

Honourable members interjecting.

The SPEAKER — Order! There is no need for that silly behaviour while a question is being asked. I ask honourable members to hear it in silence.

Mr DOYLE — My question is to the Minister for Police and Emergency Services. How many conversations has the minister had with the Chief Commissioner of Police regarding the police files scandal, and can he explain how any such specific discussions are appropriate given that the matter is an ongoing operational police investigation?

Mr HAERMEYER (Minister for Police and Emergency Services) — Conversations held between the chief commissioner and me are absolutely confidential. However — —

Honourable members interjecting.

The SPEAKER — Order! In the same way that I asked government members to be quiet while the Leader of the Opposition asked his question, I ask members of the opposition to be quiet while the minister answers the question.

Mr HAERMEYER — It is the downside to having question time after the dinner break!

I can assure the house that I have never directed the chief commissioner or any police member on any operational matter. I do understand the separation of powers, unlike the Leader of the Opposition, who just a few weeks ago suggested that the police ought to go out and breach the Equal Opportunity Act!

Bushfires: Emergency Services Commissioner's report

Mr HARDMAN (Seymour) — I ask the Premier to outline the details of today's release of the Emergency Services Commissioner's interim report into the summer's bushfires.

Mr BRACKS (Premier) — I thank the member for Seymour for his question. Everyone in this house is aware that the bushfires we had over the 2002–03 season were certainly the worst in the last 20 years and probably as bad in scale and scope as those we had in 1939.

I announced at the end of the fire season that we would have an independent inquiry into the conduct of the fighting of the fires, the preparation for the fire season and also the recovery effort post the fires. I am very pleased to say that today the Emergency Services Commissioner, who was charged with the responsibility of undertaking that review under the act to which he works, has now issued to me as Premier and to the government an interim report in order to give the government advice before we come to his final report in October — that is, to give advice early so we can implement certain things in preparation for what we expect will also be a difficult fire season coming up in the 2003–04 period.

I can indicate to the house that the Emergency Services Commissioner and his panel that undertook the inquiry received 270 submissions from 400 people and organisations. They toured around all of Victoria and met with some of the key agencies as well. His overall finding — it is not surprising, and I think all members of this house would appreciate and understand, what a great effort it was that the Country Fire Authority (CFA) and the Department of Sustainability and Environment put into fighting the fires in Victoria — was that, given the scale and size of the fires, it was remarkable that so much property was saved and so many lives were saved as a result. We only have to look at what is happening overseas with the fires across Europe, the United States of America and Canada to see how extensive they are and how well off we are, given the efforts in fighting fires here in Victoria.

As with all emergencies and all major events, including fighting fires, we can learn to do it better. I believe we are at world best practice, but that does not mean we cannot improve further — and that is exactly what we asked the Emergency Services Commissioner to report to us on. In his interim report he has made some recommendations to develop better and quicker processes for approvals for fuel-reduction burns on Crown land and private property. We have accepted those recommendations, and as a result of that we will be committing some more resources — that is, more staff. Those people who are hired to fight fires will be hired at an earlier time in order to do some of that fuel-reduction work before the season is on as well.

The commissioner has also indicated that we can have an improved system for a statewide notification of fuel reduction burns. He points out that fuel reduction burns can have an impact on the amenity of an area across the community. Regrettably, as members know on occasion fires can go across control lines if they are not contained properly. Therefore better and more accurate information statewide is one of the recommendations we support and will adopt.

The commissioner also indicated that we could enhance further the local knowledge and intelligence we currently have about fire patterns and behaviour in fighting fires. We accept that recommendation, and the Country Fire Authority will now set about improving the standard of information available to those involved in the firefighting effort through local intelligence.

The commissioner also indicated that a so-called one-stop shop should be put in place for the recovery effort — that is, one phone number or one point of contact, thereby avoiding the need to go to each of the Department of Human Services, the Department of Sustainability and Environment, the Department of Primary Industries and other recovery teams that currently operate. Again the government accepts that recommendation. That system was in fact in place towards the end of the recovery process, but we will make sure it is in place at an earlier time for the forthcoming fire season.

He has also made recommendations seeking further examination of the fencing guidelines. This situation has probably been investigated by all governments over a long period of time, and it is an important matter. Our government will be undertaking a further examination of these fencing guidelines. The Minister for Environment and the Minister for Agriculture will be looking at those guidelines together, because it is true to say that a myriad of programs and schemes have been

implemented in the past. This government wants to examine the situation further.

I point out also that our government has been more accommodating in funding and supporting fencing arrangements than any other government in Australia's history. Nevertheless I accept the recommendation of the Emergency Services Commissioner because I have looked at the evidence. We will examine the situation further and look at achieving more consistency whilst encouraging people to take responsibility for the insurance of fences, which a large number of farmers already undertake. However, we need to look at some of those other issues as well.

We will also examine further the guidelines for restoration of works which are undertaken on control lines on private land. There is a timely issue involved in that restoration, and we want to make sure there are clear and explicit guidelines in that area.

We accept the recommendations in this interim report and we are acting on them now. It was delivered in order that we can ensure better preparation for future fire seasons. A final report will be issued to the government by the Emergency Services Commissioner in October. I congratulate the Emergency Services Commissioner and his team on the excellent work they have done in undertaking extensive consultations around the state and we look forward — —

Mr Ryan — On a point of order, Speaker, on the question of relevance, the commissioner has also sought urgent responses from government departments. Will the Premier ensure that he gets those responses?

The SPEAKER — Order! There is no point of order. The Premier will continue.

Mr BRACKS — The final report from the Emergency Services Commissioner will be delivered to our government in October. We welcome the interim report and we are acting on it. Everyone in this house would appreciate that whilst we had one of the most difficult fire seasons for at least 20 years, there is no guarantee that we will not again have a severe fire season in the coming year.

Police: files

Mr RYAN (Leader of the National Party) — My question is directed to the Minister for Police and Emergency Services. Will the minister advise the house if he has at any time during his ministry sought or received information from police files regarding any past or present member of the Victorian parliamentary National Party or any candidate standing for election to the Victorian Parliament on behalf of the National Party?

Mr Doyle interjected.

Mr HAERMEYER (Minister for Police and Emergency Services) — Desperate Doyley!

I certainly do not believe that I have at any stage — —

Mr Doyle — You don't believe?

Mr HAERMEYER — Do you want an answer or not?

Honourable members interjecting.

The SPEAKER — Order! I ask members, including the member for Brighton and the Leader of the Opposition, to be silent while the minister answers.

Mr HAERMEYER — I certainly do not believe I have at any stage sought access to police information about any National Party candidate or any member of Parliament in the way questioned by the honourable member. As I have said, the only access to the law enforcement assistance program that I am aware of was in relation to the matter of Matthew Guy, where the Ombudsman has already said that my access or the access to information I had in that instance was to publicly available information — it was information in the public domain — and that it was not inappropriate for me to receive that information.

Rural and regional Victoria: growth

Mr HELPER (Ripon) — My question is to the Minister for State and Regional Development. Will the minister inform the house of the Bracks government's recent efforts in bringing the needs of rural and regional Victoria to the attention of the commonwealth?

The SPEAKER — Order! That is a very broad question, so I ask the minister to keep in mind the time limits on answering questions.

Mr BRUMBY (Minister for State and Regional Development) — I will keep it very brief. I will be done by 21 minutes past — past 9, that is! No; I will keep it brief.

I thank the honourable member for Ripon for his question. We all remember back four or five years ago the performance in country Victoria: country Victoria was on its knees under the former Kennett government and had high unemployment. Essentially that has turned around under the Bracks government. I am delighted to say — —

Honourable members interjecting.

The SPEAKER — Order! The opposition benches!

Mr BRUMBY — They are very defensive about their record in government. I would be very defensive too, if I were them, about their record in government.

If you look at the present, the unemployment rate in country Victoria in June this year was 4.9 per cent, there have been 55 000 additional jobs created during the period of the Bracks government and regional building approvals are up to an all-time high of $3 billion. I guess what is most pleasing is that people are moving back to country Victoria. We have had population growth of 1.25 per cent. The point is that the Bracks government is always looking for more opportunities to drive growth, drive confidence and grow population in country Victoria.

It is in that context that I wrote recently to the federal Treasurer, Peter Costello, in relation to the Productivity Commission inquiry into first home ownership, because I believe, along with treasurers in other states as well, that this is a great opportunity to grow population investment and opportunity right across regional Australia. If you look at the issue of housing affordability, just last year — these are 2002 figures, and of course prices have increased since then — the median house price in Melbourne was $258 000 and in country Victoria it was $144 000. The fact is that there is significant housing availability, and of course affordability is much, much stronger in country Victoria.

So last week I wrote to the federal Treasurer and asked him to extend the terms of reference for his Productivity Commission inquiry to include a clause which focused on attracting population to regional areas and the extent to which this would improve housing affordability and address demand and supply imbalances. I am delighted to say that while I have not yet heard back from the federal Treasurer I have heard huge support for this initiative from country Victoria.

Today I am delighted to say that the regional cities group released a statement headed 'Regional Cities Victoria highlights their housing affordability to the federal Treasurer'. The press release says:

> Ten of Victoria's major regional councils have joined the call to have regional development considered in the terms of reference for the Productivity Commission inquiry into first home ownership.
>
> …
>
> 'The Productivity Commission inquiry into first home ownership offers the perfect opportunity to fully explore measures which could encourage population growth in rural and regional areas', says Regional Cities Victoria chairman and mayor of Wodonga, Cr Lisa Mahood.

The 10 member councils are the City of Ballarat, the City of Greater Bendigo, the City of Greater Geelong, Horsham Rural City Council, Mildura Rural City Council, Latrobe City Council, Greater Shepparton City Council, Wangaratta Rural City Council, Warrnambool City Council and, of course, the Rural City of Wodonga. They are all excellent councils that are supporting the initiative of the Bracks government.

What we would like to see is opposition support on this. We would appreciate the opposition saying to the federal Treasurer, 'This is a great opportunity to put regional development on the agenda'. Let us use this inquiry as an opportunity to grow investment, grow jobs and grow the population in regional Victoria by taking advantage of housing availability and housing affordability.

1 Treasury Place: catering contract

Mr HONEYWOOD (Warrandyte) — My question is to the Premier. I refer the Premier to the recently signed $330 000 contract with Damm Fine Foods Pty Ltd to provide one year's catering for his 1 Treasury Place hospitality suite, and I ask: can we see the menus and guest list so that Victorian taxpayers can see what they are getting for close to $1000 per day?

Honourable members interjecting.

The SPEAKER — Order! I ask members to come to order to allow the Premier to answer the question.

Mr BRACKS (Premier) — The catering contract for 1 Treasury Place has not changed in size and scope since the previous government was in power and had similar contracts.

Firearms: handgun buyback

Mr ROBINSON (Mitcham) — My question is to the Minister for Police and Emergency Services. Will the minister inform the house of the status of the Victorian handgun buyback?

Mr HAERMEYER (Minister for Police and Emergency Services) — The handgun buyback commenced in Victoria on 1 July. It commenced initially with the government entering into negotiations with major importers and dealers of handguns for them to buy back their handguns. Given that we are expecting some 10 000 guns to be handed in over the term of this buyback, unlike the hundreds of thousands which were expected to be handed in in 1996, rather

than setting up a number of fixed centres around the state, the process by which Victoria Police is approaching this buyback is to maximise convenience for shooters who want to hand their guns in by setting up a mobile buyback service both in metropolitan Melbourne and in regional Victoria, which will enable shooters and collectors to attend buyback centres based around gun clubs.

The buyback was certainly taken up well. On the very first day of the buyback there were very long queues with people coming in from long distances, which they did not need to do because there will be a buyback centre at a location near them soon. However, I want to congratulate the staff and officers of Victoria Police who stayed there until the early hours of the morning to finish the job, because there were some long queues on that day. But everything since then has run very smoothly. We have very successfully bought back and destroyed some 2076 guns to date.

As a result of the legislation that was passed earlier this year we have introduced a system of graduated access to handguns for target shooting.

Mr Mulder interjected.

The SPEAKER — Order! The member for Polwarth!

Mr HAERMEYER — We now have a regime of graduated access to handguns for target shooting that is based on training, experience and matched population. We have also given the chief commissioner the power to refuse or revoke firearms licences based on criminal intelligence.

There are also increased penalties and new offences relating to the illegal disposal and acquisition of firearms, especially in relation to handguns. There are also new penalties for possession of an unregistered firearm. There are now severe penalties and strict new laws in place in relation to the internal trafficking of handguns.

I need to say, however, that there is one area that is of concern. Whilst the states have undertaken appropriate responses to deal with the issue of legal handguns, the majority of crime is still committed by people in possession of illegal handguns — people who are not licensed and who do not have those handguns registered. Unfortunately, while we can try to deal with that in terms of the internal trafficking, we have a significant problem with the porous borders that exist in this country.

Until recently 3 in 1000 containers were checked for illegal handguns coming into this country. The federal government has now introduced some machinery that brings that up to about 3 per cent rather than 0.03 per cent, which is still a very small percentage of containers being checked. It is also a situation where, if you want to import illegal handguns, you know that there are three ports where containers are going to be checked and in the rest they are not. That leaves our borders still very vulnerable and very porous. We have very little control over what is coming in through our borders, not just through the main ports and the main entry points but also, as we saw with the *Pong Su* incident, what comes across from shipping off the coast.

Whilst I have to say that the federal government has been very effective and efficient at stopping anybody coming into this country who might be a refugee, it has not been quite as effective and efficient at stopping illegal guns and drugs coming into this country, so border control and boosting of customs are serious issues that the federal government needs to address.

Education and Training: job cuts

Mr PERTON (Doncaster) — My question is to the Minister for Education and Training. On 31 October last year she told the Parliament she would be red faced if she had to sack any public servants. I ask the minister is she now red faced, given she is about to sack 300 public servants, who, in her own words, 'do not value add to students in schools'?

Honourable members interjecting.

The SPEAKER — Order! I know members are frightfully excited about being back in Parliament, but I would appreciate their assistance in allowing question time to proceed in an orderly manner.

Ms KOSKY (Minister for Education and Training) — It is obviously an 8 o'clock question time because the shadow minister has got a question up! I can say in response to the question that has been asked, I would be red faced if I had to sack teachers.

I refer to the recent policy announcement that the opposition made, which was about providing class sizes of 70 students. We did a few calculations on this. For years 11 and 12 — —

Mr Perton — On a point of order, Speaker, I understand it is after dinner, as the minister said, but the question relates to the minister sacking education public servants and her previous statement that she would be red faced were she to do so. She ought to answer that question. It has nothing to do with class sizes.

The SPEAKER — Order! I do not uphold the point of order at this stage — the minister has only been speaking for 30 seconds — but I remind her to address her comments to the question asked by the member for Doncaster.

Ms KOSKY — Anyway, if we were to address the policy issue raised by the shadow minister, it would actually mean sacking 575 teachers and saving some $40 million from the budget — if in fact we only focused class sizes of 70 on years 11 and 12 and we only focused on a quarter of those class sizes. So whilst we are concentrating on putting extra teachers into our schools so that students have better learning opportunities — that is where our focus is, and that is where we will continue to have our focus — we know that the opposition is still focused on sacking teachers, and maybe they will close some schools.

City Link: e-tags

Ms BEATTIE (Yuroke) — My question is to the Minister for Transport. Can the minister inform the house of the steps the Bracks government has taken to ensure Transurban customers are not made to pay fees because of battery failure in their e-tags?

Mr Mulder interjected.

The SPEAKER — Order! The member for Polwarth will cease interjecting!

Mr BATCHELOR (Minister for Transport) — In July 1999 the previous government amended the City Link — —

Honourable members interjecting.

Mr BATCHELOR — The confessions from the other side, Speaker! Seven dark years! They reinforce the message time after time.

An honourable member interjected.

Mr BATCHELOR — That's right, you had better take it up, because people will not forget. Seven years of darkness, and you have not come out of it yet. Let me remind you that it was in July 1999 that the previous government amended the City Link concession deed to allow Transurban to charge an administrative fee when registered customers travelled on City Link without an e-tag.

Now there are about 280 000 customers who choose to operate one e-tag linked to more than one car. Typically this initiative has been taken up largely by families. This e-tag can be swapped between cars. However, many customers choose to pay the administrative fee, currently $1.20, each time their car travels on City Link without using their e-tag rather than swapping the e-tag from one car to another.

On 14 August the office of the director of Melbourne City Link, which is located within the Department of Infrastructure, was informed by Transurban that Transurban had begun a proactive campaign to identify customers affected by battery failure in their e-tags. Transurban told my department that the catalyst for this course of action was that Transurban had noticed an increasing number of trips were being made by e-tags not responding — —

Mr Mulder interjected.

The SPEAKER — Order! I warn the member for Polwarth and ask him to cease interjecting.

Mr BATCHELOR — Over the last week, following discussions with my office, Transurban has agreed to undertake a number of actions. These include, firstly, that any customer incorrectly charged a no e-tag fee is being refunded.

Secondly, about 15 000 customers who may have been incorrectly charged have been identified by Transurban and are being sent new e-tags in the mail, and any incorrectly imposed fees are being refunded.

Thirdly, Transurban has launched an information campaign to inform customers about the operations of their e-tags. This includes media advertisements, electronic sign messages on the freeways and information on statements sent out to the customers of Transurban. In addition to this, Transurban is now investigating solutions that will ensure that e-tags are replaced before the batteries go flat.

Monash Medical Centre: funding

Mrs SHARDEY (Caulfield) — My question without notice is to the Minister for Health. I refer to today's submission to the Australian Industrial Relations Commission by Southern Health, and I ask: can the minister advise how many health workers will lose their jobs at Monash Medical Centre because of what Southern Health blames on her government's budget cuts?

Ms PIKE (Minister for Health) — I thank the member for Caulfield for her question. Let me remind her and the house that of course since the enormous investment in health by the Bracks government we have seen outstanding results in our health system. We have a rate of ambulance bypass that is now 80 per cent

lower than when the Bracks government came to office. We have 12-hour bed-waits down significantly. We have waiting lists 7.5 per cent lower than at the same time last year. In fact, as of March last year we have 6237 people fewer on the waiting lists. So the investments this government has been putting in have been reaping rewards, and people in this community now not only receive better service in health but have far greater confidence in our health system.

The real threat to health in this state is the absolutely disgraceful offer that has been made by the commonwealth government in the current Australian health care agreement. The further addition to that disgrace is the support that the federal government is receiving — —

Dr Napthine — On a point of order, Speaker, I raise the matter of relevance.

The SPEAKER — Order! I uphold the point of order. I ask the minister to address the question. She is being far too general.

Ms PIKE — Here we have organisations like Southern Health and Melbourne Health, and our whole health system right across both metropolitan and rural and regional Victoria, placed in a situation where we will have to be coping with $350 million less if the current offer from the federal government stands, ably supported and abetted I might say by those opposite, who really have no compassion or care for the citizens of this state. Obviously our organisations will make decisions that are appropriate in their particular contexts — Southern Health is doing that — and they will have industrial arrangements in their own communities.

Mrs Shardey — On a point of order, Speaker, on the question of relevance, my question was very specific: it asked how many health workers will lose their jobs at Monash as a result of budget cuts. I do not think the minister has even attempted to answer that question as yet.

The SPEAKER — Order! I do not uphold the point of order. I understand that the minister was referring to the situation at Southern Health and how it was managing its budget in relation to its staff and other matters. The minister, to continue.

Ms PIKE — Southern Health is one of our health services that has managed 50 000 additional patients in the last 12 months. It is making operational decisions not only to work within its budget but of course to continue to deliver high-quality services, to keep those waiting lists going down and to keep that bypass under control. This government has shown profound commitment in the health area, and this government will continue to fight for the best possible deal for our community.

Snowy River: joint government enterprise

Ms LINDELL (Carrum) — My question is to the Minister for Environment. Can the minister please inform the house of progress in establishing the joint government enterprise for the Snowy River?

Mr THWAITES (Minister for Environment) — I thank the member for her question, and I am very pleased to advise the house of the next step in the Bracks government's commitment to protect the Snowy and restore environmental flows.

On 25 August the government, together with New South Wales and the commonwealth, reached joint agreement on the composition of the Snowy joint government enterprise (JGE). This paves the way for providing additional environmental flows. This announcement follows a delay of some eight months in setting up that joint government enterprise because the commonwealth government was refusing to rule out taxing the state's contributions to provide better environmental flows. So we had a situation where the federal Treasurer, Mr Costello, was professing concern about river health while at the same time refusing to rule out taxing the very contributions that would maintain that river health.

Victoria took a lead in getting a solution, as it has in many areas, and together with New South Wales and the commonwealth we have now adopted what is a fairly convoluted process but one that we anticipate will mean that income tax will not be payable. Under this process income will not be directly payable to the JGE in a way that may incur tax; rather, it will be held in a trust which will be managed by Victoria and disbursed to the JGE as expenditure is incurred. This means that we can get on with the job of restoring flows, restoring 212 gigalitres of increased flow to the Snowy and up to 70 gigalitres of dedicated environmental flows to the Murray.

GRAIN HANDLING AND STORAGE (AMENDMENT) BILL

Introduction and first reading

Mr CAMERON (Minister for Agriculture) introduced a bill to amend the Grain Handling and Storage Act 1995 to ensure that disputes relating to access to grain handling and storage services at the ports of Geelong and Portland

are primarily resolved by an arbitrated access regime and for other purposes.

Read first time.

HUMAN SERVICES (COMPLEX NEEDS) BILL

Introduction and first reading

Ms PIKE (Minister for Health) introduced a bill to facilitate the delivery of welfare services, health services, mental health services, disability services, drug and alcohol treatment services and housing and support services to certain persons with multiple and complex needs, to establish the Multiple and Complex Needs Panel and for other purposes.

Read first time.

NON-EMERGENCY PATIENT TRANSPORT BILL

Introduction and first reading

Ms PIKE (Minister for Health) introduced a bill to regulate the operation of the non-emergency transport of persons to or from medical services and the operation of particular stand-by services at public events, to amend the Ambulance Services Act 1986 and for other purposes.

Read first time.

CEMETERIES AND CREMATORIA BILL

Introduction and first reading

Ms PIKE (Minister for Health) introduced a bill to provide for the management and operation of cemeteries and crematoria, to repeal the Cemeteries Act 1958, to amend the Crimes Act 1958 and to consequentially amend other acts and for other purposes.

Read first time.

INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill to amend the Instruments Act 1958 to revise the laws relating to enduring powers of attorney and for other purposes.

Read first time.

HERITAGE (AMENDMENT) BILL

Introduction and first reading

Ms DELAHUNTY (Minister for Planning) — I move:

> That I have leave to bring in a bill to amend the Heritage Act 1995 and the Magistrates' Court Act 1989 and for other purposes.

Mr BAILLIEU (Hawthorn) — I ask for a brief explanation of the bill.

Ms DELAHUNTY (Minister for Planning) (*By leave*) — These two acts will be amended to increase the penalties that will apply by law to breaches of the Heritage Act. There will also be changes to the Magistrates' Court Act to allow a magistrate to order the reinstatement of the works that have breached the Heritage Act.

Motion agreed to.

Read first time.

AERODROME LANDING FEES BILL

Introduction and first reading

Mr BRUMBY (Treasurer) introduced a bill to provide for the fixing of a fee by an aerodrome operator for certain matters and for other purposes.

Read first time.

SUPERANNUATION ACTS (FAMILY LAW) BILL

Introduction and first reading

Mr BRUMBY (Treasurer) introduced a bill to amend the Emergency Services Superannuation Act 1986, the Government Superannuation Act 1999, the Parliamentary Salaries and Superannuation Act 1968, the State Employees Retirement Benefits Act 1979, the State Superannuation Act 1988, the Superannuation (Portability) Act 1989, the Transport Superannuation Act 1988 and the Unclaimed Moneys Act 1962 and for other purposes.

Read first time.

PETITIONS

Following petitions presented to house:

Professional indemnity: medical practitioners

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

The humble petition of the undersigned citizens of the state of Victoria showeth:

The lack of Victorian government action to address the current medical indemnity crisis:

1. will deny women the option of choosing a particular doctor or model of care for antenatal care and childbirth and force them to use an already overloaded public system;

2. will, as a consequence of the increased pressure on public hospitals, lead to a decline in the standard for women who do not have the option of choosing private care;

3. will adversely influence the availability of specialist obstetricians in Ballarat. This may threaten the existence of obstetric services in Ballarat altogether.

Your petitioners therefore pray that the government will take urgent action to resolve this crisis which will otherwise dramatically affect obstetric and other medical services in Ballarat and surrounding areas.

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

By Mr HOWARD (Ballarat East) (785 signatures)

Local government: rate concessions

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

The humble petition of the undersigned citizens of the state of Victoria sheweth to increase the concession on council rates, water rates, to the original 50 per cent, as was the case some 20 years ago, to be tied to the consumer price index (CPI).

Please note that the existing concessions in Victoria are the lowest in Australia. Not to act on this issue must appear to discriminate against pensioners and low-income earners.

Your petitioners therefore pray that the government will act on this issue.

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

By Mr SMITH (Bass) (445 signatures)

Buses: Bellarine Peninsula

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

The humble petition of the undersigned citizens of the state of Victoria sheweth that public transport services in Barwon Heads, Ocean Grove and on the rest of the Bellarine Peninsula are inadequate to meet the needs of residents and visitors.

Your petitioners therefore pray that a review of public transport be undertaken, with full community consultation, in order to provide:

more frequent buses;

buses that consistently connect to trains at Geelong; and

new and improved bus routes that give all residents reasonable access to transport, provide links across the peninsula and allow for faster and more direct trips to Geelong.

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

By Ms NEVILLE (Bellarine) (94 signatures)

Disability services: wages

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

The humble petition of the undersigned citizens of Victoria respectfully shows their great concern with the salaries and conditions under which the state's non-government disability workers are currently employed. Those employees employed under the antiquated 12-hour model are especially disadvantaged in relation to the penalties and allowances.

Your petitioners pray that the government give urgent attention to assisting disability employers to pay decent wages and provide penalties equivalent to those granted to Department of Human Services employees.

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

By Ms LOBATO (Gembrook) (36 signatures)

Emerald: performing arts centre

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

The humble petition of Gemco Players Community Theatre and undersigned citizens of the state of Victoria sheweth that in the light of —

the extensive work of Gemco Players Community Theatre in its work throughout the Dandenongs and beyond,

the extensive work with young people's theatre activities in the Dandenongs,

the extensive community effort in gathering building materials for a theatre, expert practical assistance including helping in planning and fundraising for the past 15 years,

the proven commitment by Gemco Players Community Theatre to the community for the past 20 years, and

the initiative of Gemco Players Community Theatre to provide a live theatre facility for the region —

your petitioners therefore pray to support and expedite the building of a flexible performing arts centre in Emerald to a maximum capacity of 150 in Emerald so that work in all areas of performance for all age groups can be expanded and consolidated.

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

By Ms LOBATO (Gembrook) (630 signatures)

Fishing: Point Addis

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

The humble petition of recreational anglers sheweth grave concern regarding the permanent and total closure of the beaches adjacent to Point Addis, including Red Rock Beach, to recreational angling.

Your petitioners therefore pray that your immediate attention be given to reopening these waters for a limited season extending from the first day of May until the 31st day of August every year.

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

By Mr LONEY (Lara) (479 signatures)

Housing: loan schemes

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

The humble petition of the following residents to the state of Victoria sheweth the state government sponsored home loan schemes under the flawed new lending instrument called capital indexed loans sold since 1984–85 under the subheadings: CAPIL, deferred interest scheme (DIS), indexed repayment loan (IRL), home opportunity loan scheme (HOLS), shared home opportunity scheme (SHOS), are not fit for the purpose for which they were intended.

We the undersigned believe these loans are unconscionable and illegal and have severely disadvantaged the low-income bracket Victorians the loans were meant to assist.

Your petitioners therefore pray that:

1. the existing loans be recalculated from day one in a way as to give borrowers the loans they were promised — 'affordable home loans specially structured to suit your purse';

2. the home ownership be achieved within 25 to 30 years from date of approval;

3. the payments to be set at an affordable level (i.e. 20–25 per cent of income for the duration of the term for all the loan types);

4. past borrowers who have left the schemes be compensated for losses that have been incurred by them being in these faulty structured loans;

5. any further government home ownership schemes be offered in a way as to be easily understood by prospective loan recipients;

6. the interest rate will be at an affordable rate (i.e. a flat rate of 3 per cent per annum or less for the length of the term of the loan) geared to income;

7. capital indexed loans be made illegal in this state to protect prospective loan recipients.

We ever pray that we may lead a quiet and peaceable life in all godliness and honesty. (1 Tim 2:2)

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

By Mr LEIGHTON (Preston) (10 signatures) and Mr MAUGHAN (Rodney) (I signature)

Housing: loan schemes

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

The petition of certain residents of the state of Victoria draws to the attention of the house that we object to the exorbitant amounts of public funds being used to mount an unethical defence of litigation brought against a government department by impecunious recipients of failed state government created home loan schemes.

The petitioners further draw to the attention of the house that these loan recipients have maintained their loans in a meticulous manner and through no fault of their own have been burdened with a lifetime of debt. And that this litigation occurs as a direct result of the refusal of past and present government ministers to acknowledge the government's responsibility to the people who embraced the promise of home ownership offered to them through home loan schemes, especially designed for them by the state government of Victoria.

Your petitioners therefore request the house to initiate an independent board of inquiry with the scope to fully investigate the loan schemes. Further your petitioners respectfully request that until such an inquiry is held, the Minister for Housing ceases and desists from sending letters containing incorrect information to elected members and that legal representatives acting on behalf of the defendant in this matter be instructed to act as model litigants.

By Mr MAUGHAN (Rodney) (1 signature)

Wilderness parks

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

The humble petition of the undersigned citizens of the state of Victoria sheweth that they are deeply aggrieved that, for all its strength and will power, our democracy still appears to be beholden to a minority with green lobby agendas that we consider to be unsound and not in the interests of Victorians or long-term protection of its natural resources.

Your petitioners therefore pray that Parliament reject the creation of more large wilderness parks, keep a balanced view, and leave open the issue of future issues for our reserve areas, as our forefathers intended.

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

By Ms GREEN (Yan Yean) (50 signatures)

Laid on table.

Ordered that petition presented by honourable member for Bellarine be considered next day on motion of Mr PERTON (Doncaster).

Mr Batchelor — On a point of order, Speaker, I note that the petition lodged by the member for Rodney contains 1 signature. Speaker, I seek a ruling as to whether that constitutes a petition and whether that is the lowest number of signatures ever contained on a petition and therefore should be entered into the history books of the Parliament!

The SPEAKER — Order! Luckily for the Leader of the House the Standing Orders Committee has discussed this recently, and I can assure him that it is legal. I know it is not the smallest number of signatures on a petition, because it is a draw!

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 5

Ms D'AMBROSIO (Mill Park) presented *Alert Digest* No. 5 of 2003 on:

Commonwealth Games Arrangements (Governance) Bill
Constitution (Parliamentary Reform) Act 2003
Courts Legislation (Amendment) Bill
Crimes (Family Violence) (Amendment) Bill
Crimes (Stalking) Bill
Fair Trading (Amendment) Bill
National Environment Protection Council (Victoria) (Amendment) Bill
Seafood Safety Bill
Supreme Court (Vexatious Litigants) Bill
Victorian Industry Participation Policy Bill
Wrongs and Limitation of Actions Acts (Insurance Reform) Bill

together with appendices.

Laid on table.

Ordered to be printed.

Annual review

Ms D'AMBROSIO (Mill Park) presented report for 2002, together with appendices.

Laid on table.

Ordered to be printed.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Budget outcomes

Ms CAMPBELL (Pascoe Vale) presented report for 2000–01, together with appendices.

Laid on table.

Ordered to be printed.

Budget estimates

Ms CAMPBELL (Pascoe Vale) presented report for 2002–03, together with appendices and minutes of evidence.

Laid on table.

Ordered that report and appendices be printed.

Annual report

Ms CAMPBELL (Pascoe Vale) presented report for 2001–02, together with appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Auditor-General — Annual Plan 2003–04

Commonwealth Games Arrangements Act 2001 — Notice of approval of amendment to the Melbourne Planning Scheme — No C82

Financial Management Act 1994 — Report from the Minister for Education and Training that she had received the 2002 annual report of the International Fibre Centre

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Alcohol Interlock Guidelines

Notice under s 32(3)(a)(iii) in relation to Statutory Rule No 12

Notice under s 32(4)(a)(iii) in relation to Amendment 13 of the Building Code of Australia 1996

Mount Baw Baw Alpine Resort Management Board — Report for the year ended 31 October 2002

Mount Buller Alpine Resort Management Board — Report for the year ended 31 October 2002 (two papers)

Parliamentary Committees Act 1968:

Response of the Attorney-General on action taken with respect to the recommendations made by the Law Reform Committee's Report on the Powers of Entry, Search, Seizure and Questioning by Authorised Persons

Response of the Minister for Police and Emergency Services on action taken with respect to the recommendations made by the Drugs and Crime Prevention Committee's Final Report on Motor Vehicle Theft

Parliamentary Officers Act 1975:

Statements of Appointments and Alterations of Classifications during the year 2002–2003 in the:

Department of the Legislative Council

Department of the Legislative Assembly

Department of the Parliamentary Library

Department of Parliamentary Debates

Joint Services Department

Statements of Persons Temporarily employed during the year 2002–2003 in the:

Department of the Legislative Council

Department of the Legislative Assembly

Department of the Parliamentary Library

Department of Parliamentary Debates

Joint Services Department.

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

Alpine Planning Scheme — Nos C10, C12

Ararat Planning Scheme — No C4

Banyule Planning Scheme — Nos C23 Part 1, C23 Part 2

Baw Baw Planning Scheme — No C23

Bayside Planning Scheme — Nos C2 Part 1, C33

Brimbank Planning Scheme — Nos C43, C45, C48, C50

Campaspe Planning Scheme — No C24

Corangamite Planning Scheme — No C6

Darebin Planning Scheme — Nos C31, C36

Frankston Planning Scheme — Nos C9, C19, C26

Gannawarra Planning Scheme — No C6

Glen Eira Planning Scheme — No C36

Golden Plains Planning Scheme — No C15

Greater Bendigo Planning Scheme — Nos C48, 50

Greater Dandenong Planning Scheme — Nos C15, C41, C42

Greater Geelong Planning Scheme — Nos C11, C29, C32, C42, C48, C55, C63, C68, C75

Greater Shepparton Planning Scheme — Nos C17 Part 1, C30

Hepburn Planning Scheme — No C2 Part 2

Hindmarsh Planning Scheme — No C1

Hobsons Bay Planning Scheme — No C17 Part 2

Hume Planning Scheme — Nos C39, C41

Kingston Planning Scheme — Nos C26, C27

Manningham Planning Scheme — Nos C13, C14, C31

Maribyrnong Planning Scheme — No C42

Maroondah Planning Scheme — No C32

Melbourne Planning Scheme — Nos C56, C74, C82, C83

Melton Planning Scheme — No C24

Mildura Planning Scheme — No C11

Mitchell Planning Scheme — No C29

Moira Planning Scheme — Nos C11, C12

Monash Planning Scheme — Nos C40, C42, C46

Moonee Valley Planning Scheme — Nos C37, C39, C46

Moreland Planning Scheme — No C25

Mornington Peninsula Planning Scheme — Nos C40 Part 1, C44, C56

Moyne Planning Scheme — No C4

Port Phillip Planning Scheme — No C39

Strathbogie Planning Scheme — No C15

Swan Hill Planning Scheme — No C13

Victoria Planning Provisions — Nos VC18, VC19

Wangaratta Planning Scheme — No C11 Part 1

Wellington Planning Scheme — Nos C8, C9, C10, C13, C16

Whitehorse Planning Scheme — Nos C30, C43 Part 1

Whittlesea Planning Scheme — No C54

Wodonga Planning Scheme — No C18

Wyndham Planning Scheme — Nos C6, C38

Yarra Planning Scheme — Nos C28, C49, C58

Prevention of Cruelty to Animals Act 1986 — Code of Accepted Farming Practice for the Welfare of Poultry (Revision 2)

Rural Finance Act 1988 — Direction by the Treasurer to the Rural Finance Corporation to establish, operate and administer a scheme of assistance for farmers whose farm enterprises are affected by exceptional circumstances because of drought

Statutory Rules under the following Acts:

Administration and Probate Act 1958 — SR No 58

Archaeological and Aboriginal Relics Preservation Act 1972 — SR No 49

Associations Incorporation Act 1981 — SR No 93

Bail Act 1977 — SR No 55

Building Act 1993 — SR No 79

Building and Construction Industry Security of Payment Act 2002 — SR No 50

Business Names Act 1962 — SR No 92

Cancer Act 1958 — SR No 83

Co-operatives Act 1996 — SR No 90

County Court Act 1958 — SR Nos 53, 70

Drugs, Poisons and Controlled Substances Act 1981 — SR No 67

Electricity Industry Act 2000 — SR No 73

Electricity Safety Act 1998 — SR Nos 72, 98

Emergency Management Act 1986 — SR No 85

Environment Protection Act 1970 — SR No 75

Fair Trading Act 1999 — SR No 89

Firearms Act 1996 — SR No 84

Gaming Machine Control Act 1991 — SR No 76

Health Act 1958 — SR Nos 64, 65, 66, 82

Health Services Act 1988 — SR Nos 68, 94

Juries Act 2000 — SR No 57

Land Tax Act 1958 — SR No 80

Liquor Control Reform Act 1998 — SR Nos 60, 63

Magistrates' Court Act 1989 — SR Nos 54, 61, 71

Major Events (Crowd Management) Act 2003 — SR No 86

National Parks Act 1975 — SR No 74

Partnership Act 1958 — SR No 91

Pathology Services Accreditation Act 1984 — SR Nos 77, 78

Pharmacists Act 1974 — SR No 97

Residential Tenancies Act 1997 — SR No 59

Road Safety Act 1986 — SR Nos 51, 87

Subordinate Legislation Act 1994 — SR No 62

Supreme Court Act 1986 — SR Nos 52, 69, 95, 96

Surveyors Act 1978 — SR No 99

Tobacco Act 1987 — SR No 88

Victorian Civil and Administrative Tribunal Act 1998 — SR Nos 56, 81

Subordinate Legislation Act 1994:

Ministers' exception certificates in relation to Statutory Rule Nos 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71, 81, 86, 95, 96

Ministers' exemption certificates in relation to Statutory Rule Nos 49, 50, 51, 55, 59, 77, 78, 79, 82, 83, 84, 87, 88, 89, 94, 97

The following proclamations fixing operative dates were laid upon the table by the Clerk pursuant to an order of the house dated 26 February 2003:

Business Licensing Legislation (Amendment) Act 2003 — Part 1 and sections 14 and 20 on 11 August 2003 (*Gazette G30*, 24 July 2003)

Estate Agents and Sale of Land Acts (Amendment) Act 2003 — Section 45 on 30 June 2003 (*Gazette G26*, 26 June 2003)

Firearms (Trafficking and Handgun Control) Act 2003 — Whole Act except sections 3(1)(f) and (g) and (2), 10, 14, 18, 23 to 28, 30 to 37, 46(2), 50, 53, 55, 64, 65, 66, 74 and 75 on 1 July 2003 (*Gazette S130*, 1 July 2003)

Health Practitioner Acts (Further Amendments) Act 2002 — Remaining provisions (except sections 37, 40, 42 and 44) on 1 July 2003 (*Gazette G26*, 26 June 2003)

Melbourne Cricket Ground (Amendment) Act 2003 — Whole Act on 12 June 2003 (*Gazette G24*, 12 June 2003)

Murray-Darling Basin (Amendment) Act 2003 — Whole Act on 1 July 2003 (*Gazette G26*, 26 June 2003)

Outworkers (Improved Protection) Act 2003 — Whole Act on 1 November 2003 (*Gazette G29*, 17 July 2003)

Residential Tenancies (Amendment) Act 2002 — Whole Act on 1 July 2003 (*Gazette G23*, 5 June 2003)

Seafood Safety Act 2003 — Remaining provisions (except Part 3 and sections 23, 27 to 58, 60, 64(5) and 92) on 1 July 2003 (*Gazette G26*, 26 June 2003)

Transport (Further Amendment) Act 2001 — Sections 15 and 17 on 20 June 2003 (*Gazette G25*, 19 June 2003)

Transport (Miscellaneous Amendments) Act 2003 — Division 1 of Part 3 on 25 July 2003 (*Gazette S138*, 15 July 2003)

University Acts (Amendment) Act 2003 — Whole Act on 1 July 2003 (*Gazette G26*, 26 June 2003)

Victorian Urban Development Authority Act 2003 — Whole Act on 1 August 2003 (*Gazette G31*, 31 July 2003).

ROYAL ASSENT

Messages read advising royal assent to:

11 June

Audit (Amendment) Bill
Constitution (Water Authorities) Bill
Corrections (Amendment) Bill
Courts Legislation (Amendment) Bill
Energy Legislation (Consumer Protection and Other Amendments) Bill
Estate Agents and Sale of Land Acts (Amendment) Bill
Legal Practice (Validations) Bill
Planning and Environment (Metropolitan Green Wedge Protection) Bill
Road Safety (Heavy Vehicle Safety) Bill
Royal Agricultural Showgrounds Bill
Safe Drinking Water Bill

Victims of Crime Assistance (Miscellaneous Amendments) Bill
Water Legislation (Essential Services Commission and Other Amendments) Bill

16 June

Appropriation (2003/04) Bill *(Presented to the Governor by the Speaker)*
Appropriation (Parliament 2003/04) Bill *(Presented to the Governor by the Speaker)*
Attorney-General and Solicitor-General (Amendment) Bill
Australian Crime Commission (State Provisions) Bill
Corrections and Sentencing Acts (Home Detention) Bill
Crimes (Family Violence) (Amendment) Bill
Drugs, Poisons and Controlled Substances (Volatile Substances) Bill
Fisheries (Amendment) Bill
Livestock Disease Control (Amendment) Bill
State Taxation Acts (Miscellaneous Amendments) Bill
Victorian Urban Development Authority Bill
Wrongs and Limitation of Actions Acts (Insurance Reform) Bill.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Commonwealth Games Arrangements (Governance) Bill
National Environment Protection Council (Victoria) (Amendment) Bill.

HOUSE AND LIBRARY COMMITTEES

Meetings

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That the House and Library committees have leave to sit within the Parliament buildings during the sittings of either house of the Parliament, but not while either house is actually sitting.

Motion agreed to.

STANDING ORDERS COMMITTEE

Meetings

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That the Standing Orders Committee has leave to sit within the Parliament buildings during the sittings of the house, but not while the house is actually sitting.

Motion agreed to.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, pursuant to sessional order 6(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 28 August 2003:

Confiscation (Amendment) Bill

Commonwealth Games Arrangements (Governance) Bill

National Environment Protection Council (Victoria) (Amendment) Bill

Catchment and Land Protection (Amendment) Bill

Albury-Wodonga Agreement (Repeal) Bill

Child Employment Bill.

Mr PERTON (Doncaster) — The opposition does not oppose the government business program.

Mr Helper interjected.

Mr PERTON — It is good to see that the member for Ripon is awake this late after dinner. The basis upon which the opposition consents to this motion is that the bills the minister has indicated will be debated this week will be handled through lead speakers speaking on them and then there will be a return to the Child Employment Bill, which the opposition has amendments for and intends to pursue strongly. On that basis and that understanding we do not oppose the government business program.

Mr MAUGHAN (Rodney) — The National Party will also not be opposing the government business program. However, just in passing I make the comment that while six bills is not an impossible task by any means, it is 100 minutes per bill. We sometimes talk about the debate in this house, and we have some important legislation dealing with the catchment management authorities, the National Environment Protection Council and child employment, which, as the member for Doncaster pointed out, has some serious implications that members of the National Party wish to speak about. I think there will be sufficient time.

Mr Delahunty — The Commonwealth Games.

Mr MAUGHAN — The Commonwealth Games, I agree. The member for Lowan has pointed out that the Commonwealth Games bill is one that interests us all.

Mr Robinson interjected.

Mr MAUGHAN — We will deal with that one later. It is a very important piece of legislation. It is important that the state gets it right and that we run games, as I am sure we will, that are of a very high standard, but it is also important that the facilities are built on time and on budget. We look forward to the debate and will not be opposing the government business program.

Motion agreed to.

MEMBERS STATEMENTS

Jack Dyer

Mr WYNNE (Richmond) — Jack Dyer will forever remain a Victorian legend. Together with his family, friends and football supporters we will mourn his loss tomorrow at St Ignatius Church in Richmond. His life will not be forgotten, nor will his team spirit and his humility. His love of football and of the Richmond Football Club in particular are renowned in this great Australian Rules city.

The way Jack Dyer conducted himself through his life is an example to us all. He grew up in the Depression and moved to Richmond at the age of 13, attending St Ignatius College on a football scholarship and serving there as an altar boy. Richmond was then known to many people as Struggletown. Like many footballers of that era, Jack was unable to afford football boots, and as a young man played barefoot for six years until he earned enough money to buy himself a pair of boots. This humble background epitomised the strength of character of this great man. He was a leader of men and a protector of others. He played the game tough and hard, and through his career as player, captain, coach and media personality he gained the respect of the entire football community.

On behalf of the Richmond electorate I wish to pay tribute to this great man, who will be sadly missed by his family and friends but who will not be forgotten by those who experienced his playing and coaching and, of course, his wonderful media performances on *World of Sport*. His qualities of supporting his mates, working hard for a living, making the most of his opportunities and passing on his skills to others are an inspiration to the community.

Information and communications technology: government performance

Mr KOTSIRAS (Bulleen) — A government document has revealed that government departments and agencies do not have the resources or equipment to deal with basic technological advances. The Consumer Affairs Victoria document reveals that a number of government agencies have very different levels of access to technology. Some agencies have one computer between four people and limited Internet access. This is despite the Bracks government claiming that Victoria is providing strong leadership in information and communications technology uptake. In 2002 Consumer Affairs Victoria received over 11 000 complaints. It has 320 staff and 22 funded agencies, but it has only one digital camera and one scanner.

The document also reveals that public servants are not equipped or trained to deal with emails. It also shows that further staff who can write need to be employed. Some public servants find current email inquiries difficult to deal with. Public servants are petrified that using email will create more work for them, and public servants are concerned about being sued if their written skills are poor.

While other states are leaping into the future by adapting to technological changes, the Victorian government is resisting these changes. It may be the year 2003, but the Bracks government is keeping the technology policies of the 1980s. The Bracks government does not have the ability to manage and deliver the services that will drive Victoria well into the 21st century.

The current Minister for Information and Communication Technology is asleep on the job — no policies, no plans and no long-term strategy — —

The SPEAKER — Order! The honourable member's time has expired.

Keith Lawrence

Ms OVERINGTON (Ballarat West) — I place on public record the passing of Mr Keith Miles Lawrence on 10 June 2003. Keith was a respected councillor of the then Borough of Sebastopol from 1972 until forced amalgamations in 1994. I was privileged to serve alongside Keith from 1982.

Keith was a dedicated councillor and cared greatly for the borough, but he was fanatical about his beloved

Sebastopol Football Club. He started his football career with Sebastopol as a player in 1948 and played for six seasons until the club went into recess. After playing 100 games with other clubs he returned in 1962 and played until 1969, when he retired with a club record of 286 games.

Keith gave his all to the club, and in recognition of this they named the grandstand in his honour. Keith was awarded the Australian sports medal, and just prior to his death was awarded a Centenary of Federation medal for his dedication to sport; I was very pleased to have nominated him for the award.

At his funeral his coffin was carried out to the Sebastopol Football Club's theme song. It was one of the most moving experiences. Everybody joined in singing the theme song as Keith was, if you like, carried off. On behalf of my family and the community of Sebastopol I pass on my deepest sympathy to his wife, Shirley, and his daughters.

Sale: air force training facility

Mr RYAN (Leader of the National Party) — I am proud to say that the National Party has again delivered for country Victoria. The federal government has now confirmed that the total officer training facility at Point Cook will be transferred in its entirety to the East Sale Royal Australian Air Force base. What a great thing this is — all three aspects of it, with hundreds of students each year. It has been a fantastic effort on behalf of the Wellington Shire Council, and I pay tribute to Peter McGauran, the federal member, who throughout this whole process has driven it well, and we have achieved the outcome. It is a great result for the whole of the area, not only for Sale where I live but for the Gippsland region generally and, indeed, for Victoria.

The other element that is important is that I have with me an eggslice. I have produced the eggslice tonight on the basis of being able to hand it over to the Minister for State and Regional Development because he will need to get that stuff off his face. As I said in question time on 4 June this year, he will in the end look like a goose. I do not persist with what otherwise might be interpreted as an unkind comment, but he will need to clean himself up and get his visage back in order before this sitting goes on.

I present him tonight with this eggslice. When he is finished with it he can give it to the member for Narracan because he will have need of it as well. It is good for the Vic Nats and it is good for country Victoria.

Latrobe Valley Eisteddfod

Mr JENKINS (Morwell) — It is a pleasure to pay tribute to the Latrobe Valley Eisteddfod, which has become an institution in Gippsland in its 48 continuous years of operation. It has provided the opportunity for thousands of people to perform in the areas of music, theatrical dance, drama, speech, choral, bands, and instrumental, to name but a few.

The Latrobe Valley Eisteddfod commenced in 1956 and by 1965 — I just do not know where the eggslice came from! — there were 1450 items being performed. During the course of the eisteddfod this year over 4000 competitors will take part in 3200 solo and group item performances in the Latrobe Valley Performing Arts Centre.

I would like to take the opportunity to congratulate the eisteddfod committee. They are an extremely dedicated and hardworking group of people. They include the committee of Chris Medhurst, Marie Moulton, Rosemary Ingle, Lorraine Bawden, Maryke Poot, Gaynor Howard, Mariana Pearse, Mary Gilmour, Jeni Whitwam, R. Moulton, T. Griffiths, R. Giblett, A. Thorne, Mr and Mrs M. Carruthers, L. Murphy, A. Pawley, D. Goulding, D. Steer, Dr D. Haley, T. Moretti, S. Anderson, L. Couch — and no eggslice!

Mount Eliza Centre: closure

Mr COOPER (Mornington) — It is of concern that the Bracks government is not denying it has plans to close down the 96-bed Mount Eliza Centre, which provides rehabilitation, aged and palliative care services, and to sell off this prime land fronting the foreshore of Port Phillip Bay for residential subdivision.

The government promised just prior to the last election that it would build extra rehabilitation facilities in Mornington in the form of a 60-bed hospital on the site previously occupied by the Mornington High School. The government promised that funding for that facility would be provided in the 2003–04 budget. That election promise has not been kept, and we now hear that not only are we not receiving the 60 extra rehabilitation beds — I emphasise the word 'extra' — but that we will lose the 96 beds that currently exist for rehabilitation at the Mount Eliza Centre.

I call on the Bracks government to reverse this decision and to leave the Mount Eliza Centre in operation. I also call on the Bracks government to honour its election commitment and to immediately commence construction of the promised Mornington hospital.

Bernie and Gerry Lamers

Ms GREEN (Yan Yean) — I rise to pay tribute to two outstanding members of my local community in Bernie and Gerry Lamers. At a recent Diamond Creek Rotary dinner held in their honour I had the privilege to present Mr and Mrs Lamers with a certificate from the Premier of Victoria in recognition of their wonderful work in founding the Bone Marrow Donor Institute registry.

Thirteen years ago Bernie and Gerry lost their 29-year-old daughter, Christine, to leukaemia. Since that tragic event Bernie and Gerry have worked tirelessly to assist leukaemia sufferers and their families to fight this awful disease. Some 1000 leukaemia sufferers are still alive through the assistance of the registry.

On 1 July Bernie and Gerry realised their dream when the $4 million Bone Marrow Donor Institute Rotary House opened in North Melbourne. The centre will provide a home base for patients and their families being treated from country Victoria, Tasmania, southern New South Wales and South Australia. The centre was made possible through the lobbying, arm-twisting and fundraising efforts of Bernie and Gerry.

I am proud that the Victorian government has recognised the work of Bernie and Gerry through a grant of $1.7 million towards the centre. It is a great honour for me to represent people of such stature and humility as Bernie and Gerry, and it is indeed a privilege to put on the public record their work for the Victorian community.

Stamp duty: reform

Ms ASHER (Brighton) — I refer to the Treasurer's reference to housing affordability in question time today, and I draw to the attention of the house the unreasonably high levels of stamp duty paid by residents of Brighton and Hampton. The Real Estate Institute of Victoria June quarter figures show that in Brighton the stamp duty paid on a median-value house is $45 640, an increase of $480 over the last quarter; and in Hampton the stamp duty paid on a median-value house is $31 720, an increase of $2760 over the last quarter.

I acknowledge that Leigh Hubbard from the Trades Hall Council was at least honest in his desire — he certainly does not live in Brighton, they would not let him in — to increase stamp duty! I also acknowledge that Bob Carr, the Labor Premier of New South Wales, gave us an insight into the Labor Party's attitude to stamp duty in a book written by Marilyn Dodkin, which contains excerpts from Bob Carr's diary. Bob Carr wrote:

> … the economy grows, the revenue from stamp duty swells our coffers and we pay off debt and spend, spend, spend.

That is exactly the Victorian ALP's attitude to stamp duty, and I call on the government to provide relief for home buyers in my electorate.

San Donato Festival

Ms D'AMBROSIO (Mill Park) — I wish to bring to the attention of the house the San Donato Association for holding the most successful San Donato Festival yet on 10 August. I had the privilege to represent the Premier at the festival, which celebrates the life and works of St Donato of Arezzo in Italy. It was the 27th consecutive festival held at St Luke's Church and Hall in Lalor, and it has an avid following amongst the strong local Italian community.

This year the festival attracted well over 2500 people from all over Victoria. A parade was led by the committee throughout the church grounds, and 200 helium-filled balloons were released into the air, adding an amazing array of colours to the winter's day.

The ultimate item on the festival program was the concert provided by the fantastic Banda Bellini and the rapturous operatic contributions by a trio from the Lyric Opera, amongst them being Marco Cinque, who performed a wonderful selection of operatic arias from such world-renowned Italian composers as Verdi and Puccini. As commonly occurs at the festival each year, audience members can hardly contain themselves. When so moved some of them run up to the singers in between songs to shake their hands in appreciation and encouragement. This is truly opera for the people, as it should be.

In particular I pay tribute to the year-long efforts of the organising committee led by its president, Donato Polvere, and its secretary, Giovanni Mazza. They seem to outdo themselves year after year. Their voluntary commitment and that of other committee members including Nicola and Elisa Cieri, Maria Polvere and Pina Mazza, to name only a few, ensure that the festival provides a popular mix of activities for young and old.

Firearms: licensing delays

Mrs POWELL (Shepparton) — A very angry constituent, Mr Jim Callyghan, came into my office last week. He is justifiably angry that he cannot work

because of delays by the Victorian firearms registry in endorsing his shooters licence as professional. Mr Callyghan has been professionally shooting kangaroos for pet food in New South Wales and Queensland for the past 10 years. However, changes in legislation in those states mean he can no longer harvest kangaroos with the current hunting endorsement on his Victorian licence.

Mr Callyghan sent his application on 17 July, and since then he has been told it is under consideration. To avoid breaking the law he has been forced to sit and wait for the past six weeks while his application is reviewed. Mr Callyghan has provided the registry with a copy of his New South Wales professional trappers licence, a copy of his Queensland professional harvesters licence, his Queensland protected fauna dealers licence and a statement from his accountant saying that he derives his sole income from the culling of kangaroos.

I wrote to the Minister for Police and Emergency Services in April when several other constituents were experiencing lengthy delays. The minister's response was that Victoria Police has allocated $1.1 million and appointed 45 new staff to ensure delays in processing applications are eliminated. The minister also said that Victoria Police is ensuring that any application that is made to allow a person to begin or continue in employment is processed as a matter of priority. Obviously the funding and manpower have not alleviated the process. I believe Mr Callyghan's application has not been dealt with as a matter of priority. I urge the minister to intervene.

Stonnington Primary School: Principal for a Day

Mr LUPTON (Prahran) — On Wednesday, 20 August, I was privileged to be principal for a day at the Stonnington Primary School in Windsor. The day started with the students breakfast program, which on Wednesdays is supported by Prahran Rotary. This ensures the provision of a healthy breakfast for those children who need it. Stonnington primary is a school with a diverse ethnic and socioeconomic mix. The principal, Gayle Yardley, and her fabulous staff are to be commended on the wonderful educational environment they have developed.

Being principal for a day gave me an important insight into the challenges and responsibilities facing principals and teachers today. Some of the principal's duties I was able to observe and discuss included contracting for school cleaning, organising maintenance contracts, employing out-of-school-hours staff, speaking to prospective parents and students and dealing with discipline and welfare issues, in addition to the more familiar principal's functions.

While I visit schools in my electorate regularly, being involved in such a hands-on way for an entire day gave me a unique insight into a school's operation. I was also able to spend time in the classroom, enjoying some maths lessons with the junior students — doing the numbers — and chairing debates on water conservation issues with the senior students.

I commend the organisers of the Principal for a Day program, and I thank the principal, staff and students of Stonnington primary for welcoming me so warmly.

Ministers: school visits

Dr NAPTHINE (South-West Coast) — I wish to invite the Minister for Education or the Minister for Education Services to the opening of the Woodford Primary School redevelopment on Friday, 5 September. Unfortunately the invitation from the school council to participate in this important school and community event has been ignored by both ministers. In addition neither minister saw fit to accept a similar invitation from the Allansford school in late July, despite both invitations having been open since February this year.

While in south-west Victoria I would be happy to take the ministers around the area to meet parents and teachers from the Warrnambool and Portland special development schools, who are very concerned about funding cuts for level 1 and 2 students who attend those schools; and to have a look at the Allansford school to see the lack of playground facilities and the impact this has on students, particularly with a growing student population, and to explain to the students and the school why the government has failed to purchase additional properties adjoining the Allansford school to fix that problem.

They could also take the opportunity earlier that day to visit Brauer Secondary College in Warrnambool to attend the sod-turning ceremony for Brauerander Park and to announce the state government's $1 million commitment which is necessary to match the federal government's commitment to this much-needed athletics and sports facility.

I could also take them out to Panmure Primary School where there is over $60 000 worth of backlog of maintenance or to Portland South Primary School which much needs a very urgent redevelopment. The ministers would be well advised to come to south-west Victoria.

Viewbank College: *Guys and Dolls*

Mr LANGDON (Ivanhoe) — I congratulate Viewbank College, the Viewbank school community and the Viewbank students on the recent production of *Guys and Dolls* which was put on between 13 and 23 August. It was an absolutely brilliant production. I am not trying to exempt anyone from the cast, the crew, the directors and what have you — they all played a brilliant role in putting this production together. They also had ushers from the school.

I will list a few of the main characters. I thought they did an outstanding job and I commend their acting ability, their comic delivery and their singing. For every audience I was in, and I went to the production three times — my daughter was in it, clearly — it was a brilliant performance. The principals, who included Luke Verghese, Jessica Cole, Mara Kapsis, Luke Atchison, Brad Crompton, Raymond Dey, Drew Sutton, Richard Hammett, Andrew Hondromatidis, Jennifer Tumbri, and many others played brilliant roles.

As I said, it was a production for which members of the school community came out in their droves. I think for almost every night it was sold out in a theatre that seats almost 200. As I said, it was a brilliant production. I am pleased to say that for the sixth year in a row I was one of the very proud sponsors of the production. I was more than pleased to go along three times to watch it.

Australian Labor Party: La Trobe federal candidate

Mr SMITH (Bass) — It is nice to be back. A lot has happened over the break: the government has been exposed again and again for lying to the people and that so-called former Independent, Susan Davies, has been exposed again as the fraud that she is. She said she was an Independent, she sold her soul to the Labor government in 1999 and then in 2003 she suddenly finds the Labor Party again. Surprise, surprise! What a hypocrite. She got elected in 1997 as an Independent, re-elected in 1999 as an Independent, and dumped as an Independent by the electorate in 2002 because she ignored them. She tried to push her pinko views on them and can I say she did not work for them. Now she says she has rejoined the Labor Party. What a joke!

She never left them: in 96 per cent of every vote in this house she supported Labor, and she called herself an Independent — what a joke! Maybe she has gone back because she has got the cushy job working for the Treasurer on $60 000, a red-plated government car and I am sure all the other perks she had here in Parliament, along with the other two Independents.

The people of the La Trobe electorate will not want her, because she cannot make up her mind about who or what party she actually represents. The people of Bass dumped her because she forgot them, because she liked the high life amongst the so-called decision-makers here in Melbourne. To the people of La Trobe I can only say — —

The SPEAKER — Order! The honourable member's time has expired.

Frankston: Victoria Day

Mr HARKNESS (Frankston) — It was on 1 July 1851 that the settlements of Port Phillip and Gippsland gained independence from New South Wales to become the colony of Victoria. Victoria Day embraces our cultural, educational and democratic heritage, acknowledging the efforts and sacrifices of past generations. It charts our progress and acts as a starting point for discussion of the future.

To celebrate Victoria Day in Frankston and to encourage the involvement of primary schoolchildren, I organised a colouring-in competition. All primary school students were invited to colour in a picture of the state's marine fauna emblem, the weedy sea dragon, and Victoria's armorial bearings. The winning entries were given prizes that were donated by Information Victoria; Toyworld, Karingal; and Scienceworks. Publicity was provided by the Frankston *Independent*.

The award recipients were: from Woodleigh School, Minimbah — Millie Padula, Chloe Smart, Jessica Baxter, and Madeline Gibson; from Frankston Heights Primary School — Savanhah, Nathan, Adriana, and Elizabeth; from Derinya Primary School — Danny Erikson, Matilda Newton, and Grace Barr; from Frankston East Primary School — Jack McCarthy, Dermott Fairfield, and Wesley Field; and from Karingal Heights Primary School — Karly and Samantha. I also acknowledge Judith Couacard Graley, Tony Murrel and Daryl Rogan for their enthusiasm and assistance.

Prizes were presented during a morning tea at my electorate office, with students, parents and teachers in attendance. A highlight of the occasion was a cake and candles for Victoria's birthday. This event will be held annually. Worthy of mention is the degree of excitement and appreciation this initiative generated, and Information Victoria will display the winning entries at this year's Royal Melbourne Show.

Little River Primary School: playground equipment

Mr LONEY (Lara) — Yesterday I had the pleasure of visiting Little River Primary School for the official opening of its new playground equipment. This equipment will be a valuable addition to the lives of children at that school.

The equipment was purchased with money raised from within the Little River community at its 2002 and 2003 country fairs. Some $16 000 was raised by this very small community in order to provide this equipment. These community fairs are annual events run by the school community to raise money for the school, in the way that school communities do all over Victoria. For a school with around 110 students this was a terrific fundraising effort over the last few years.

As I said, the total project value is around $16 000, and it has provided new upgraded play equipment for children at Little River Primary School. Telstra, through its Kids Fund Grants Committee, donated a further $900 for the provision of safety features around the equipment, and the school very much appreciated that gesture. This — —

The SPEAKER — Order! The honourable member's time has expired.

Surf Coast Highway–Heyers Road, Grovedale: traffic lights

Mr CRUTCHFIELD (South Barwon) — During the last session I raised a matter with the Minister for Transport concerning traffic lights at the intersection of the Surf Coast Highway and Heyers Road, Grovedale. Yesterday I had the pleasure of announcing $200 000 in funding to install traffic lights at this intersection. In December last year I received a petition with 700 names from Mr Matt Vos, who initiated this project. He worked diligently on a community safety issue that concerned him and his constituents and doorknocked residents, businesses and schools in that area.

I congratulate Mr Vos and the schools and businesses I met, which reinforced the fact that there was strong community support for this project. I was pleased to give them the good news regarding the traffic lights yesterday.

This is a fantastic example of a community working in partnership with the Bracks government to benefit all who use this busy intersection, including bus patrons, commuters, tourists, motorists and pedestrians accessing the local facilities. Many people use the intersection — I note that the honourable member for Richmond, on my right, has used this intersection on his many trips down to the Surf Coast — and during the morning and afternoon peaks, during the holiday period and particularly during the busy Christmas period they have experienced frustrating, lengthy delays.

The SPEAKER — Order! The honourable member's time has expired.

Green Gully Soccer Club

Mr SEITZ (Keilor) — The matter I want to raise tonight concerns the Green Gully Soccer Club. I congratulate the club on winning the premier league championship during its game against Frankston Pines last Sunday. It was interesting to see one side of Melbourne playing off against the other side of town in the finals. Frankston Pines gave a good account of itself, but at the end of the day my local club, Green Gully Soccer Club, won the day and the match.

I have been associated with the club since the 1950s, and it was great to see that club, which came from humble beginnings and shifted from location to location, coming back once again to win a championship of great significance in the soccer community. They played the match at the Knights soccer stadium on Sunday afternoon, which was another good example of the soccer fraternity sharing grounds by playing the finals under cover. Most people would remember that last Sunday's weather was very inclement, and the supporters were amazing. Many people from the western suburbs were there.

Green Gully Soccer Club is notionally a club that is most strongly supported by the Maltese community, but all kinds of soccer supporters turned out to support the team from the western suburbs in winning this championship.

The SPEAKER — Order! The honourable member's time has expired.

Rail: Frankston–Stony Point line

Ms BUCHANAN (Hastings) — I rise to applaud the efforts and patience of commuters, concerned residents and the operators of the Frankston–Stony Point rail line, which recently had its services temporarily disrupted. A devastating case of arson destroyed crucial signalling systems for the service. I commend the efforts of staff in promptly and comprehensively repairing this system that had been completely gutted by fire. Commuters tolerated this

disruption with incredible patience, grace and tolerance, utilising the alternative bus service provided.

What was not tolerated, however, by all concerned was the malicious misinformation provided by the opposition that the line was now permanently closed. It got worse. What commuters found just as bizarre was the concurrent claim that ticket prices were rising by 38 per cent — the claim that the government was closing the line but upping ticket prices on a closed service, all in the same breath! That is another typical example of a lazy opposition that resorts to exaggeration and scaremongering. The opposition should acknowledge how much fear and anger its public statements generated in the Hastings electorate through the deliberate use of such vexatious misinformation. It displayed a total lack of respect, concern and regard for the people who rely on this vital public transport service.

The Bracks Labor government has not closed a single railway line in Victoria. We are in the business of opening lines, not closing them. We are getting on with the job.

Epson laser printers

Mr LEIGHTON (Preston) — If you get what you pay for, that is certainly the case with printers. Previously Epson has been criticised for its inkjet printers whereby the cartridges using smart chips say they are empty when they are not and the printer stops printing.

I raise concerns tonight about Epson laser printers, particularly the EPL-N205s, which have been installed in members' electorate offices. I know these concerns are shared by many honourable members. Within a couple of days of a printer being installed in my office one of the chips died and the printer stopped printing. In many electorate offices the printers have failed to handle envelopes, despite the specifications saying otherwise. The fix supplied corrected the problem in some offices but caused printers to start jamming envelopes in other offices. The printer toner cartridges are not good value compared to those supplied with other printers.

I did not choose an Epson laser printer as my home laser printer, and I would not advise businesses wanting a heavy-duty laser printer to buy an Epson.

CONFISCATION (AMENDMENT) BILL

Second reading

Debate resumed from 1 May; motion of Mr HULLS (Attorney-General).

Mr McINTOSH (Kew) — This bill is obviously an attempt by the government to demonstrate that it is tough on crime. Certainly it goes a long way to demonstrate that by amendments to the Confiscation Act. I say from the outset that the opposition will support this bill. It makes a number of dramatic improvements to the Confiscation Act that have become necessary with the passage of time. This legislation was originally brought into the house by the former Attorney-General and was supported by the then opposition. The then shadow Attorney-General, the current Attorney-General, was the lead speaker at the time and supported the implementation of the confiscation legislation.

The most important thing about this amending legislation is that it is a fairly draconian bill. It enables the property of an accused person to be seized, retained, supervised and managed by the Assets Confiscation Office, and ultimately that can lead to the forfeiture of that property.

In his second-reading speech the Attorney-General said, without referring to any concrete examples, that the problems that have eventuated over the last four or five years since the bill came into operation are firstly, that criminals are structuring their affairs to deliberately avoid the provisions of the Confiscation Act; secondly, that they are deliberately hiding the property derived from the proceeds of crime so as to avoid the operation of the Confiscation Act; and finally, that there is a necessity for improvements to the management of retained and confiscated property to be implemented in the operation of the act.

The most draconian provisions of the Confiscation Act relate to automatic forfeiture. A fundamental principle that has been in operation in this state for nigh on 17 or 18 years since the original bill was put through in the mid-1980s is that the property used in or the profit derived from the commission of an offence should be forfeited to the Crown. As I said, that principle has been in operation in this state for nearly 20 years. Both sides of politics have felt that tainted property — if I can call it that — being forfeited to the Crown is an appropriate mechanism in the deterrent process of the criminal justice system.

A regime that was implemented by the Confiscation Act took it one step further and enabled the property of

an accused person to be subject to a restraining order taken out by the Director of Public Prosecutions before a conviction had even been entered. It allowed the DPP to make an application within 48 hours of charges being laid in relation to a number of scheduled items in the act, including trafficking in a drug of dependence, serious drug crimes and crimes involving obtaining financial advantage by deception. In those circumstances an application could be made to the court for a restraining order and within 60 days of the granting of that restraining order or conviction — it is a bit hard to see how it could occur, but whichever is the latter — all assets of the convicted person would be forfeited to the Crown.

The two important things to remember about this is that it relates to not just the property that was used in the commission of a crime or the property or assets that were derived as profit from the commission of a crime but to all the property of an accused person — the house, the car, bank accounts and anything else. Because of the severity of the offences, particularly in relation to drug trafficking and obtaining financial advantage by deception, it is felt that all the property of an accused should be incorporated in a restraining order and be subject to forfeiture. It is a substantial deterrent that both sides of politics agree on balance is an appropriate measure in those circumstances.

The second thing to remember is that it happens automatically. It happens as soon as the conviction is entered so that the property can be automatically forfeited within 60 days.

Of course the accused person has an opportunity at the time of the making of the restraining order to make an application to the court to demonstrate that the property was lawfully obtained and was not obtained in any way through the proceeds of crime — for example, a house or something like that may have been inherited from a family member. So there are two important things: it is all property of the accused person, and it relates to an automatic confiscation process, if you like, through the automatic forfeiture process.

This bill essentially adheres to that regime, but it substantially lowers the threshold. There is a threshold mechanism in place in relation to the operation of this bill. In the examples the Attorney-General used in the second-reading speech he talked about heroin. The current regime is essentially based upon the provisions in the Drugs, Poisons and Controlled Substances Act. The current regime allows for automatic forfeiture in relation to heroin where the person is accused and convicted of a crime relating to the trafficking of 300 grams of heroin, which is a substantial amount. There is a variety of other amounts involved in this particular matter, and in relation to cocaine it is also some 300 grams.

This bill will substantially lower the threshold in the case of heroin to 30 grams. That is done by introducing a new column 2B in schedule eleven of the Drugs, Poisons and Controlled Substances Act, which is the automatic forfeiture quantity introduced by the operation of this bill. For amphetamines it is now 6 grams; for cocaine, 3 grams; for heroin, 3 grams; for lysergic acid diethylamide, or LSD, 1.5 milligrams; right down to cannabis, which is 600 grams.

In relation to property-related offences, the number of offences has been greatly expanded away from the original proposition. As I said, that related to trafficking in a drug of dependence and cultivating narcotic plants, and also dishonesty offences relating to obtaining property by deception, obtaining financial advantage by deception and conspiracy to commit those two offences. In those cases the threshold was $100 000 or more where the property involved in the deception amounted to $100 000.

The bill substantially increases the numbers of those offences to include things like extortion with a threat to destroy property and extortion to kill. Again there was a threshold, and in every single case the threshold has been lowered to half — to $50 000; and if the combined effect of two or more charges relates to property amounting to some $75 000 that has also become a threshold. So essentially even if both charges were for less than $50 000, if the combined effect was more than $75 000 this bill would kick in. Interestingly enough it relates to theft. Presumably in offences relating to thefts of motor cars it would not take too much to get in excess of $50 000. Certainly with robbery and armed robbery the thresholds have been lowered to $50 000 and $75 000 respectively.

There are a couple of curious provisions relating to offences under the Prostitution Control Act. I refer to new item 2A of schedule 2 to the principal act, which is at page 74 of the bill. New item 2A is about an offence under section 6(1) of the Prostitution Control Act for receiving payment for sexual services provided by a child.

Again that is a very, very serious offence. The opposition does not disagree with the intent of offences relating to receiving payment for sexual services provided by a child or, an ancillary one, an agreement for the provision of sexual services by a child. However, the opposition is a tad curious about what the government is doing when item 2A refers to where:

> … only one offence is charged, the value of the payment received is $50 000 or more …

While I do not disagree with the nature of the offence and the fact that it is serious and certainly should, perhaps with a review of this, fall within the ambit of an automatic forfeiture provision and so act as a substantial deterrent in this regard, I query whether or not the one offence is charged and whether 'the value of the payment received is $50 000' is appropriate. It appears the government has identified a number of serious offences such as this. I am querying whether $50 000 is an appropriate amount.

It would be fairly hard to look at an individual case where a charge was made — one single offence was committed — and where there was a payment involved of some $50 000. Certainly under the second part of this — that is, two or more charges that may total some $75 000 — you may have a series of charges that would total $75 000. However, the practicalities of the one charge relating to a payment of some $50 000 probably may have escaped the government in the operation of this legislation.

As I said, I do not disagree that these offences should be included in the matter. I will not go through the offences but just say that the government has substantially widened the range of offences beyond what could be perhaps described as obtaining financial advantage by deception and related offences. As I said, it goes to activities like theft, extortion, armed robbery and those matters, all of which the opposition does not disagree with.

Just on the matters concerning the sexually related offences, it seems a bit curious that this may be a bit unworkable given the amount of the threshold. It seems a standard amount is being put throughout the legislation. Perhaps some thought should be given to the amount that is set out there.

To raise just another example, I take the house to the bottom of page 76. Item 2A(e) of the proposed schedule talks about assisting in the carrying on of a prostitution service-providing business without a licence or in breach of a licence where only one offence is charged and $50 000 or more is received by the business. Again there is one offence and one amount of money — $50 000. It may be a tad inconceivable to get above that high-jump bar. It may be something that the government may consider reviewing to make it a little bit more workable in the real world.

Also in relation to drugs of dependence, as I understand it there is some difficulty with the measurement of 30 grams. It may cause some difficulty if that is diluted. It probably has a practical equivalent of some 3 grams of heroin in the street. It may not have a terribly high street value, but there is no doubt that the opposition does not dispute that any form of trafficking in drugs is a serious offence. It is certainly appropriate to the purpose of the legislation under the Confiscation (Amendment) Bill.

I move on to what are called tainted property substitution orders. Again the opposition has no difficulty with these at all, because they act as substantial deterrents. The principle of the bill is that where a person uses property or some form of asset in the commission of an offence, that should be forfeited to the crown. Equally any profits that are derived from the commission of the offence should also be forfeited.

An example the Attorney-General uses is stolen cars: in many armed robberies or bank robberies, for example, stolen cars may be used. It is highly unlikely that an offender in those circumstances would actually use their own car. The stolen car is owned by a third person, and of course an order cannot be made against the property of a third person. They are an innocent victim in all these circumstances.

What enables it to be done is that if in an application before it the court determines that the convicted person has property that is of a similar nature and description to the type of property that was used in the commission of the offence — for example, a car — then that can be substituted in relation to this matter and the car can be seized in that regard. This applies generally. It does not just apply to automatic forfeitures, it applies generally to the applications made before the court. Importantly it is a very powerful tool and part of the deterrent process.

To move on to the information-gathering parts of the bill, there is a mechanism that enables the police, in carrying out their investigations relating to forfeiture, to determine the types and amounts of assets a particular accused person may have and perhaps even trace those assets. There is the ability to obtain a monitoring order whereby notice is served upon financial institutions such as banks, building societies and credit unions. People may have a number of different accounts, and it requires a financial institution to provide details relating to that accused person's bank accounts and financial transactions.

What this does is to extend the definition of 'financial institution', I think appropriately given modern circumstances, to include things like the TAB or the casino. It enables these monitoring notices to be issued in relation to the TAB or casinos, where people may have a number of different accounts in relation to the

property they hold, and not only to banks, building societies and credit unions.

Again, it enables the police or the Asset Confiscation Office to serve one of these notices on the newly defined financial institutions to determine whether or not the individual who is the subject of the confiscation investigation holds an account or a number of accounts with a particular institution and also in what sum.

There is a section 85 attached to this provision that basically says that a person cannot bring an action against a financial institution regarding what is essentially a breach of the fiduciary duty that would be owed by the financial institution. Again, the opposition feels that this is appropriate in these circumstances to make it perfectly clear that financial institutions should be complying with these matters.

I move on to what is termed in the legislation to be a freezing order. A restraining order can be made in the lead-up to the laying of charges or at any stage during the process right up to conviction — or indeed after conviction, if absolutely necessary. The government has introduced in this bill a more flexible and more interim approach, which is to provide things relating to freezing orders. These freezing orders are supposed to be flexible, interim measures that can be made very quickly and very expeditiously — in emergency circumstances, if you like.

It provides for applications to be made over the phone and by fax. It is very much akin to what people involved in the civil jurisdiction would term to be interim injunctions, whereby you freeze assets or get interim injunctions. It is very short term, but ultimately it leads to formal restraining orders, where the evidence and material have to be put before the court in the usual way.

On balance the most important thing is that anything that speeds up the process to enable this provision is appropriate in the modern day because assets can be moved very quickly and very speedily not only between institutions here in Victoria but right around the country and the world just at the stroke of an electronic pen. Accordingly, it is appropriate that some flexibility is introduced into the process.

A number of lawyer colleagues have raised with me the need for such a freezing order and whether there is any utility in it given the fact that that type of application could in fact be made under the current regime. However, I think the legislation makes it perfectly clear that the police have the power to obtain such a freezing order.

The other thing in relation to the investigation process is that it now allows — and again one would expect that this would normally take place but it puts it beyond doubt — the three government agencies involved in the investigation and confiscation of property — the police, the Asset Confiscation Office and the Director of Public Prosecutions (DPP) — to share information. Indeed it almost places an obligation on those bodies to share information to ensure that the maximum outcome is achieved in that regard. Of course, the police carry out the investigation and the actual seizure of the property; the Asset Confiscation Office manages and enforces the confiscation and the DPP conducts the confiscation proceedings as well as the criminal prosecution in court. The more these agencies can share information, the greater the utility in these orders.

Finally in relation to the operation of this bill, it is important to note that there is certainly an attempt in it to improve the management structure through which the act now operates. It introduces new provisions and amends other provisions relating to the management of seized and restrained property. It is all commonsense sort of stuff, that information can be obtained about insurance that would enable the property to be protected if it is held in the name of the Asset Confiscation Office, whereby the secretary of the department may have to take out an appropriate insurance policy. It also enables the property to be maintained and enhanced to again maximise the property that may be returned to the Crown.

It also strengthens the provisions in relation to seizure of property on premises, which basically means that currently a warrant for the seizure of property has to be served on premises. This puts it beyond doubt that the warrant can be served in a public place, for example a car. We spoke about cars being seized. Now a warrant can be executed in a public place if the car was merely parked on the street, for example.

They are basically the matters that I wish to highlight in relation to this bill. As I said, the opposition has consulted widely with a number of lawyers, the Law Institute of Victoria, the bar council, the Criminal Bar Association and Liberty Victoria. It is fair to say that the legal profession generally is very concerned about the issue of asset confiscation. It expressed concern at the time of the original passage of the act, which changed the law very substantially.

But in the modern world you are talking about very serious offences — obtaining financial advantage by deception, the sexually related offences we talked about and most importantly, trafficking in a large quantity of drugs. These are serious offences that the whole

community is concerned about. This bill certainly adds to the current regime and takes it substantially further. It lowers the thresholds but by doing so it delivers a fairly strong message in a fairly cogent way.

We all talk about sentencing. We talk about the power of the police and other investigatory bodies, and we always try to expedite the criminal prosecution process, but part of this package is the ability to confiscate.

Business interrupted pursuant to sessional orders.

Sitting continued on motion of Mr CAMERON (Minister for Agriculture).

Mr McINTOSH (Kew) — I am indebted to the Minister for Agriculture. I will be brief. As I said, I think the bill strikes the correct balance. The overwhelming majority of the community desires it, and it delivers a very strong message — that these very serious crimes will not be tolerated in this state and that breaching the law will have dire consequences.

Mr RYAN (Leader of the National Party) — It is my pleasure to join the debate about the Confiscation (Amendment) Bill. It truly is a sign of the times that there is legislation of this kind before the house. Pre-1986 one could not imagine, quite frankly, that this style of legislation would be contemplated by the Parliament, let alone enacted in the form we now have before us.

The Crimes (Confiscation of Profits) Act 1986 in many senses now bears little practical resemblance to the legislation that is before the house this evening. This bill amends the Confiscation Act 1997, which was passed after having been introduced by the former coalition government. The core provisions of the Confiscation Act appear in its sections 32 and 35.

Section 32 deals with the applications that can be made for a forfeiture order. I am not going to go through the whole process, because it has been explored by the member for Kew and these comments are based upon my understanding of how the Confiscation Act is applied. Section 35 deals with the automatic forfeiture-after-conviction provisions and the mechanics of making an application in those instances.

The focus over the years has moved away from the quaint notion of coming in after the event to try to take from an accused any ill-gotten gains from his or her crime. It has shifted to the notion of precluding any movement of assets in anticipation of a prosecution — doing what is necessary to protect the public interest and ensure that that interest is accommodated before a prosecution, as opposed to trying to catch up with criminals after the event.

In the second-reading speech the Attorney-General referred to the fact that, in essence, the crims have gotten smarter with the passage of time and these amendments have to be brought in to accommodate the way in which those criminal elements conduct their activities. It would have been instructive to have some examples brought before the house to exemplify that, but nevertheless we have the legislation before us, and so it is that these comments are addressed to it.

I have before me some comments by Jeanette Morrish, QC, on behalf of the Criminal Bar Association and by Elizabeth Brimer on behalf of the Victorian Council for Civil Liberties. In the document they provided they acknowledge the contribution of Remy van de Weil, QC, for what he has added to the material they produced. It is about an 18-page commentary on this legislation, and it is very instructive. I have read it carefully and considered its terms.

The core principle which underpins this advice is the doctrine of proportionality — that is, that the punishment ought to fit the crime. The essence of the views expressed in this very informative document is to the general effect that the legislation now being debated is going a bit past the pale, that it is seen to be in some sense taking things too far. There are various examples which are given by those who are the authors of this excellent document to illustrate the points that they make. I recommend this document for reading by all members of the house because it is instructive. It is an excellent analysis of the legislation. It is pretty exhaustive in its content, and the general tenor of it, as I say, is to the effect that the legislation in various respects goes too far and in other respects is not necessary and therefore ought to be generally resisted.

I think there is agreement by all concerned that the tenor of all these things is fine, but the objection here in the course of this commentary is that the mechanics set out in this legislation take the issue too far. These are matters that I have considered and taken into account for the purpose of reporting this legislation to my own party room, but in the end I came to the conclusion that the National Party should not oppose the bill.

This bill adds to the automatic forfeiture provisions in a number of ways. It makes them harsher and it expands the nature of the crimes which will attract the provisions whereby automatic forfeiture will occur. The member for Kew has given some examples. The minister's second-reading speech talked particularly about drug-related crimes. The provisions of the

amending legislation on page 70 substitute for item 2 of schedule 2 to the principal act the many forms of crime which will now attract the automatic forfeiture provisions. Certainly there is an expansion into what is loosely termed — not only those that appear in its original form in the schedule to the bill, but also under what is termed in the second-reading speech — white-collar crime. We have no particular objection to the way in which that has been drafted.

The second aspect of what has happened is that the actual thresholds which will apply to attract the operation of the legislation have been reduced in various ways. In the case of drugs — just to take one example — the second-reading speech talked about the current legislation providing for an automatic forfeiture provision being attracted wherever 500 grams of diluted heroin are involved. That is now to be reduced to 30 grams of diluted heroin. There is commentary in the opinion from those members of counsel to whom I have referred that this could amount to only 3 grams of heroin in its pure form, which would, they say, make a mockery of what is intended. While I sympathise with that point of view — and I emphasise that the word 'mockery' is mine and not theirs — nevertheless the general thrust of the legislation in this day and age is unfortunately appropriate and is not one that we will oppose.

There are various other elements of the legislation which are of relevance. There are provisions which amend the tainted property definitions that are contained in the bill. There are provisions relating to what are termed tainted property substitution declarations. They relate to tainted property which would have been seized under the provisions of the bill had the perpetrator used it in the course of the crime, but in this instance it had not been used. If the perpetrator of the crime owns other property which is of similar nature, or is property bearing no similarity at all, the provisions of this bill will allow it to be regarded as being tainted property and be subject to forfeiture. Again, it is an extension of elements of the legislation that are there already, but it extends them in such a way that some might say it will be very interesting to see how it applies in practical terms and how the courts go about determining whether orders will be made to enable this particular provision to be exercised.

Elements of the bill deal with investigation and information gathering for confiscation proceedings. The definition of 'financial institution' has been broadened to include entities such as a casino and the TAB. This will enable the police to obtain monitoring orders where they are able to produce the appropriate material to justify them so they can follow the way in which funds have been deposited into these forms of financial institutions as they are now being defined. The police will be able to serve information notices which will require these institutions to provide account details to the police.

It is interesting to note that a section 85 provision will apply. It is a justified use of the section 85 provision, because the intention is to protect those entities and the people who work with them who provide the information to the police required as a result of the service of one of the information notices. It is again ironic to reflect on days of yore when the Labor Party, then in opposition, made such a play about the use of section 85 provisions which invariably were being used in a similar fashion by a former government. Now, of course, it has become the task of this government to pass meaningful legislation and section 85 provisions are used freely, but such is life.

The bill refers to freezing orders. These are used as a supplement to the existing provisions that provide for restraining orders. Restraining orders have a general intention to stop the dissipation of assets, but a freezing order is a step before the use of a restraining order. So there is a capacity here for an application to be made to a court to enable assets to be frozen so as to give enough time to enable an application for a restraining order to be made. As happens often in the civil jurisdiction, this style of order, which has the nature of an injunction about it, is necessarily of short duration, and in this instance it is to be for 72 hours. There cannot be a new application for a freezing order, but the existing one can be extended in exceptional circumstances. A fine of $120 000 is applicable to any institution which pays out from an account that is the subject of a freezing order.

An important element of this provision is something that touches on the broader scope of the operation of the legislation at large — that is, the significance of the application having been made to a court. A court will need to be satisfied that the circumstances exist to justify one of these orders being made in the first instance. Importantly, the provision goes on to say that the court can attach whatever orders or conditions it wishes for the purpose of making that order.

That may, of course, extend to the question of costs. In a civil jurisdiction if someone makes an application for an order of this nature and obtains it, almost as a matter of custom if it is ultimately discharged and some sort of damage is suffered by the person or entity who is the subject of such an order, that individual or entity can make an application seeking damages against the person who brought the order in the first place.

Inasmuch as concerns are being expressed about the way in which this style of order is sought and given effect, it ought offer comfort to those who have those concerns that a court does have wide-ranging powers to impose conditions at the time that an order of this nature is under consideration.

If a restraining order has been granted the bill provides that the person who is the subject of such an order must provide a declaration of other interests in the asset listed in the restraining order. This is to ensure that as many as possible of the others who have interests in the asset are able to be advised that the order has been given effect.

A further provision will allow information sharing between Victoria Police, the Asset Confiscation Office within the Department of Justice and those responsible for the prosecution of crime in Victoria — namely, the Director of Public Prosecutions and police. I think this is a sensible provision. I know there has been commentary about the issue of the right to silence in the sense that information being transmitted from one department to another may necessarily mean that another department obtains information regarding an accused person in circumstances where that evidence would not otherwise be able to be gleaned because of the right to silence.

Nevertheless I think the tenor of this legislation is such that these provisions are unfortunately necessary in this day and age. It will be very interesting to see how the bill takes effect as these very significant powers are exercised by all those who have a responsibility for their management and administration.

There is a provision in relation to property management. This relates to property which has been seized by warrant or restraining order or under the new provisions in the legislation which extend the existing provisions. This is a practical provision which enables property to be dealt with. As the second-reading speech recites, it is not difficult to think of a situation where a house, for example, might be the subject of a restraining order. That house has to be managed and maintained and people need to be brought in to look after it. The provisions contained within this aspect of the bill will enable those sorts of things to happen.

From a practical perspective that work will be undertaken by the Asset Confiscation Office, and the Secretary of the Department of Justice will be given certain powers through the provisions in this general area. There are extended seizure powers, as referred to by the member for Kew.

In essence they are the general provisions of this bill. As has been said, it is draconian legislation; that is the fact. However, when you get right through to the end of it the real issue here will be the maintenance of the checks and balances through the way the courts choose to have these provisions apply. From my point of view it would be a very different thing if there were a capacity in the authorities to unilaterally exercise the powers set out in this bill but that is not the case. There will always be the safeguards of a court being involved.

At first blush it does seem to be a rather far-sighted thing to do with the somewhat extraordinary consequences that applications can be made by telephone or fax or other such means, but I say again that I think the important balance to put into this is that an application must be made — these things cannot be done as of right. The applicant, whoever it is, seeking to use the powers created under this bill will have to go to a court to obtain the orders necessary to give effect to the terms of this legislation.

I am a strong and committed believer in the capacity of courts to be sensible about these things. My experience of things over the years is that, certainly in the civil jurisdiction, if a court is ever called upon to exercise powers of the general tenor and nature as those detailed in this legislation, those powers are, much more often than not, exercised on a very conservative basis. I have great confidence that as a matter of general course that will be the attitude of whoever receives and deals with these applications.

To put it the other way around, this style of order will not be issued on a willy-nilly basis. There will need to be ample justification for the exercise of the powers which this legislation contemplates. It is with those thoughts in mind that I reiterate the National Party does not oppose this bill.

Debate adjourned on motion of Mr MILDENHALL (Footscray).

Debate adjourned until later this day.

Remaining business postponed on motion of Mr CAMERON (Minister for Agriculture).

ADJOURNMENT

Mr CAMERON (Minister for Agriculture) — I move:

That the house do now adjourn.

Taralye language centre: funding

Mr PERTON (Doncaster) — The matter I raise is for the attention of the Minister for Education Services. I refer to the imminent closure of a program for school-age deaf children with cochlear implants because of a lack of government funding. The program is run by Taralye, the oral language centre for deaf children at Blackburn Road, Blackburn.

The school transition program provides intensive oral language services for deaf children and is aimed at developing their skills to a level where they can participate in mainstream school. Our state is known for its cochlear implants. Hand in hand with the program is the provision through Taralye of world-class oral language programs for young children. In very young children this is an essential part of the success of the implant. Over 50 children with implants now attend Taralye for early intervention and language development, making it the leading provider in Victoria.

The aim is to develop children's oral language to a level where they are able to participate in mainstream school alongside their hearing peers. In this way Taralye saves the state considerable money by reducing the need for intensive language support services in the school years. All children in the transition program are severely to profoundly deaf. While chronologically and cognitively ready for school, they require a program of intensive language development to ensure readiness for school entry.

Taralye has the results to show that they make a difference in these children's language outcomes. One example is a child who entered the school transition program at 5 years and 3 months of age. She was assessed at entry as having a receptive language age of 3 years and 1 month, and now at the chronological age of 5 years and 7 months she has a language age of 5 years and 8 months. The child has achieved age-appropriate receptive language, along with the development of social skills to be well equipped to take part in mainstream schooling of her hearing peers.

The school transition program was established in 1997 through funds from philanthropic trusts and donors. However, the trusts have indicated their belief that ongoing funding should be a government responsibility, and applications for further trust funding have been unsuccessful. Despite strong demand for the service and research evidence that shows the difference in learning outcomes, without recurrent government funding the school transitional program will cease.

Taralye has not received a response from the minister to its letter dated 23 July 2003. I know the member for Burwood has been making representations, too. A letter from the Premier's chief of staff indicates that the government will not provide funding for a school transition program, yet today in contrast the Premier, when challenged on the issue on his 3AW spot, said he would look into it.

The action I ask of the minister is to take up the challenge and find a way of funding this valuable program. The director of the program indicates that the programs that the Department of Education and Training currently funds assume a child is able to participate in school and has age-appropriate language. That is not the case with these children, and I believe it is appropriate — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Whittlesea Country Music Festival

Ms GREEN (Yan Yean) — I draw to the attention of the Minister for Tourism the importance of funding for the Whittlesea Country Music Festival and seek his action in support of the festival.

The government has previously shown its commitment to this important regional event by providing $7000 in funding for this year's festival, which was held in February. This important event features performances by country music artists and is a valuable community asset which attracts significant numbers of visitors to the region for the three-day festival.

From its beginnings 14 years ago as a fundraising event in Kyneton the festival has now grown into a major Victorian event at its new home in Whittlesea. The 2003 festival received rave reviews from sponsors, artists, stallholders and the public. The location is ideal for such an event. It has great facilities just 40 minutes from the Melbourne central business district but with very much a country atmosphere, largely run by volunteers from the local community.

The festival has three major components: the Victorian and National Country Music Awards, the Saturday Street Party and the Sunday Spectacular. At this year's festival I had the privilege of representing the Victorian government at the awards ceremony and of presenting an award. The festival attracted 530 entries — almost as many as its better known cousin, Tamworth — and was telecast nationally on the Prime TV network and broadcast on ABC Country Radio and dozens of country music stations.

This year I understand the festival will be aiming to increase attendance and visitors to the event by diversifying its activities to reach a broader audience. Over 65 per cent of those who attend the three-day festival are from outside Whittlesea. That is evidence of the important impact this event has on the regional economy. Extra funding will significantly assist in increasing the economic impact of the event on the region.

I urge members of this place to take the opportunity to attend the next festival in February. I know a new resident of Whittlesea, Rob Mitchell, who is a member in the other place and a well-known petrolhead, will be among the first in line for his ticket to the truck and ute show, which runs in conjunction with the country music festival and provides further economic benefit to the Whittlesea area. I know that many members here enjoy country music. In particular the honourable members for Frankston and Macedon are great country music fans, so get on your moleskins, your Akubras, your big hair and your dancing boots and come on down to Whittlesea!

I ask the minister to take action to continue this government's commitment to this great event and to help grow the event through marketing and bringing people to the region for longer periods of time to increase the economic benefits to the region.

Water: Dartmoor treatment facility

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Water concerning the Dartmoor water reticulation project. I seek action from the minister to ensure the water treatment facility is constructed and remove the uncertainty from the Dartmoor community and the timber mill in the town.

In 2000 the now Treasurer gave a grant of $97 000 to Portland Coast Water to supply the township of Dartmoor with a guaranteed safe water supply. In a press release issued by him, the Minister for State and Regional Development said that the project has strong community support and will ensure the future of the Dartmoor timber mill.

Dartmoor is a small rural community situated in the south-west corner of the state. It has a population of about 300 people. It is one of Victoria's largest towns without a reticulated water supply. The main industries in the area are farming and forestry, with a large softwood timber mill employing over 100 people. The mill has in the past supplied about 50 homes in the town with household water from its own bore. The town also has a very good primary school, a bush nursing centre, small businesses, a good hotel and a very active Country Fire Authority and State Emergency Service, and this Friday it will open a transaction centre.

In June this year Portland Coast Water withdrew its support for the current project, saying it wanted to assess a more cost-effective option. The community of Dartmoor is very worried. This could mean the loss of this important project. Water, in this case quality reticulated water, is essential to the future of the Dartmoor township. Since 1996 the Dartmoor community, the Green Triangle Forest Products Ltd mill and Portland Coast Water have developed a package for water treatment in the town. There are about 280 tenements.

The government has designated Dartmoor a water district in Portland Coast Water, which now has the responsibility of providing world health standard water to this town. Many people have purchased properties anticipating quality water. Do not let these people and this timber mill down. Why should country people not have water of similar standard to their city cousins? I again ask the Minister for Water to take action to ensure the construction of a water treatment facility in this great township of Dartmoor within the Lowan electorate.

Neighbourhood houses and community centres: recognition

Ms McTAGGART (Evelyn) — I call on the Minister for Education and Training to take action to ensure that the hard work and the commitment of neighbourhood houses and community centres are recognised and celebrated.

In my electorate of Evelyn I have four extremely community-focused centres: Morrison House in Mount Evelyn, Seville community house, Chirnside Park community centre and Wonga Park community house. I can speak first hand on how vital these houses are to their local communities. They offer educational courses such as literacy and numeracy, and information and technology and accredited courses such as child care, first aid and food handling, along with many other activities such as craft and personal development courses.

Most importantly, they offer learning opportunities in a more relaxed, friendly and inviting environment in local communities. Some students find traditional learning centres a little threatening and choose the community houses. Each house promotes volunteering, which gives participants confidence and improved

self-esteem whilst building relationships and partnerships within their local communities. Many people who have been out of the work force, who are new to the area or who are looking to establish links within their local communities find these centres absolutely invaluable.

I have been associated with Morrison House in Mount Evelyn for over 10 years. I was part of its committee of management for many years, and through this contact I have made many friends from a variety of groups in my local community. There are many success stories of adult students who have moved on to improved employment or educational opportunities since attending this house. Morrison House has been involved in programs which give some students with mental health issues the opportunity to integrate back into the community, and it also has initiated many other community projects, including Mount Evelyn becoming a learning town.

We had the privilege of having a visit from the Premier just a couple of weeks ago to see first hand the work that community houses contribute to local communities. Chirnside Park community centre is looking forward to a maternal and child health care centre being completed as part of its complex. This will be a vital contact for new mothers to join in activities and connect with other members of their local community. The Seville and Wonga Park community houses provide learning opportunities to their communities by way of craft and computer courses, et cetera.

I am a strong advocate for neighbourhood houses and community centres, and ask that they be recognised as vital assets in our community. I commend the managers of these centres for the fabulous work that they do and for their commitment to lifelong learning. We are never too old to learn.

Ambulance services: Hampton incident

Mr THOMPSON (Sandringham) — I wish to raise a matter for the attention of the Minister for Health on behalf of Roseann Lenihan of Conifer Street, Hampton. Roseann is the widow of Donald Lenihan. I ask the minister to investigate ambulance services in the city of Bayside.

On 16 January at 6.06 a.m. Mrs Lenihan phoned urgently for an ambulance and indicated that her husband appeared to be having some type of fit. In retrospect she also believes that he suffered a stroke. The ambulance arrived at 6.21 a.m., which was apparently an initial response time of 12 minutes and 27 seconds. According to a letter from the Metropolitan Ambulance Service the closest available emergency ambulance was despatched from Moorabbin ambulance station at 6.10.06. Why did it take over 10 minutes in the early hours of the morning to travel a distance which in peak traffic would only take 6 to 7 minutes maximum? The crew advised that there was no delay in their response to the address.

Subsequent inquiries have been undertaken by other people who have endeavoured to track the distance. Mrs Lenihan did so herself in July, and it took 6 minutes and 53 seconds. Over the course of last weekend two other estimates were undertaken by people by the name of McNaught. On one occasion the time taken was 6 minutes and 5 seconds, with one red light; and then on Saturday, 23 August, a further measurement was taken, and it took 6 minutes and 45 seconds, with four sets of red lights and in heavy traffic. The overall distance was 4 kilometres.

Mr Lenihan was unconscious when the first ambulance arrived. According to Mrs Lenihan the ambulance officers did not appear to be in a hurry. Subsequently they ordered a mobile intensive care ambulance. Why did it take over 30 minutes before the services of the MICA ambulance crew were available to treat her husband from the time of the first emergency call, which I might note Mrs Lenihan believes took place at 6.06 a.m. and not 6.08 a.m., as the ambulance records show?

Another question that arises in relation to this matter is: what training benchmarks are in place to ensure that the conduct and comments of ambulance officers are reflective at all times of the highest standards of professionalism? Sadly Mr Lenihan died on 19 January at the age of 53 years. At the time he was a senior lecturer at RMIT. Mrs Lenihan and her children would like to have some clear answers to the questions that have been raised tonight.

Victorian certificate of applied learning: Seymour electorate

Mr HARDMAN (Seymour) — I would like to raise a matter for the Minister for Education and Training. There are a number of fantastic programs running in our schools right across the Seymour electorate, from Healesville up through to Alexandra and down to Assumption College in Kilmore. Many of these programs are initiatives by the Bracks government. They are providing the students in our electorates with better life choices and obviously giving them more relevant education and training opportunities as well.

An example of this is the excellent work that is being done by the schools through the Victorian certificate of applied learning (VCAL). I ask the minister to take action to ensure that the Victorian certificate of applied learning program be extended into more regional and rural schools so that they may provide students from areas right across the state with the same opportunities that are at present being provided in the Seymour electorate.

In Seymour, for example, we have some really fantastic programs. One of note, which was launched last week by the Minister for Education Services, is a community VCAL. This particular VCAL was auspiced by the technical high school and is being conducted locally by Berry Street Victoria. Ten students who are basically disfranchised from schools, who are non-attendees, go into a community venue for their literacy, numeracy and work placement programs. That has been a very successful program which has actually taken disengaged young people and given them a better life chance, which is a great example of how VCAL can work.

A program at the TAFE college is another novel one in Seymour. The program has 10 or 11 students; 1 of them is doing her work placement in my office every Friday and is doing a marvellous job learning a number of administrative skills.

Mr Nardella — Hear, hear!

Mr HARDMAN — I encourage local members to assist the VCAL programs by attracting them to their areas as well. It is fantastic. It is great to hear the member for Melton supporting the program, with about five students operating over there.

The Seymour Technical High School has programs. There is a novel program operating in Healesville which is attracting students to get involved in community business programs through the production of a community and business calendar. There are also many great programs right across to Alexandra. These programs are operating in conjunction with the local learning and employment networks. They are adding to the fantastic work being done through environmental scans, identifying the needs of our local communities. I commend the VCAL to the house.

Kent Park Primary School: portable classrooms

Mr WELLS (Scoresby) — Had I known that the Minister for Police and Emergency Services was going to be here, I would have directed an adjournment debate issue to him. However, this is for the Minister for Education Services. I ask her to take immediate action to address the needs of the Kent Park Primary School which is on the Kent Park estate.

The school has a number of issues, and it has been lobbying for a number of years now to fix the problems that it has with regard to more permanent classrooms. At the moment the school has 7 permanent and 13 portable classrooms for its 454 students. But to add insult to injury, even the toilet block is a relocatable. In a local newspaper just recently the former member for Knox, Hurtle Lupton, is reported as having said that the former Minister for Education, now the Minister for Planning, gave Kent Park Primary School a commitment that the school would receive an additional permanent classroom. These comments were published in the *Knox Leader* of 4 September 2001. We are getting up to almost two years later and the school still has not seen the commitment made by the previous Minister for Education.

The matter has received a lot of publicity locally. It has been brought to my attention by a constituent in the electorate of Scoresby, Mr Tim Wilson. Mr Wilson has written to the government asking for an explanation of why the project has not been funded. The response has been nothing, I have to say, but bureaucratic rubbish and a fob off.

Labor has a reputation for ignoring the needs of the outer east. I remind the house that when Labor was last in government, in the Cain-Kirner days, the Wantirna Secondary College ended up with 50 portable classrooms. That is the way the previous Cain and Kirner governments wanted to treat the people in the outer east. Under this Minister for Education Services we are looking for a more positive result in regard to this.

What we do not want are more promises for the Kent Park Primary School. What Mr Wilson wants, along with all the other hardworking parents of Kent Park Primary School, is a budget commitment now to fix the problems.

I ask the minister to take immediate action to fix this problem, because it is obvious that with a population of 454 students this is quite clearly an excellent school that attracts students, and it deserves to have more than seven permanent classrooms. When you look at it, the school is using an additional 13 portable classrooms. I ask the minister to look at the situation and treat the matter as urgent so we can get back to the parents of Kent Park Primary School.

Victoria University of Technology: funding

Mr NARDELLA (Melton) — I ask the Minister for Education and Training to urgently take up the issue of a shortfall in funding for the Victoria University of Technology with the federal Liberal Minister for Education, Science and Training, Mr Brendan Nelson.

The VUT was established in the mid to late 1980s. It was an Australian Labor Party initiative, and it was about providing higher education courses to the poor, disadvantaged and working-class region that it now services, mindful of the fact that those communities have special needs. To do this the university needs to be a multi-campus organisation. The campuses are located in communities as varied as Newport, in the Premier's electorate; Werribee, in the electorate of the member for Tarneit, in conjunction with the Deputy Speaker; Melton; Sunbury; St Albans; Sunshine; and Footscray, as well as other campuses at other locations. VUT is similar to the University of Western Sydney (UWS) in that it serves a similar socioeconomic area and has also been targeted by the Howard government.

VUT has implemented innovative programs to increase higher education participation, like the portfolio program for secondary students in western and outer western suburban schools. It encourages and works with these students to help them achieve their dreams of going on to higher education and doing a degree at university. In a recent study it was found that about 24 per cent of VUT undergraduates come from disadvantaged backgrounds, compared to an average of 7.3 per cent and lower at institutions like the University of Melbourne. The study, by R. James, is entitled *Socioeconomic Background and Higher Education Participation — An Analysis of School Students Aspirations and Expectations.* As I am speaking about universities, I thought I would make a footnote.

VUT is part of our community and works with the Western Melbourne Regional Economic Development Organisation, local government and the transport industry to promote employment and enterprise within the region. The changes to the funding arrangements introduced by Mr Nelson have reduced the revenue base for VUT in the first instance, keeping it stagnant whilst concurrently massively increasing base funding for other institutions, such as $10.7 million for the Royal Melbourne Institute of Technology. This change may mean increases above the higher education contribution scheme fees for 50 000 students. Already the University of Western Sydney has decided on a 30 per cent increase in fees in response to the changes implemented by Mr Nelson. Any fee rise to keep the university solvent will affect the ability of low socio-demographic students to undertake courses. I direct honourable members to the Philips Curran and KPA Consulting report. The only option open to VUT might be to increase course fees, and this would further disadvantage young people.

This formula is wrong, it is discriminatory and it sets higher education within my region back 30 years. It must be changed so that the special, unique circumstances faced by VUT and UWS are dealt with equitably.

Schools: Internet connection

Mr MERLINO (Monbulk) — The issue I raise is for the urgent attention of the Minister for Education Services. The urgent action I seek from the minister is an assurance that the remaining schools in my electorate that are suitable for the installation of a high-speed asymmetrical digital subscriber line (ADSL) Internet connection but have not yet gained access to this information technology infrastructure will receive this great resource as soon as possible.

The Bracks government has invested heavily in school infrastructure, and this is particularly so in the area of information technology. Shortly after election of the Bracks government for a second term, seven schools in my electorate had their Internet connections upgraded to ADSL level. These schools are Billanook Primary School, Boronia Heights College, Boronia Primary School, Selby Primary School, The Basin Primary School, Upwey High School and Upwey Primary School. The Internet upgrades at these schools have made an enormous difference to the quality of education received by students. I am sure all honourable members appreciate the importance of a high-speed Internet connection.

Increasingly the delivery of innovative educational curricula requires high-speed Internet access, and it is great to see that the Bracks government is progressively rolling out upgraded Internet access across Victoria. In addition to those seven schools I mentioned I understand that last week three more schools in my electorate had an ADSL connection installed. Those schools are Monbulk College, Monbulk Primary School and The Patch Primary School.

In visiting the schools in my electorate I have been pleased to see the focus that school communities — parents, students and teachers — are placing on using and upgrading their computer facilities. The applications that these computer facilities provide for students is immense, and range from applications for young children developing skills to high school

students undertaking complex multimedia or science applications. The skills of these students at both ends of the educational spectrum is outstanding. The IT infrastructure provided in our education system must keep pace.

The expanded bandwidth that ADSL delivers is important because it provides much faster response times. Members would agree that the speed with which both primary and secondary school students whiz through their computer programs and the Internet demands improvements to our IT infrastructure. The expanded bandwidth also provides a much greater volume of information that can be sent or downloaded, which is vital as our use of the Internet expands and as the Internet itself matures.

I again ask that the minister ensure that ADSL is connected to the remaining suitable schools in my electorate as soon as possible.

Torquay Angling Club

Mr CRUTCHFIELD (South Barwon) — I ask the Minister for Environment to review the lease tenure of the Torquay Angling Club. The club has some 300 members, the majority of whom are from the Torquay area. The club facility also houses the marine rescue boat on a voluntary basis, and the club allows the operators of the boat to use the facilities.

The club is concerned about the one-by-one leasing arrangement, which means that each year the club has to renew its lease with the local coastal committee. The club approached me a week or so ago with its concerns about the lease tenure. When you have a one-by-one leasing arrangement rather than the three-by-three arrangement the club is asking for, it means that long-term strategic planning for improvements of the facility down there is not as easy to do as it would be if the club had a six-year lease. The club raised the issue of improving the facilities at Torquay, which I suppose one could describe as substandard. The club is keen to use its resources to improve those facilities with a view to encompassing the marine rescue boat in the foreshore facility.

The club also has an issue regarding the improvement of the boat ramp and having a safe launching facility at Torquay. At the moment that is compromised by the current leasing concerns. I reiterate my call for the Minister for Environment to review the leasing issue and ask him to consider seriously the request from the club for a three-year by three-year lease.

Responses

Ms KOSKY (Minister for Education and Training) — The honourable member for Evelyn raised a matter in relation to the celebration of adult education and neighbourhood houses. I am pleased to inform her that we will indeed celebrate adult learning and adult education, particularly neighbourhood houses, with Adult Learners Week, which will be held this year from 1 to 7 September. It is an Australian annual celebration of adult learning. It is really about highlighting adult learning, but it is also about celebrating and recognising, I suppose, some extraordinary adult learning and teaching that takes place.

More than 450 adult and community education centres exist across Victoria, and the government provides $36 million to support those centres. They cater for all age ranges, from 15-year-olds right through to those over 100.

To mark the commencement of Adult Learners Week this year there will be a focus on literacy, which will coincide with the United Nations Literacy Decade. It will be a broader focus on literacy than just basic English literacy skills; it will also look at a range of other literacies, including information technology literacy and financial literacy, which are relevant to being part of a complex and ever-changing world.

We are also looking at the different ways in which we can promote and encourage adult learning within our communities. We will be using public libraries across the state, with promotional materials and local advertising to prompt members of the community to contact their local adult and community education organisations during Adult Learners Week. We also have a designated information line that people can call to find out about the adult education available and the nearest adult education centre.

As well there are a number of different awards which recognise the amazing contributions made to adult learning. The award categories are the outstanding learner, the outstanding learner (Koori), the outstanding tutor, the outstanding program and the outstanding provider. It is an opportunity to acknowledge the fantastic contribution that people make to adult learning.

It is terrific that the launch of Adult Learners Week this year will feature Brigette Muir. For those in this house who are not aware of her, she is the most well-known female mountain climber and an avid adult learner at the Horsham Learning Centre.

An honourable member interjected.

Ms KOSKY — It is a terrific spot. She is a terrific mountain climber as well, and a great adult learner. She is very committed to adult learning.

A lot of activities will be occurring during that week, but most importantly it is a chance to celebrate and recognise adult learning and to promote lifelong learning throughout our communities.

The member for Seymour raised a matter for my attention. He wanted me to take action to ensure that the Victorian certificate of applied learning (VCAL) is extended to more rural and regional schools. I have spoken in this house on a number of occasions about the importance of the Victorian certificate of applied learning and the opportunities that it has provided for students in years 11 and 12 for whom the Victorian certificate of education does not work or for whose needs or ongoing educational requirements it does not cater.

I am pleased to say that this year 222 schools, TAFE institutes and ACE organisations have delivered VCAL to over 5200 students. It has really taken off, and there is great interest among students, who are now succeeding with their education.

We have also had a positive impact in rural and regional Victoria, with 114 providers currently delivering VCAL to more than 2200 students in those areas, and 63 of them are small rural government secondary schools that have fewer than 500 students — so smaller schools are also involved in the delivery of VCAL. Next year another 17 small rural government schools will also deliver VCAL. On a per capita basis the uptake of VCAL in regional and rural Victoria far exceeds that in metropolitan Melbourne.

We have been able to provide greater opportunities for students in regional and rural Victoria, and hopefully it will improve the completion rates for year 12 or its equivalent in regional and rural Victoria, which is one of our targets as a government. We are currently looking at other ways of encouraging small rural schools to be able to offer VCAL viably in their settings, and I am expecting a report to come to me in September which will look at how we can further encourage it in regional and rural Victoria.

I will mention a few of the providers in regional and rural Victoria. In the Seymour region we have a number of providers — I am sure the local member will be interested to know they are Seymour Technical High School, Alexandra Secondary College, Healesville High School, Broadford Secondary College, Yea High School, Goulburn Ovens Institute of TAFE and Assumption College, Kilmore.

I will also identify a few of the very small schools that have offered VCAL very successfully. Murrayville Secondary College in the far north-west of the state, which has fewer than 200 students enrolled from prep to year 12, is offering VCAL to students in years 11 and 12. Rainbow Secondary College, a school that has only 100 students, has developed a VCAL program to meet the needs of just three students in year 11 who are seeking apprenticeship outcomes. Wedderburn Secondary College, likewise a P–12 school, has fewer than 300 students but is also offering VCAL. So it is being offered in quite a number of very small schools. But we are keen to look at how we can encourage and support a greater uptake by regional and rural Victorian schools, particularly some of those smaller schools that may need extra assistance so they can offer VCAL in a viable way.

The member for Melton raised a matter for action to address the shortfall in funding for the Victoria University of Technology. He highlighted the concerns that Victoria University has, and that I know he has, about the impact of the commonwealth government's new grants scheme on VUT — a university that was established for people within the western region where the uptake in higher education was very low prior to its establishment. It is a poorer community that needs a range of different mechanisms and pathways in order to encourage greater participation in higher education. That is why it was established, and it is very important that the goals of the establishment of that university continue and are not undermined by the commonwealth government's new grants scheme.

I know that Victoria University is concerned about the impact of the Nelson review and the Nelson proposals, because under its new program the commonwealth government boasted that all universities would be better off under the changes to higher education funding. However, its own figures showed that at least six universities would be worse off, including VUT.

The commonwealth sought to hide this funding shortfall by offering completely inadequate transitional funding of $12.6 million until only 2007. Less than a month after that initial announcement it backed down and had to acknowledge the inadequacy of the transitional funding; it had to increase funding by $26 million — a minor miscalculation by the commonwealth government of over 200 per cent. How could they get it so wrong, and was it a deliberate attempt to reduce funding to such an important

university, particularly in the western region of Melbourne?

I am concerned, and I am sure that the member for Melton is concerned, that this additional funding may only be provided until 2007. If that is the case, VUT will be forced to raise revenue through other sources, and it is possible that it will have to raise its higher education contribution scheme (HECS) fees. In fact, if it is to cover that projected shortfall after 2007, it will be forced to raise its HECS fees by 7 per cent.

As I said, VUT was established to encourage greater participation in a poorer community within the western region. We heard earlier today in this house about the importance of education to provide for social and economic mobility, but if the federal government does not honour its commitment to VUT beyond 2007, the HECS fees will have to be increased. That will mean people will be travelling across the Yarra River to go to VUT because the students in the western region will not be able to afford to go to VUT, which of course will be incredibly detrimental not only to their educational opportunities but to their future economic opportunities.

We will certainly be continuing our pressure on the commonwealth government to ensure that VUT is not disadvantaged by what is a very flawed funding arrangement and approach to funding of higher education across the nation.

Mr PANDAZOPOULOS (Minister for Tourism) — I thank the member for Yan Yean for her continued enthusiastic support for the Whittlesea Country Music Festival as well as for tourism across the board.

The member for Yan Yean, not long after she was elected, approached me about whether I was aware of how important the Whittlesea Country Music Festival was in the country music scene not only in Victoria but in Australia and in its relationship with the Tamworth festival. I told her that I was aware. I actually met a delegation from the Whittlesea festival. They are a great, enthusiastic crowd who are kicking goals in tourism for the Whittlesea region through this event. The member wants to make sure that the festival continues to grow in its profile. As she said in her contribution, the majority of people who visit the Whittlesea Country Music Festival are not from the Whittlesea region, which means a huge economic benefit from people coming in to spend locally. All accommodation in the entire region is full to capacity when this event is on.

In the last three years Tourism Victoria has been working with the festival to help it grow through the Country Victoria events program. It is a small marketing grants program for events that are trying to grow their profile, and it has had fantastic results.

Last year we gave financial support, and the festival was able to increase its marketing profile. During that three-year relationship we have seen that long-stay visitors in the region increased to 3000 during the event last year. That relationship between how you increase visitation and encourage people to stay longer is certainly working, with a comparatively small amount of money.

I recognise the huge contribution of voluntary hours that the organisers of this event put together and the support received from local business. There is no doubt that with ongoing support from the local municipality, traders and tourism operators, together with Tourism Victoria, the event will continue to grow in its profile.

I am pleased to announce to the house and to the member for Yan Yean that as a result of her work and the work of the Whittlesea Country Music Festival the Country Victoria Tourism Council, which manages the Country Victoria events program, has recommended to me that a grant of $5000 be made this year. That means over three years a $19 000 state government contribution through Tourism Victoria to help grow this wonderful country music event for Victoria.

Ms ALLAN (Minister for Education Services) — The member for Scoresby raised a matter for my attention to do with the Kent Park Primary School in his electorate, which as the member indicated in his contribution has 454 students housed in 7 permanent classrooms and 13 portable classrooms. The member for Scoresby will be well aware of the massive investment the Bracks government has put into capital works — $822 million in our first term and at least $371 million to be invested in our second term — —

Mr Nardella — How much?

Ms ALLAN — An amount of $371 million! That is something those of us on this side of the house are very proud of. This compares to the miserable effort of the former government, which in its last three budgets contributed only $333 million in capital funding, clearly excluding Kent Park Primary School.

However, I do note the issue raised by the member and recognise that a number of portables are being used on this site. I am pleased to also note that this matter has been raised with the department. There has been a response from the facilities division general manager,

who has indicated that the school's requirements have been identified and are on a priority position for future consideration when funding becomes available. I will raise this matter again with the facilities division of the department, as I said, recognising the large number of portables housed on that site. However, in saying that, I note the fantastic commitment the Bracks government has made to building permanent facilities for schools right around the state.

The member for Doncaster raised a matter to do with Taralye, a school that provides transitional support to hearing-impaired preschool-age students and their families. I would like the member to note that new facilities are currently being developed, which will include the Mornington centre, Carronbank School for Deaf-Blind Students and Princess Elizabeth Junior School. These facilities will together become a world-class facility that will support children with hearing impairment who need to use a variety of communication methods, whether oral or sign language. It is expected that these facilities will be consolidated on the one site from term 3 in 2004.

Taralye has been advised that there is no funding currently available to replace the private philanthropic funding that was withdrawn from this service. I would like to reinforce that the funding the member refers to has come from a private philanthropic source, not from the government, to establish Taralye.

Mr Perton — On a point of order, Deputy Speaker, I had actually made that quite clear, had the minister listened. It was the Premier who said on 3AW this morning that he would review the matter.

The DEPUTY SPEAKER — Order! The member for Doncaster is not raising a point of order, he is answering a point made in debate. Does he have a point of order?

Mr Perton — It is quite clear the minister did not hear what I said.

The DEPUTY SPEAKER — Order! That is not a point of order.

Mr Perton — I accept your ruling.

Ms ALLAN — As I was indicating to the house, this private philanthropic funding has ceased to be made available to Taralye. However, I am advised that the department is holding discussions with the organisation on ways that it may be able to assist, recognising the needs of these students.

Finally the member for Monbulk raised the issue of upgrading suitable schools in his electorate for high-speed ADSL Internet access. I am very pleased the local member has raised this issue because clearly the information technology needs in schools in outer fringe areas of metropolitan Melbourne are very important. The Bracks government certainly understands the crucial and central role that IT plays in educating our young people. For this reason, and also because increasingly sophisticated educational software is being developed — and as we know there is forever a latest IT product that is available that requires increased capacity — the Bracks government is investing heavily in ensuring that as many students as possible have access to a high-speed ADSL Internet connection.

Why is it important to upgrade schools to have high-speed ADSL Internet access? It is because the ADSL upgrade provides faster access to the Internet, which means quicker download and upload times; and for the students sitting at the computer this means less time wasted on downloading information from the Internet and waiting for that information to come up onto the screen. More time is spent on learning.

In the last 12 months almost 900 schools have been provided with this upgrade, and we are continuing to provide more schools with the opportunity to be upgraded. I am very pleased to inform the member for Monbulk, and I am sure he will be very pleased to inform his local schools, that a further seven schools in his electorate are to have their connections installed this week. They are Ferny Creek Primary School, Kallista Primary School, Mount Dandenong Primary School, Olinda Primary School, Sassafras Primary School, the Sherbrooke Community School and Upper Ferntree Gully Primary School. Clearly this is great news for those schools, and these upgrades will certainly improve the educational outcomes for students in those schools. It is another great example of the Bracks government investing in education in Victoria.

Mr Perton — On a point of order, Deputy Speaker, I raise a matter with you which I would like you to raise with the Speaker. Today this minister lodged two answers to questions on notice on exactly this topic — one on the telecommunications purchasing and management strategy (TPAMS) and one on ADSL. In response to those questions all she could say is, 'I am informed as follows: the provision of the information requested cannot be justified on the grounds it would require an unreasonable diversion of time and resources which are not available'.

This is a minister refusing to answer questions which, as you know, would have been answered in previous

times. But tonight with a public relations script she can give an answer. I ask you to raise with the Speaker whether the provision of these sorts of answers by ministers comply with the rules and the expectations of this Parliament in respect of a minister answering questions on notice. I ask you to refer this matter to the Speaker.

Ms ALLAN — Deputy Speaker, the member for Doncaster, who is also the manager of opposition business, might be a bit cross that his side missed a call tonight on the adjournment debate, but on the point of order regarding the questions on notice, I would like you, Deputy Speaker, in your reference to the Speaker, to note that the member opposite has been an extremely vigorous user of the question on notice system.

So much so that my department has had to deal with 4182 multi-part questions submitted by the opposition and in particular by the member for Doncaster. Most of those questions asked for information that is readily available on the Internet. So the member for Doncaster was asking the Department of Education and Training to use its time on developing policies for the opposition when it stands — —

Mr Perton interjected.

Ms ALLAN — I ask you to withdraw that!

Mr Perton — I refuse to withdraw it.

Ms ALLAN — I ask you to withdraw that.

The DEPUTY SPEAKER — Order! Through the Chair.

Mr Perton — I will withdraw the comment.

The DEPUTY SPEAKER — Order!

Mr Perton — She is speaking on a point of order, Deputy Speaker, and you are now allowing her to make a speech.

The DEPUTY SPEAKER — Order! The member for Doncaster! I will try to deal with one thing at a time. The minister has made a request for a withdrawal. The member for Doncaster has withdrawn. I believe it is probably time to wrap up the point of order.

Ms ALLAN — Just to conclude, Deputy Speaker, in light of the request to you to raise this with the Speaker, I will also be seeking representations through you to the Speaker to take into consideration the issues that I have just raised.

The DEPUTY SPEAKER — Order! On the point of order, while I am sure that the Speaker will look forward to reading the comments of both members on this particular matter — and in this instance I will advise her that the matter was raised — I think in future the correct path for raising these sorts of issues is probably directly with the Speaker rather than at this particular juncture in the proceedings of the house. However, on this occasion I will raise the matter with the Speaker.

Ms ALLAN — The members for Lowan, Sandringham and South Barwon raised matters for various ministers, and I will refer them for their action.

Motion agreed to.

House adjourned 11.13 p.m.

Wednesday, 27 August 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.34 a.m. and read the prayer.

PETITIONS

Following petitions presented to house:

Libraries: Emerald

To the Legislative Assembly of Victoria:

The petition of the residents of Emerald and district draws the attention of the house to the proven need for a library and community centre in Emerald, a project which has already been costed and approved by the Cardinia council, and for which the council has provided a business plan and a full financial forecast for the first five operational years. Emerald is the second-largest township in Cardinia shire, and library borrowings from the mobile van in Emerald exceed those from the fixed library at Doveton.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria join with the residents and the Cardinia Shire Council in assembling the resources needed to provide these facilities for community cohesion and lifelong learning.

By Ms LOBATO (Gembrook) (3130 signatures)

Eastern Freeway: noise barriers

To the Speaker and members of the Legislative Assembly:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly their serious concerns about the longstanding problems caused by excessive noise from the Eastern Freeway to the abutting Kew Gardens estate.

Your petitioners therefore pray that noise barriers be erected along the borders between the Eastern Freeway and Kew Gardens estate and that the noise level for the Kew Gardens area be no greater than 63 dB(A) to bring it into line with modern freeway standards.

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

By Mr McINTOSH (Kew) (497 signatures)

Water: Murrayville irrigation

To the Legislative Assembly of Victoria:

The petition of the residents of Murrayville and district, in the state of Victoria, draws to the attention of the house the present and proposed irrigation practices which undermine the sustainable use of ground water in the Murrayville area. Also the effects that irrigation has on the quality of water and the formation of dryland salt areas and the concern over future recharge.

Prayer

The petition therefore requests that the Legislative Assembly of Victoria orders a thorough investigation to be made into the use of ground water for irrigation purposes in the Murrayville ground water area. In the interim we ask that a halt be placed on the extension of water licences which enables the use of irrigation and on the development of new bores.

By Mr SAVAGE (Mildura) (206 signatures)

Bentons Road–Nepean Highway, Mount Martha: traffic lights

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

The humble petition of the undersigned citizens of the state of Victoria sheweth that the intersection of Bentons Road and Nepean Highway in the suburb of Mount Martha is confusing in design, dangerous and unable to safely cope with the current traffic volume.

Traffic flows through the intersection have dramatically increased in the last 18 months due to the development of the Bentons Square Shopping Centre, Benton Junior College and continued housing development in the area.

Your petitioners therefore pray that the Minister for Transport fund the installation of traffic lights at the intersection of Bentons Road and Nepean Highway in the suburb of Mount Martha as a matter of urgency.

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

By Mr COOPER (Mornington) (541 signatures)

Bentons Road–Moorooduc Road, Moorooduc: safety

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

The humble petition of the undersigned citizens of Victoria calls on the state government to provide a permanent solution to improve the safety of the intersection at Bentons Road and Moorooduc Road, Moorooduc, rather than the cost-saving, unsafe and inefficient measures currently in place.

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

By Mr COOPER (Mornington) (220 signatures)

Community services: funding

To the Legislative Assembly of Victoria:

The petition of staff, supporters and clients of community and disability service agencies draws to the attention of the house the detrimental impact of cuts proposed for disability and community services 2003–06 through productivity savings.

Prayer

The petitioners therefore request that the Bracks government abandon these harmful cuts and work cooperatively with the sector to improve services.

By Mr THOMPSON (Sandringham) (11 signatures)

Housing: rent threshold

To the Legislative Assembly of Victoria:

The petition of public housing residents in the Sandringham electorate draws to the attention of the house the hypocrisy of the Labor Party originally supporting public housing rental payments at 20 per cent of income, condemning the increase to 23 per cent for existing tenants in 1997 and now being responsible for lifting the payment to 25 per cent of household income for such tenants imposing an increased financial burden on public housing tenants, particularly the elderly in the Highett community.

Prayer

The petitioners therefore request that the Bracks government reverse its decision to impose an increase in the percentage threshold for public housing rental payments.

By Mr THOMPSON (Sandringham) (4 signatures)

Laid on table.

Ordered that petition presented by honourable member for Kew be considered next day on motion of Mr McINTOSH (Kew).

Ordered that petitions presented by honourable member for Sandringham be considered next day on motion of Mr THOMPSON (Sandringham).

Ordered that petitions presented by honourable member for Mornington be considered next day on motion of Mr COOPER (Mornington).

PAPERS

Laid on table by Clerk:

Mount Hotham Alpine Resort Management Board — Report for the year ended 31 October 2002

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

Alpine Planning Scheme — No. C09

Casey Planning Scheme — No. C54

Greater Geelong Planning Scheme — No. C48

Hume Planning Scheme — No. C44

Maroondah Planning Scheme — No. C31

Whitehorse Planning Scheme — No. C47

Statutory Rule under the *Gaming No. 2 Act 1997* — SR No. 100.

MEMBERS STATEMENTS

Melbourne Airport: Australia Post facility

Ms BEATTIE (Yuroke) — The Australia Post facility at Melbourne Airport must be built now. Prime Minister Howard's claims concerning Australia's security ring hollow as this site stands incomplete. The facility, a key part of the federal government's increased quarantine intervention program, is designed to upgrade security measures and combat terrorism. It was scheduled to be completed in the latter part of this year, but construction is yet to start. It has become a battleground for Tony Abbott and his industrial relations ideology.

Abbott is seeking to impose guidelines that have no legislative framework, and in the process he has vetoed four separate building companies working on the project because they have legal agreements with the Construction, Forestry, Mining and Energy Union — legal agreements certified in Victoria with companies which provide work for Victorians. And what has Tony Abbott threatened? He has threatened to take the project to New South Wales. Bob Herbert from the Australian Industry Group is also confused. He states that what was acceptable to Tony Abbott a year ago is now inappropriate.

This impasse has been created by Tony Abbott himself. The Prime Minister must show leadership, bring the sniffer dogs in from the cold and put Tony Abbott out in the cold where he belongs.

1 Treasury Place: catering contract

Mr HONEYWOOD (Warrandyte) — On this side of the house we can well recall the Premier when in opposition, along with the member for Niddrie, constantly attacking the previous state government for shucked oysters catering at the grand prix. We now find that the Premier prefers stuffed quail, orange duck and lychees washed down with fine wine, and a cigar allowance for his tobacco. The hypocrisy of this beggars belief.

Honourable members interjecting.

The SPEAKER — Order! The member for Mulgrave!

Mr HONEYWOOD — Members of the so-called party of the working class that was going to cut down on entertainment and put that money into education and health are there with their snouts in the trough day in and day out. In the very same week that the Premier announced the closure of the Kew Cottages for our

disabled people he was signing himself the extraordinary extravagance of a $1300 per working day nosh-up for his personal suite.

The opposition challenges the Premier to release the menus and the guest lists, which is exactly what he demanded when in opposition. Who are the Labor mates? Who are the Labor unionists with their cigars paid for by taxpayers? Who are these people? The Premier demanded that when in opposition. The hypocrisy of Labor and the affront to taxpayers are absolutely appalling.

Honourable members interjecting.

The SPEAKER — Order! I ask that members be allowed to present their statements without having to yell over the noise.

Neville Donald

Ms OVERINGTON (Ballarat West) — I place on public record the passing of Neville Fraser Duncan Donald, OAM, JP, on 25 July 2003. Neville was a passionate councillor for the Borough of Sebastopol from 1965 until the forced amalgamations in 1994. He served as mayor for a record 10 terms.

Honourable members interjecting.

The SPEAKER — Order! Stop the clock! I am having trouble hearing the member for Ballarat West. I ask members to be quiet. Start the clock again.

Ms OVERINGTON — When I was first elected to council in 1982 Neville was unsure how to take this young Labor woman. I spent many council meetings engaged in heated debate with Neville, and despite our different political opinions we developed a great respect for one another. I owe a great deal of my political education to him.

Neville left his mark on Sebastopol and local government in so many ways. He was instrumental in having school crossings supervised by crossing attendants — the first in Victoria. He served on the Ballarat Water Board and later with Central Highlands Water from 1965 to 2001. He was also deputy chair and interim chairperson in those positions.

Honourable members interjecting.

Ms OVERINGTON — Despite his huge community involvement — and he was a Liberal, so have some respect! — Neville's first commitment was to his family. He always made sure his family came first. My deepest sympathy is extended to his wife, Vawyn; his children, Jim, Andrew, Vawyn, Grant, Cindy and Alastair, and their partners; and his 22 grandchildren.

Vale Neville Fraser Duncan Donald, OAM, JP.

Community services: funding

Mr MAUGHAN (Rodney) — It is totally unprincipled for the Bracks Labor government to be attempting to force productivity cuts on non-government agencies that are providing services in palliative care, housing assistance, drug and alcohol services and disability services when all of these agencies are currently struggling to keep up with the ever-increasing demand for their services. Current funding does not reflect the true cost of providing services, and most non-government organisations (NGOs) run a lean and mean operation. Those required to operate their own transport services, particularly in country Victoria, are at even more of a disadvantage.

The government's own review carried out by KPMG found that there is no evidence of excessive management, that agencies struggle to cover the cost of replacing vehicles, that more agencies are reporting losses than in the past, and that there is no across-the-board capability for productivity savings. The non-government sector says that it will be $35 million worse off over the next three years under the government's proposals, and that will inevitably mean a reduction in services to some of the most vulnerable and disadvantaged people in our community. I call on the government to show some heart, some kindness, some compassion and some sympathy to the people that it claims to represent and to abandon these Treasury-driven productivity savings for NGOs.

Refugees: Welcoming the Stranger group

Ms BEARD (Kilsyth) — Recently I had the privilege and pleasure of attending a meeting at Mount Evelyn convened by the Welcoming the Stranger justice group. The federal government would have us believe that the vindictive treatment of refugees is a dead issue, but meetings such as this, attended by over 150 local residents on a bitterly cold Monday night in Mount Evelyn, prove that this is far from the truth.

Renowned author and refugee campaigner Arnold Zable recalled the experience of his family's escape from Hitler's death camps to find a better life in Australia. He said his mother always told him that there is no such thing as a queue when you are running for your life. Two asylum seekers spoke of fleeing from

their home nations after the disappearance of members of their families. They feared for their lives often during the treacherous journey to Australia, but nothing prepared them for their detention in Woomera. Their stories were extremely moving.

Mr Julian Burnside, QC, a leading advocate for refugees, told of the viciousness of the temporary protection visa scheme, the inhumane imprisonment of children, the separation of families and the betrayal of Australia's tradition of welcoming oppressed people from other societies.

The meeting demonstrated the compassion of ordinary Australians. I congratulate the Mount Evelyn justice group, and especially Peter and Carmel Cowan, for convening the meeting and giving a group of ordinary Australians the opportunity to learn more about the refugee situation and express their views. I condemn the federal government for its treatment of refugees, its imprisonment of children and its betrayal of the Australian tradition of a fair go for all.

Eastern Freeway: Bulleen Road bridge

Mr McINTOSH (Kew) — I would like to raise a matter of urgent public safety. Bulleen Road, which is in my constituency, has a bridge over the Eastern Freeway which is some seven to eight lanes wide. It is a very busy intersection with on and off ramps on both sides of the freeway. On the western side of the freeway is a footpath that is about 1.5 metres wide and is raised approximately 10 centimetres above the road surface. On the western extremity of the footpath is a steel pedestrian guard about 1 metre in height with vertical upright posts spaced about 10 centimetres apart. Two horizontal steel girders run the full length of the guard rail. The distance between the steel girders and the footpath is about 20 centimetres.

I have had four inspections of the site, and last night after Parliament rose I went again to the site. There is an enormous amount of debris on the footpath obviously thrown up by trucks and cars. Amongst the debris on the footpath I found large pieces of wood, large rocks such as the one I have in my hand, and indeed a large bolt, which I now show to honourable members. The bolt weighs about a third of a kilo, and if that dropped onto the freeway below you would have the equivalent of a bullet from a .22 rifle coming straight through the windshield. It is a matter of extreme public concern.

State Schools Relief Committee

Mr HARDMAN (Seymour) — I rise to congratulate the State Schools Relief Committee for its fantastic work in providing assistance for children from disadvantaged families right across Victoria. Last week, the Minister for Education Services came to Seymour Primary School to launch the casual dress day, a fundraiser the school has each year for the committee. Present at that fundraiser were the manager of the State Schools Relief Committee, Terry Green, Ralph Francione, the president, and Alan Pinkerton, the treasurer. Also present were the principals of all the state schools in Seymour, including Stephen Pink from Seymour Primary School, Tony Gooden from Seymour East Primary School, Bill Brearley from Seymour Technical High School and Julie Atkins from Seymour Special School.

The State Schools Relief Committee is supported by the state government and has been operating for many years. The minister's support was very welcome, and it raised the profile of the fundraiser. The committee provides clothing and footwear for children right across Victoria. I had occasion to use it when I was the head teacher at Harrow, and I know its members talked about going out to Mallacoota, so it goes right across the state.

In these times of drought it is very important to the local communities for the committee to provide these kids with an opportunity. As Stephen Pink said in his short speech on the day, when these kids get their new clothes and shoes, they walk 10 feet tall. That is what the State Schools Relief Committee does for Victoria. I congratulate it on its fine work.

Football: on-field aggression

Mr THOMPSON (Sandringham) — On a day when Victorians are mourning the passing of Richmond legend Jack Dyer, I am reminded of a story about Jack in his first game. As a 17-year-old in short sleeves he stood alongside his burly ruckman opponent, who said to him, 'Sonny, does your mother know you are out here?', to which Dyer replied, 'Yes, and she told me to give you this' — whack! I argue that today violence on the field behind the play should be a thing of the past. I am reminded of the incident involving Wright and Somerville in 1965 when the Collingwood player was standing alongside the Essendon player, who was lying supine on the ground.

I call upon the Australian Football League to take strong action to ensure that in a final the sporting prowess and skills of players like Nathan Buckley are

not jeopardised by the cowardice and thuggery of an opposition player. With the increasing professionalism of football and at a time when junior development is an important issue and fewer younger players are making their way into the senior ranks and given the development of country leagues, it is important that the development of the game is not sacrificed to the development of other sports and that on-field aggression is consigned to the past.

Knox Eagles Junior Football Club

Ms ECKSTEIN (Ferntree Gully) — I would like to acknowledge and congratulate the Knox Eagles Junior Football Club on a very successful season this year. I am a proud sponsor of the Knox Eagles, whose home ground is Pickett Reserve in my electorate. The Knox Eagles had two teams in the finals this year: the under-13s made it into the first semifinal and the under-14s made it into the preliminary final. This is a great achievement for the club, the players and their families, who are all very proud of this result.

The club provides an important community service for young people in Ferntree Gully. It teaches young people not only important physical skills but it also teaches them the importance of physical activity for lifelong wellbeing as well as some very important social skills such as cooperation, loyalty and team work. I understand that the club is seeking to establish partnerships with local senior clubs to provide pathways for its players into senior football. I would like to congratulate all the players, the coaching staff and the committee of the Knox Eagles Junior Football Club on their achievements this year and on the wonderful job they do for young people in Ferntree Gully. I am sure the Knox Eagles will go on to even bigger and better things in 2004.

Water: Murrayville irrigation

Mr SAVAGE (Mildura) — I wish to raise an issue that was the subject of a petition tabled in the house today concerning ground water at Murrayville. This has been going on for some time and causing significant community concern. Murrayville is in a ground water protection area on the border with South Australia, and irrigators are pumping only half of the water allowed under the licences that have been issued. If full pumping of irrigation ground water were to occur the ground water would run out a lot quicker than it currently is. There have been 15-metre draw-downs, it is a fossil reserve and they allow 0.65 metres each year non-return. At some point in the future the water will run out and the ground water of Murrayville will be in some jeopardy.

I want to congratulate Jocelyn Lindner for the petition she has organised from her farmer colleagues and to say that the proposed development around Tutye is most inappropriate. There is significant dry land salinity in the reaches of the centre pivots that will be placed there.

I would also like to acknowledge the efforts of the Mallee catchment management authority which is now taking a very significant interest in this issue. I think there will be more accountability with future licences. The issue of ground water at Murrayville is something the Minister for Environment should take significant note of as it does not have community support under the current arrangements.

Valkstone Primary School: sporting achievements

Mr HUDSON (Bentleigh) — I want to acknowledge the sporting achievements of students at Valkstone Primary School. I visited the school on Monday and presented premiership medallions to members of the school's football team, which recently won the school district winter competition. The team coach, Grant Robinson, has welded them into a very talented combination. Several of Valkstone's other sporting teams also made it to the district finals this year: the T-ball team coached by Heather Bishop; the volleyball team coached by Andree Fleming; and the netball team coached by Sandra Ferguson.

However, the school's greatest individual sporting achievement has been the running exploits of Tayla Daly. On Monday Tayla represented Victoria in the 2-kilometre cross-country event for 10-year-olds at the national primary schools championships in Queensland. Tayla came second in the whole of Australia with a time of 7 minutes, 7 seconds. This is a magnificent achievement, which I doubt many members of Parliament could beat!

She backed that up yesterday as a member of the winning 4 x 1500 metre relay team. Tayla is a member of Little Athletics. She is a modest student who does not draw attention to herself. However, she has a real gift for running. The school community is very proud of Tayla and is holding a fundraiser to assist with her expenses in competing in the national championships.

Valkstone Primary School has experienced adversity recently with the death of Daniel Cooper from meningococcal disease. However, Valkstone has demonstrated that the school community is strong and that there is an enormous wealth of talent among students at the school.

Community services: funding

Mrs SHARDEY (Caulfield) — I would like to congratulate the Victorian Council of Social Service and other non-government organisations that participated in the protest on 12 August against the vicious and unwarranted productivity cuts to non-government organisations providing essential community and social services to needy Victorians.

Steve Bracks may have lured the media off to Point Nepean to dull the sound of the voice of the protesters, but the Liberal Party heard their voice and put effect to their call by releasing a position statement which said that the Liberal Party in government would scrap the Labor policy of across-the-board productivity cuts to non-government organisations (NGOs), which government members support. Additionally, we will increase funding to NGOs to match rising costs and support the introduction of certain and stable funding arrangements which are flexible and will not lead to forced cuts in jobs and services.

Finally, I call upon the minister to do the honest thing and release the KPMG report which told the government that the community services sector cannot make productivity cuts without cutting services to disabled and needy Victorians. If the Minister for Community Services had the courage to stand up to the Treasurer and put people first she would reverse this outrageous decision to cut services to needy Victorians.

Libraries: Emerald

Ms LOBATO (Gembrook) — I would like to acknowledge Emerald resident Peter Weatherhead, who is in the public gallery this morning to witness the lodging of a petition that he organised along with his community colleagues, Dawn Wilson, Mike Shaw, John King and Brian Hannan. The petition calls for support from the state government for a library and community centre for Emerald. The petition has more than 3000 signatures.

Peter Weatherhead has been seeking support for this project for over 10 years. For the past eight months Peter, Dawn, Mike, John and Brian have been regular visitors to my mobile office in Emerald and have convinced me of the need by local residents to have a permanent library as opposed to their current mobile library that is now considered inadequate in terms of both resources and also accessibility for the elderly. The closest permanent libraries are 20 to 30 kilometres away. The library will encourage further education and provide research facilities for all, but especially important for the Emerald youth.

The community centre will create a focal point for the community and a shared space for local groups, such as the Emerald U3A of which Peter is president. I commend the Emerald library and community centre action group for their passion for Emerald and the opportunities that this project will present to the community.

Angela Barker

Dr SYKES (Benalla) — I invite members of this house to join me in congratulating Benalla teenager Angela Barker on her 18th birthday, which she will celebrate with her friends on 30 August. This is a very significant event, as in 2002 Angela was bashed to within millimetres of her life. So severe were Angela's head injuries that doctors advised her parents, Ian and Helen Barker, to give up and get on with their lives.

Ian and Helen did not give up, and now Angela is able to understand normal conversation and respond via a voice computer. While she is now confined to a wheelchair and has poor balance and very restricted mobility on her left side, she has been able to progress to walking, albeit with assistance. This amazing recovery is due to Angela's enormous courage and the unquestioning 24-hour, 7-day a week support from her parents and her medical team.

The rate and extent of Angela's recovery was threatened by funding restrictions on the amount of physiotherapy she would receive, this being as I understand it a consequence of the victims of crime compensation payment policy. Fortunately the Benalla community, through the Benalla Trust Foundation, has provided the additional funding.

I wish to advise the government that I will be seeking the support of relevant government departments and ministers to ensure that Angela is given the best possible support to recover from her horrendous injuries.

General practitioners: bulk-billing

Ms MUNT (Mordialloc) — Our public hospitals are now more than ever under great threat because people are finding it more and more difficult to find bulk-billing doctors. Through its recent proposed changes to Medicare the Howard government is making it ever more difficult for doctors to bulk-bill, and this is forcing people to add increasing pressure onto our already overloaded public health system.

Considering that Australians are already struggling to meet the spiralling cost of private health insurance, the last thing our public hospitals need is people going to

the emergency wards of public hospitals with ailments that can be easily treated by general practitioners. It is hardly surprising, however, when you consider that since the Howard government was elected in 1996 the average out-of-pocket cost to see a GP who does not bulk-bill has gone up by 55 per cent to $12.78 today.

The attacks on Medicare by the Howard government have seen a dramatic fall in the number of bulk-billing doctors in Kingston. To deal with this alarming decline Central Bayside Community Health Services has recently introduced its own bulk-billing general practice. I would like to praise and give my heartfelt thanks to Central Bayside for implementing bulk-billing and again allowing people access to decent medical care while at the same time relieving pressure on local hospitals like the Monash Medical Centre.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Rail: Bungaree deviation

Mr MULDER (Polwarth) — On 8 August, without any discussion, the Minister for Planning gazetted compulsory acquisition of 44 pieces of land in the Millsbrook–Dunnstown area for the $30 million Bungaree deviation. As one of the 20 affected land-holders, Graeme Harris says that Labor has bulldozed its way along. There has been no proper consideration of alternatives such as those suggested by the Liberal Party to spend the same amount on duplicating the rail line between Deer Park West and Rockbank and abandon the Bungaree deviation.

Not a single rail has been laid on the $573 million fast rail projects. Today we see in the *Herald Sun* that there are further cost blow-outs of an initial $8 million for just the Bendigo and Traralgon projects. This bill will be picked up by all Victorians. When will the Premier, the Minister for Transport and the members for Ballarat East and Ballarat West start to listen? The Bungaree deviation is about the Premier's image in his own home town of Ballarat. According to the Ballarat mayor, David Vendy, it is no wonder the Premier's body language is embarrassed! Fast rail construction delays are set to cost Victorians over $100 million.

Duplicating the track closer to Melbourne would benefit Ballan, Bacchus Marsh and Melton residents. This is all about the selfish pride of the Premier versus a small country community. The Ballarat members would do better to look after the small country — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Monash: business awards

Ms MORAND (Mount Waverley) — Last month I was pleased to be able to represent the Minister for Small Business, Marsha Thomson, at the Monash Business Awards 2003. These awards were held at the Monash Aquatic Centre in Glen Waverley and were attended by several hundred local business people.

The City of Monash is home to 11 000 diverse businesses providing 87 500 jobs, 2800 of which are home based. Twenty-five per cent of all jobs are in the retail and wholesale trade. These awards are a very important avenue for recognising local business success and helping to ensure that Monash remains a centre of business excellence.

The Bracks government is very pleased to have again sponsored these awards. The award winners I would like to acknowledge are in five different categories: in the category of innovation, Gribbles Pathology; in the category of small business, Harts Party Hire; in the category of exports, Superpop Pty Ltd; in micro and home-based business, the Beverley Sutherland Smith Cooking School; and in the research and development category, the Monash Institute of Reproduction and Development. The overall business of the year award for excellence went to Autofab Australia Pty Ltd.

Finally, I want to thank the executive committee of the Monash Business Awards for organising the awards, which were established in 1994 by 10 local business leaders. I congratulate them and the economic development committee of the City of Monash.

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Louise Multicultural Community Centre

Mr ROBINSON (Mitcham) — This morning I place on record my congratulations to a number of people who are involved in the Louise Multicultural Community Centre, which is located in Nunawading. A recent annual report notes that the Louise centre was initiated in 1984 by Sister Miriam Boland, a Daughter of Charity, who had been working with refugees at the then Eastbridge hostel. The centre was launched as a place of ongoing support, advice and friendship for new arrivals in Australia. Learning English was only one of the many components necessary for their resettlement. The report goes on to say that in 2002 the centre's priority remained the same — that is, attempting to address the needs of people who continually apply for enrolment at the Louise centre, although their needs are very different and incredibly diverse.

In particular I congratulate the following people for their outstanding service on the centre's committee of management: the chairman, Maureen Burke, who has been involved for more than 20 years; the vice-chairman, Dudley Ellis; the secretary, Jan Hall; Bev Brown; Kevin Adamson; Joan Adamson; the English coordinator, Julie Roberts — it is worth nothing that there are some 170 students currently enrolled in the English language courses; Barbara Leaf; Sai Kit Chan; Pam Munchow; Nance Cotter; and last but not least, the social welfare and youth development worker, Thanh Thach.

Country Fire Authority: Carrum brigade

Ms LINDELL (Carrum) — The Carrum Volunteer Fire Brigade was established in 1912. Now, after its 90 years of dedicated service to the Carrum community, I would like to make some comments of congratulation to the members of the brigade who received awards at its annual presentation dinner on Saturday night.

I congratulate firefighter Robert Prideaux, who was handed a certificate in acknowledgment of 20 years service to the brigade and indeed to the wider community; firefighter Peter Rasdell, who was awarded recognition for 35 years of service; lieutenant Jamie Milburn, who also received an award for 35 years service.

The Carrum Volunteer Fire Brigade is very lucky to have a vibrant and hardworking ladies auxiliary. The auxiliary's president, Leigh Prideaux, was also awarded a 20-year service acknowledgment. Its vice-president, Barbara Maher, was acknowledged for 35 years service to the brigade. Val Cruise was awarded a 50-year acknowledgment of dedication to the brigade; and Alice Goodwin, who is the secretary — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired. The member for Keilor will have about 40 seconds.

Western suburbs: government policy

Mr SEITZ (Keilor) — I congratulate the Premier on his interview with the *Star* and on his vision for Melbourne's west — unlike Prime Minister Howard, who has no vision for the area and who has not put any money into the area since he has been in government.

The Bracks government has delivered to the area with the development of a university, schools, a film studio and the ring-road improvement, which has provided a lot of services for our community. In particular it has brought in $462 million in spending for the region, which has created 1253 jobs. That is tremendous to build up the morale of the people in the west. I would like — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired. The time for members statements has concluded.

GRIEVANCES

The DEPUTY SPEAKER — Order! The question is:

That grievances be noted.

Synchrotron project

Mr HONEYWOOD (Warrandyte) — According to the only business plan commissioned by the Bracks government into the controversial synchrotron project, the Premier has signed up the Victorian taxpayers to $537.2 million over a 10-year period. Yet again this Premier has been caught out being loose with the truth when he maintains that we in Victoria will be liable for only $157 million. In their desperate attempt to get any project onto their empty major projects agenda, Premier Bracks and Minister Brumby have signed a blank cheque for a giant microscope that could well become their giant white elephant.

The government has used every device to gag the opposition from gaining any information on this secret document. According to Macquarie Bank, which has done the only current business plan commissioned by the Bracks government into the synchrotron — despite the Premier's attempt to say it is an old document, it is dated only 19 August last year — there will be no revenue for the first five years when this controversial project is up and running. Then there will be a hoped-for surplus of $2 million, but only if the most optimistic of scenarios proves up.

According to table 2.4 on page 10 of the Macquarie Bank business plan, the Bracks government will be liable for $537 million if no other federal or state government support is forthcoming. There will not be. Why? Because this Premier stole the march on the national bidding process. Queensland and New South Wales were abiding by the federal government-agreed national bidding proposal and what happened? The Premier and the minister were so desperate to get a major project up and running that they turned around and said, 'We'll go it alone. We're not going to abide by the national bidding process'.

What they have done is signed us up for a total blank cheque. We already know that the initial cost of the project was going to be $157 million. We were told that the only taxpayer liability for Victorians was going to be $100 million. Then, of course, they discovered there was no industry interest in this project. So they upped the Victorian taxpayer liability to the current $157 million — but they need another $49 million to make up the total $200 million-plus capital cost. Where are they looking to? Industry. After two years how much industry support has been forthcoming? Six hundred thousand dollars from Swinburne University — and the money was given to it by the state government. So where is the industry support that we have been told about?

It gets worse, because as part of the $537 million blank cheque that we have been signed up for over a 10-year period in Victoria and as part of the synchrotron secrets that the opposition was denied access to — only after the Ombudsman intervened did the opposition actually get access to this secret document that supposedly did not exist — what we find is that the Premier keeps saying that industry will pay the full running costs, estimated to be at least $55 million a year, for this great big microscope. What you find when you look at overseas experience is that at the oldest synchrotron in the world in Great Britain, which the member for Bulleen and I visited, the most that they have achieved by way of recurrent operating cost contribution from industry is 10 per cent. Only 10 per cent after 20 years! If you go to France and talk to the director of the new synchrotron that has been built — this is a smaller synchrotron than the one planned for Victoria — you find that the most they are budgeting to receive from industry is 10 per cent.

So we have a credibility gap here yet again, where the Premier would have us believe that suddenly, once the state taxpayers have paid the $200 million capital cost — the way it is going — and then some, industry and universities are going to come rushing to pay for the full running cost. That is not the experience overseas. What the overseas experience proves is that industry will come in, but only after the government has been paying 90 per cent each year, every year. We have been sold a pup. We have been sold a project that will cost future Victorian governments.

Mr Nardella interjected.

Mr HONEYWOOD — Future Victorian governments are going to be stuck with this liability for decades to come. The synchrotron is going to be top priority because of the ego — —

Mr Nardella — You are talking down Victoria.

The DEPUTY SPEAKER — Order! There are far too many interjections.

Mr HONEYWOOD — The personal egos of the Premier and the Minister for Innovation have got in the way of commonsense. Are the federal government, the Queensland government and the New South Wales government — which, according to the Macquarie Bank, will have to support this project financially if we are not going to be faced with a $537 million liability — going to come to the party? Why would they? They have already said no publicly because they wanted the project to be part of a national cooperative arrangement. Victoria denied them the opportunity to compete and they are saying, 'No, we are not going to support it, our universities are not going to support it'. So Victoria is going to be stuck over a 10-year period with a $537 million bill. These are not my words, they are the words of the Macquarie Bank contained in a business plan commissioned by the Bracks government — a business plan the opposition was told did not exist but was subsequently told by the Ombudsman did exist after all.

It gets worse. What we find is that the Macquarie Bank was obviously told that it had to apply the most conservative staffing profile possible for this project, so it has come up with a total staffing complement of only 77 permanent full-time equivalent staff to run this operation. In France a smaller synchrotron called the Soleil synchrotron, which is currently under construction just outside Paris, has a starting complement of 350 permanent full-time employees. The 20-year-old synchrotron in Great Britain at Runcorn had a starting complement of over 250 full-time employees. But what are we being told by the Bracks government? We are being told that in France the brand new synchrotron being built as we speak will need to have 350 staff; yet here in Victoria, with more beam lines for the synchrotron than the one in France, we are going to have to make do with 77 staff.

Mr Nardella — We are more efficient in Victoria.

Mr HONEYWOOD — I take up the interjection that we are more efficient in Victoria.

The DEPUTY SPEAKER — Order! I would prefer that the honourable member did not take up the interjections, and I again remind the chamber that there is far too much interjection.

Mr HONEYWOOD — Hypothetically speaking, once the trade union movement in Victoria gets its

grubby little hands on this deal, do you think it will stick with only 77 staff? It will want 350 plus. That will be its record — 350-plus staff.

When you talk to the synchrotron experts overseas they tell you that you need a minimum of four full-time staff with ongoing expertise working on each beam line. We will have 30 beam lines under this project and 30 multiplied by 4, according to my maths, is 120 full-time employees just for starters. You then need 2 to 3 employees working on each accelerator attached to the synchrotron, and there are 30 of those, so this means another 90 staff. You then need a team of approximately 35 computer technicians, so are we not getting up there with the starting profile?

According to the Macquarie Bank document, and of course it was told to put this in, there will be a management team of only three people — a manager and two assistants. They are going to be very busy people, because according to the Premier and the Minister for Innovation, they are going to be running all over Australia getting industry to pay for the total operating cost of around $55 million per year for this white elephant. They are going to be very busy people!

The funny part is that in the Macquarie Bank's report the salary of the top manager is predicated at only $200 000 per year. Already, five years out from this project getting off the ground, the project leader whom the Bracks government has employed is on a salary package of $300 000 per year and his assistant manager is on a salary package of over $200 000 per year — and they are just the initial figures five years out from the start of the operation and before the project finally gets off the ground!

The house can see why the opposition is somewhat perplexed and frightened that when it comes into government after the next election it will be stuck with the most enormous liability — this great big hole in the ground.

But it gets better than that, because so desperate was the Minister for Innovation to get his pet project up and running that he had to very quickly find a location that would be amenable, given that he had stolen the national bidding process from the other states and the federal government. What did he do? He went to one university in particular, Monash University. The history of overseas synchrotrons is that you never, ever, ever base your synchrotron on a university campus. Why? Why do you think? It might have something to do with academic rivalry or academic jealousy. What you find overseas is that the synchrotrons are in their own discrete locations, because universities are not all that comfortable about their competitive scientific experiments being put into one monopoly provider.

What we have here is a situation in which universities right around Australia will have major concerns about their intellectual property rights when it comes to having to go to Monash University to do their scientific experiments. The opposition is very proud of Monash University and its scientific achievements and records, but it does not want this national project, which has been foisted on the nation by Premier Bracks, to be compromised by the fact that other academic institutions that are meant to be some of the key users will not come to the party when it comes to using this facility.

But where it is even more interesting is that the defence of Premier Bracks and Minister Brumby on this particular issue is, 'Well, the Macquarie Bank document is old and outdated'. It was only published on 19 August last year, and that was before the state government increased the number of beam lines from 19 to 30! Perhaps my accounting skills are not too good, but if you go from having 19 beam lines with a minimum staffing requirement of about 11 staff per beam line and you up the ante to 30, will the project not cost you more rather than less? So to say the Macquarie Bank document is outdated and overestimates the cost of the project is the total reverse of the truth. This project has been beamed up — beam me up Scotty! — and it will be a major liability.

But the worst situation of all in this whole issue is that when we in the opposition made an FOI request for this business plan we were told it did not exist; we were told there was no such document.

Mr Smith — They lied to you.

Mr HONEYWOOD — They lied. They knew this document existed. It was only after we got the Ombudsman to intervene on our behalf that he discovered that, lo and behold, the business plan did exist. What did I get from Minister Brumby's department head? I got a mealy-mouthed apology letter, which the Ombudsman required him to give me, in which he apologised for the 'misunderstanding about what a business plan means'. Then he goes on, though, with the most extraordinary FOI gag in the history of Victoria, with an offer to then go and have a look at the document that did not exist:

> is made on the basis that access to the document will be limited to 'read only'. I would ask that you agree not to record the document via any mechanism, including photocopying or note taking. I would also ask that you agree not to disseminate any of the information contained in the document to third

> parties. In addition I would seek an undertaking from you not to discuss the contents of the document with any of the parties … involved —

of course they do not want me talking to any of the parties involved because they would tell me the truth —

> or to disclose any details contained within the plan to the general public or media.

Thank you very much, Mr Head of Department! But this opposition operates on the basis of the public's right to know, unlike the secret state that this Victorian government has perpetrated on the people of Victoria. So, in the public interest, despite legal advice that this government could sue me for breach of contract in revealing this, the government can bring that legal case on!

Bendigo: Leader of the Opposition's comments

Ms ALLAN (Minister for Education Services) — I rise today to grieve for the people of Bendigo, particularly the young people of Bendigo, following a recent campaign of negativity about the city that has been embarked upon by the Leader of the Opposition. For the past few months the honourable member for Malvern — that is, the Leader of the Opposition — following one of his very rare visits to Bendigo, has done nothing but rubbish Bendigo in a series of newspaper and radio interviews in both regional Victoria and metropolitan Melbourne.

He has recently embarked on a sneer and smear campaign to portray Bendigo as some sort of hotbed of youth-related criminal activity. Bendigo people are entitled to be, and indeed many are, very angry about the negative and damaging stereotyping of our region by the member for Malvern. It is like some toff blowing in from the leafy suburbs of Melbourne, sniffing the breeze for 5 minutes and then saying, 'Mmm, this place looks like a bit of a dump'.

Let me explain. At the Liberal Party's state council meeting in Bendigo earlier this month he used his experience of a fleeting visit to the Hargreaves Mall to launch his latest law and order scare campaign. According to reports in the *Bendigo Advertiser*, during one of his rare visits to Bendigo in June this year the Leader of the Opposition apparently became traumatised by an experience in the Hargreaves Mall. What was this traumatic experience?

Mr Honeywood — On a point of order, Deputy Speaker, the minister is clearly misleading the house. If she actually knew what was said she would know it was being used as an example of violence in our community — in any community, not just in Bendigo.

The DEPUTY SPEAKER — Order! There is no point of order. It is a point in debate. I warn all members in the chamber about attempting to take up the time of members with spurious points of order.

Ms ALLAN — The experience that traumatised the member for Malvern was the sight of 10 and 12-year-old young people in the Hargreaves Mall! According to the member for Malvern, the presence of 10-year-olds in the Hargreaves Mall is some sort of symbol of decline in the social and moral fabric of the entire Bendigo community!

In the *Bendigo Advertiser* of 1 July he had this to say:

> There were groups of young people there and they had obviously been standing there a while. Some were in groups of four or five with about 20 cigarette butts at their feet … there was just an unpleasant atmosphere throughout the whole mall.

According to the Leader of the Opposition, if you are a young person you are not allowed to be seen in public for any length of time, nor should you be allowed out of the house with any of your friends; if you are doing this you are creating an unpleasant atmosphere. Obviously this is the attitude of the Leader of the Opposition to young people — that is, stay at home, stay out of sight, you do not have any right to be in this public place.

In the same article he went on to say that he would like to see the police do something about the problem. He is not concerned about the issues that might be behind why those young people are in the mall and why they might have nothing to do. He does not want to work with communities to find solutions and give people an opportunity to explore what is behind these issues. He just wants to pursue punitive measures.

What is most galling is that a month later — —

Mr Smith — On a point of order, Deputy Speaker, the Leader of the Opposition was referring to an unprovoked — —

Ms Allan interjected.

Mr Smith — Will the minister hang on for a minute? I will get to the point of order. The Leader of the Opposition was referring to an unprovoked attack on a busker in that mall. The minister does not seem to understand what she is talking about.

The DEPUTY SPEAKER — Order! There is no point of order.

Ms ALLAN — What is most galling — this is certainly what concerns me and many people in

Bendigo most of all about his contribution — is that a month later the Leader of the Opposition went on Melbourne radio station 3AW and continued his campaign of rubbishing Bendigo. This is what he said on metropolitan Melbourne radio:

> … and I sit down in the mall to, you know, just have a pie and watch a bit of Bendigo go past, and I thought that would be quite a pleasant experience and it was quite the opposite. You know, there were groups of young people standing around. They were sneering, they were belligerent, you know, the sort of 40 cigarette butts on the ground around them. There were a group of kids rollerblading and cycling — three of them — who obviously should have been in school about 2.00, 2.30 in the afternoon but were not.
>
> So my impression of the Hargreaves Mall, if that is the heart of Bendigo, then I think we have got some problems. If that is now … and, you know, I know you say it jokingly, but if that is now what we accept as normal behaviour, you know, in a mall in country Victoria …

That was the message he was sending to people in Melbourne. That was what he was saying. He was talking down the people of Bendigo and the Bendigo community while in metropolitan Melbourne.

I want to examine it a bit more closely, because there is an important issue to do with the substance of what the Leader of the Opposition was saying about this instance. I think you will see, Deputy Speaker, the hysterical claims he has made through the media have absolutely no substance.

In his first interview with the *Bendigo Advertiser* he claimed there were 20 cigarette butts on the ground, yet in his interview on Melbourne radio he said there were 40. Was it 20 or was it 40? What then is the Leader of the Opposition doing standing around in the Hargreaves Mall counting cigarette butts on the ground? Does he have nothing better to do?

But this is not the only exaggeration the member for Malvern has made on this point. The 10 to 12-year-olds he referred to in the *Bendigo Advertiser* had bikes with them, but by the time the Leader of the Opposition delivered his speech to his party's state conference, these bikes had transformed into skateboards and rollerblades. That would be a piece of magic that even Harry Potter would be proud of! But even worse, Deputy Speaker, these 10 and 12-year-old boys whom he first referred to, who then became 14 in his speech to the Liberal conference, were yesterday labelled by the member for Malvern on ABC radio in Bendigo as thugs. What the member for Malvern saw on his visit to Bendigo were young people in the Hargreaves Mall, and he now thinks of them as thugs. And this is what he is saying, not just in Bendigo — this is the message he is giving to metropolitan Melbourne!

We know this is an issue we should not take lightly, but the talking down and the rubbishing of Bendigo by the Leader of the Opposition has certainly had a negative impact on the city and the region of Bendigo. He did not just stop at these comments; he went on to say to the state Liberal council on the weekend that tourists were avoiding the mall's atmosphere of threat and abuse and that there were groups of young people standing around, idle and belligerent. These are outrageous generalisations. This is selective reporting by the Leader of the Opposition. I am sure the house will be pleased to note that his comments have certainly not endeared him at all to the civic leaders of our community in Bendigo. On the Monday after the Leader of the Opposition made these claims on radio 3AW, the mayor of the City of Greater Bendigo, Rod Fyffe, went on local radio — his own community's radio — and expressed his disappointment that incidents in the mall had been used by the Leader of the Opposition for political purposes.

I know the mayor is not the only person in Bendigo who is extremely disappointed and indeed embarrassed by the claims the Leader of the Opposition has made. If the Leader of the Opposition had bothered to spend more than 5 minutes in Bendigo, had bothered to spend more than 5 minutes in the Hargreaves Mall and had bothered to look a little bit deeper into this issue, he would have seen that the Bendigo community is working already on this and a range of issues of safety throughout the entire City of Greater Bendigo through an organisation called the Safe City Forum.

The Safe City Forum has been established for a number of years. I am not only a member of the Safe City Forum, I am in fact the chair of the Safety City Forum group. This is a group that is replicated around many parts of Victoria to look at a range of issues and community-led initiatives and to look after the communities. This group involves people from the police, local government, state government, the community and a range of other organisations, education groups, the young sector, and the Centre against Sexual Assault. We have a range of different organisations throughout the Bendigo community that come together once a month to talk about a range of issues in the community.

So if the member for Malvern were serious about community safety issues in Bendigo, he would get behind initiatives such as the Safe City Forum; he would get behind actions that the City of Greater Bendigo is doing; and he would get behind the Hargreaves Mall traders. He would work with the community of Bendigo, not against us — not blowing

in for 5 five minutes, blowing out and then bagging our town on Melbourne radio.

One of the initiatives that I am very proud of through the Safe City Forum is that we have engaged young people in this discussion about issues around the mall. We are involving the youth sector, the education sector, but we are also involving — —

Mr Honeywood interjected.

Ms ALLAN — I wish we had Young Labor. We are actually involving the young people themselves. That is because we want to engage in a mature discussion with young people. We do not want to label these young people thugs. We do not want to deny them their right to be in public places such as shopping malls, and we do not want to go on radio criticising the actions of young people. We want to work with young people across a range of issues in Bendigo.

The comments of the Leader of the Opposition have set back the cause of working with young people in our community and supporting young people in Bendigo. Does the Leader of the Opposition really believe that young people in Bendigo are any worse than young people in the rest of Victoria? I do not think he actually does. I just think he wants any excuse to rubbish Bendigo and to punish the people of Bendigo by generating these negative stereotypes of young people and of crime in the region.

What young people want from their government, from the community and from their community leaders are people who recognise that young people need opportunities, that they need something to do and that they need the support and understanding of the community to do it. They do not need to see their community leaders bagging them at the first opportunity.

The state government is doing a lot of work across crime prevention. Earlier this week we heard the police minister report a 7 per cent drop in crime rates in Victoria compared to the previous year — the biggest drop in more than a decade.

Also, in the first term of this government the police minister established Crime Prevention Victoria, an organisation set up to work with the community and groups like Safe City Forum. From my personal experience some excellent initiatives have come through Crime Prevention Victoria that we, as a government, have been able to implement in our own local communities — to work proactively on issues of safety in local areas.

We are putting more police on the street. We have put on more than 800 police in our first term and another 600 are on the way. And how the opposition hates to see us employing more police! These are things that the Leader of the Opposition should be supporting instead of making comments — —

Mr Smith interjected.

The DEPUTY SPEAKER — Order! The member for Bass!

Ms ALLAN — The Leader of the Opposition's comments have only served to further isolate young people in Bendigo. Certainly young people want to know why they hear the Leader of the Opposition bagging them in metropolitan Melbourne. Bendigo young people want to know why this has happened.

We need to know. We want to know why the Leader of the Opposition hates Bendigo so much. Why does he hate young people from Bendigo so much that he feels he has to rubbish them in the Melbourne media? Why does he have to send the message to potential tourists? It sends a message to people saying, 'Do not go to Bendigo'. That is essentially what he was saying on Melbourne radio. Why does he think the young people of Bendigo are so terrible that they deserve this treatment?

Why does the Leader of the Opposition persist in generating negative stereotypes about country areas like Bendigo in metropolitan Melbourne? This is just an exercise in social snobbery from the Leader of the Opposition. It is something he should be ashamed of. As I said, many people in Bendigo are ashamed and embarrassed by the sneer and smear campaign he has run against Bendigo, and it has outraged a number of people in my community.

Hazardous waste: Dutson Downs

Mr RYAN (Leader of the National Party) — I rise to grieve for the people of Gippsland. I do so in circumstances where the Bracks Labor government is intent upon the installation of a toxic waste dump at Dutson Downs in one of the most fragile environments in our state.

The chief architect of this plot is the Minister for Major Projects, who doubles as the Minister for Transport. The vehicle by which the minister is seeking to deliver the plot is Gippsland Water. The history of this is very relevant to the general discussion.

It is accepted that Victoria's hazardous waste has to go to a site somewhere. The issue is the mechanics of how

we identify what is the best place to establish the facility.

The government, after its election, established the industrial waste management policy. One of the aims of that policy is to cut prescribed industrial waste going out to landfills by about 50 per cent. I am the first to say that that is a laudable aim.

By way of further advancing its proposals the government established a Hazardous Waste Siting Advisory Committee. It put a number of people on to that committee, two of whom were Harry van Moorst and Dr Peter Brotherton. Harry van Moorst has a strong history of representation in environmental issues particularly, with the greatest respect to him, from the perspective of Labor Party politics. Dr Peter Brotherton is a respected environmentalist and has various appointments in that vein.

The name of the committee suggests that it would be given the task of deciding what would be the best site for this facility. That is an understandable expectation when you have regard to the name of the committee, the way it was established and what it was supposed to do.

At public meetings that have recently been held at Sale the truth of the matter has emerged, because Harry van Moorst and Dr Brotherton have come to talk to us on two separate occasions when they individually have been part of public meetings that have been conducted. I might say the public at large called those meetings; I did not. The public at large called the second of them, which was held only a couple of weeks ago, and the first of them was held at the behest of a group of people from Warragul associated with the Liberal Party. Nevertheless, both of these people, who had been on the committee that had been established by the government, came to speak.

We then found there were some interesting issues. The first thing is that the committee was never, ever given the task by the government of going about examining Victoria to look for the best site — it never, ever got the job. The government did not give it the job. We also found that the government compounded that first sin by going to industry and having industry seek out what would be the best sites for the location of this facility. It received 11 applications in response, and most of them, we are told, were completely inappropriate because they did not have proper buffer zones.

In the end, after a protracted process which was a joke, Dutson Downs was the only facility that was left. In the end the committee voted on the basis that it could not agree amongst its own number that Dutson Downs should be the subject of further consideration insofar as the first stage of the process was concerned — namely, the establishment of a soil recycling facility. But the committee came to that decision reluctantly on the condition specifically that Dutson Downs be subjected to an exhaustive environment effects statement (EES). That was the condition the committee imposed.

What in fact happened? Of course the government decided to adopt the committee's recommendation inasmuch as it referred to Dutson Downs, but the government completely ignored the recommendation for the conduct of an environment effects statement.

An environment effects statement is crucial in all of this for a number of outstanding and obvious reasons. There is the issue of the water table at the site. There is the fact that it is located immediately adjacent to the Gippsland Lakes. A further fact is that it is near Ramsar zones, it is near to Bass Strait and it is adjacent to — just across the road from — the Royal Australian Air Force bombing range. As I have said on many occasions, those RAAF pilots are very, very good — they hit the target nearly every time; just about every time they hit what they are aiming at — but you would have thought it was a legitimate issue to raise in relation to the prospective siting of a facility such as this. There is a raft of other environmental issues.

There is the question of the impact upon the general community, and not least of all the tourism industry. Then of course there is the additional issue of this site being 200 kilometres from Melbourne, so that we in Gippsland are faced with the fact of this material being carted certainly to the site and to some degree away from the site depending on what eventually happens.

There is the other issue in all of this — that fundamentally the government has elected to ignore the outstanding principal recommendation from the committee for the conduct of an EES on a completely open and transparent basis. One has to ask: if there is no problem with this site and if this activity is as benign as the government is saying — the soil recycling activity which is the first stage of a longer term intent to establish a toxic waste dump there — why would you not have an environment effects statement? Why would it not be that the government would welcome the prospect of an EES being conducted, because then all the issues I have just outlined and more could be properly subjected to a transparent process and people could have the opportunity to put their point of view over the issues?

Then there is the question of Gippsland Water's involvement, bearing in mind that Gippsland Water is 100 per cent a government statutory authority. It is an arm of government in that sense, and ultimately it is the government which has control over it. Gippsland Water has said from the outset in the course of its expression of interest procedure, which it published on 2 November 2001, that it not only is interested in having the soil recycling facility which is now the subject of current discussion but also wants the whole box and dice. It wants to be a centre of excellence in relation to waste siting throughout Victoria.

Page 2 of an 81-page expression of interest says, amongst other things:

> Accordingly, this submission offers the Dutson Downs site as the location for a new soil treatment and recycling facility, a short-term repository facility, and a long-term containment facility.

On page 3 it says:

> The location of a new site for the establishment of repository, destruction, and long-term containment technologies will need to reflect a fifty (50) year planning horizon. Protection of the environment, over this term, will require a site with special features.

Page 5 talks about phase 1 and phase 2, and page 7 talks about phase 3. Gippsland Water has made it perfectly clear that it is in this for the long haul. The soil recycling facility is only the first stage: there is absolutely no doubt about it.

Unfortunately, in the course of one of the recent meetings where Gippsland Water representatives were present, they attempted to back away from what is set out in their own expression of interest. They attempted to convey an impression that this was simply an issue to do with the soil recycling facility and that that would be the end of it and any further considerations would have to be determined in the fullness of time.

I can but say again that on the face of its own submission Gippsland Water has made it clear that 50-year considerations are involved in this, and with due respect to those who were at the meeting that night — and I know them pretty well, Richard Elkington is the chair of Gippsland Water, he is a good bloke and a competent fellow; John Mitchell was also there and the same sentiments apply to him — if this is to be a 50-year horizon, they are both going to be the age of Methuselah if we are supposed to see all this process unfold before they get themselves involved in stages 2 and 3, or what they say are further considerations in due course. It seems to me that Gippsland Water is setting out on this to get the whole box and dice as its expression of interest stated when it was released on 2 November 2001.

The government continues to lie about this. This is in fact the first of three stages. As set out in the expression of interest from Gippsland Water, stages 2 and 3 are inevitably going to flow in the same direction as this one, because in the end only one applicant could be attracted for the most apparently benign aspect of all of this. What is supposed to happen when stages 2 and 3 are further developed? I pause to say that Harry van Moorst made it very clear when he was speaking in Sale the other night that even though the committee has not been given the job of properly investigating this and even though the government did not have the guts to set its own committee the task of hunting around Victoria to see what is the best site, he has no doubt that there are much better sites around Victoria than Dutson Downs, certainly for this first stage of the process.

It also came out in the course of this meeting that there is no reason why, if this is as benign as is said to be the case, that the sort of treatment that is contemplated by the process at Dutson Downs cannot be done here in Melbourne where most of this material actually comes from. For goodness sake, why do you need it to be carted 200 kilometres down into one of the most fragile environments in the state if it is as benign as the Victorian government would have us believe?

To its great credit Wellington Shire Council is very concerned about all this. On 24 August it issued a press release which talked about the concerns expressed by the mayor and the councillors. The document is headed 'Dutson Downs: council seeks urgent meeting with Premier — make your plans clear'. The Wellington Shire Council is calling on the Premier and the state government to come clean on this and stop treating everybody like idiots because inevitably it is intending to establish a toxic waste dump down there.

Several things ought to happen and Gippsland Water is not beyond recall in this. Firstly, it can withdraw its application to be the host site and the whole issue would be over. At the moment it is intending to lodge a works application with the Environment Protection Authority and, of course, the government is trying to take the position that that will effectively be a de facto environment effects statement (EES) when it is not. The processes are entirely different. The EES determines if it should be there at all; the works application simply seeks to get approval for how whatever is going to be done is done. They are two entirely different processes. Gippsland Water should withdraw from this and the problem would be over in terms of Gippsland.

Secondly, the financial report — the reporting in relation to the economics of this — should be released for public consideration. That report has been suppressed and it should be made available to the public. I believe one of the driving issues in this is that Gippsland Water is afraid that it does not have the financial capacity to keep Dutson Downs going in the way that it is now established.

If Gippsland Water is under the pump and Dutson Downs is threatened with closure because it cannot be financed properly that is a separate argument, and Gippsland Water ought to come out and say it. It does not need to be pressured by this government. It does not need to be blackmailed, as it were, by this government into hosting this site. If the problem is that not having this extra work will put intolerable pressure on Gippsland Water's capacity to run Dutson Downs then it should come out and say so — and let us have that debate in a public forum. The same applies to the state government: it ought to come out and be clear about its intentions and make sure it is telling the public everything about its association with Dutson Downs and, more particularly, Gippsland Water.

Thirdly, I call on Labor government backbenchers to stand up and ask some questions about this. Surely in caucus it is a legitimate question to ask the minister why a recommendation from a government committee to conduct an environment effects statement was rejected by this minister and this government. Where are the Labor Party members who are based in Gippsland? What about the member for Morwell, the former mayor of the La Trobe shire, now the City of Latrobe? Where is his voice in relation to all of this? Why is he not out there in the public arena on behalf of Gippslanders, at least saying that the environment effects statement should be conducted? He should at least have the courage of his convictions and say that the environment effects statement, which the government's own committee recommended, should be conducted. You would expect him at least to do that.

I call on the backbench members of the Labor Party, who have fed this garbage to us about honesty, openness and integrity — all the stuff we have heard from them since the last election, and indeed before. This is an instance when they have the chance in caucus to at least question the minister in relation to his conduct in all of this, and I call upon them to do so. I want the government to tell the truth and the whole truth in relation to this.

Finally, there is a further issue in relation to Gippsland Water's staff and its management. These are decent people, and I have known most of them for a long time. I simply say to them: if you lie down with dogs in the end you will catch fleas. They have the chance to take a position on this important issue that would remove the threat of the establishment of this project in Gippsland, because inevitably — as history is now showing — if we struggle to get any interest at all in the first and apparently most benign stage, as this government terms it, how are we going to go with stages 2 and 3? The government needs to come clean about this before it does irreparable damage to one of the most fragile environments in the state of Victoria — namely Gippsland, especially the magnificent Gippsland Lakes.

Liberal Party: disunity

Mr MILDENHALL (Footscray) — I grieve today for the state of the opposition — for the health of democracy in this state when the opposition is in such poor shape.

I was sitting around for a lot of yesterday and last night waiting for a letter from the Leader of the Opposition to arrive in the correspondence box. Instead this arrived. It is the report of the Liberal Party's 2002 state election review committee. What a good yarn it is, what a good read! I wonder where it came from? Maybe it was from one of the local Liberal campaign teams, whose views are described on page 25:

> … one could be forgiven for thinking CHQ was running campaigns against local Liberal campaign teams, rather than against the Labor Party.

So there are obviously many aggrieved parties in and many aggrieved sections of the Liberal Party that would have reason to distribute this report as widely as it was. It is an extraordinary description of a faction-ridden, incompetent, mistake-prone, disorganised, policy-bereft and lazy rabble of a political party. I think that just about sums it up.

The report clearly points out that the change in leadership was too late; that the party remained disunited and was unable to enunciate principles and policy positions. At page 16 it says that the electorate had little idea of what the party stood for. It went to some lengths to point out that the party had ignored the recommendations of the 1999 review and had spent the time since 1999 on intra-party disputation and personality conflicts. At page 15 the report says that the parliamentary party had spent the two years since 1999 doing very little and devoted 2002 to internal jockeying. It is no wonder that they call the organisation the 'Victorian division'!

I saw examples of it too. In 2000, when drug policy was at its height in people's considerations, that excellent

organisation, Vichealth, sponsored me and the then shadow Minister For Health, the member for Malvern, to look at some of the key hot spots and drug strategies around the world. But no sooner had we taken off than the then Leader of the Opposition, now the member for South-West Coast — it is a continuing tension — turned up in my electorate to say, 'It does not matter what they find overseas, I do not care; we are ruling out injecting rooms, heroin trials and those sorts of policies', totally undercutting a senior member of his frontbench.

Time and time again the report refers to the fact that the major electoral strategy of the opposition was that the redistribution of seats would deliver electoral success, so it did not need to do any work. The difficulty with the state of democracy in this state is that the opposition's new review report, like the previous one, is still being ignored. The leadership tensions are clearly still there; the looming figure of the member for Hawthorn — Toorak Ted — casts a long shadow over the opposition front table. Any cursory analysis of the questions allocated among the shadow ministers shows who won and lost in that last leadership tussle.

But to try to bring the parliamentary squabblers under some sort of surveillance and accountability there is an extraordinary proposition to have a state director. The state director is going to attend shadow cabinet meetings to try to bring them under control and to get some semblance of communication and accountability.

And the MPs will sign up to a code of conduct. I think that is a slightly more sensible idea than the establishment of a campaigning committee, which I estimate — and the former President might clarify this — would have about 300 members. The campaigning committee would comprise each state MP or candidate, each electorate chairman and campaign director. With 88 electorates or thereabouts, I think we are looking at an amazing administrative and organisational initiative — a committee of 300 people to organise a campaign.

But from my point of view the comment on the Dean affair is one of the more telling issues in the report. It shows an obsession with getting the paperwork right but lacks any fundamental ethical consideration. There is no mention of the fact that candidates should live where they say they do — not mentioned; not a consideration. It is about getting the forms in order, but it does not go the full step of asking them to live where they say they do.

Obviously there are still major issues with the policy development process and the work ethic. There was a lot of talk in the report about getting in touch with the community again. I note in the *Geelong Advertiser* that on Wednesday, 14 May, the Leader of the Opposition declared himself to be the new shadow minister for Geelong. He said that he had assigned himself the personal responsibility, that by the end of the financial year he was going to employ a non-elective representative in Geelong who would run the local Liberal Party office, and that that would be organised by 30 June.

In the *Geelong Advertiser* on 2 July the Libs were trying to save face by saying that the Geelong shopfront for the Liberal Party had been delayed. This was explained away as being because they had had just an embarrassment of so many people wanting to do it. But as of today there is still no appearance, Your Worship!

But in Bendigo they have had more success. In Bendigo a new organiser has been appointed to the two Bendigo state electorates. Not daunted by the size of the task and being unusually frank for a person in this role, the new person, Ms Audrey Allison, said in regard to challenge, 'It is very difficult to get in touch with the Liberal Party'. She aims to try to fix that up. That is unusually frank, and it is good, but it demonstrates the dimensions of the challenge that is facing them there.

In terms of policy progress and process, so far we have seen a series of puffed-up, pin-striped one-liners without detail. What we need is a statement of priorities. At one time we heard that education was the most important issue. Then the environment was the most important issue, then at the state conference law and order was the most important issue. Then we heard an unspecified, 'We will reduce stamp duty', without the obvious and necessary detail if the policy was to have any credibility as to how teachers, nurses and police would be paid without that essential stamp duty revenue. So what are the priorities?

One of the problems, when the work ethic is not really there in a sincere way, is that the option in public positioning that is the least work is to agree with everything the federal government does in Canberra's attempt to beat up Victorians. This is a short cut for policy. We saw it again with the Deputy Leader beating up on the synchrotron. He would rather it went to some other state. He would rather it went to a Liberal state, if there were one. But despite the fact that this government's infrastructure spending is 150 per cent greater than that of any of the peak years of the Kennett government, the opposition still tries to run down that investment and the creation of jobs in this state.

There is no doubt that this state is facing a number of challenges in key areas such as health, education, road projects and public-private partnerships. But the public positioning of the Liberal Party is to step back and allow the federal government to attack this state, to deny our citizens, our taxpayers and our communities their rightful share of federal government outlay.

Health is a classic example. As bulk-billing GPs disappear from the network of health providers, as our public hospitals are inundated by people looking for basic access to free health care, the federal government is trying to drive a dreadful deal with our hospitals.

The sorts of proposals put forward will deny Victoria something like $350 million of essential support for our public hospitals. What does the state opposition say about those issues? It is a great deal to be taken from the system and will deny Victorian communities $350 million of their entitlements to hospital support. Where are the good old days of the Liberal Party? Where are the days when that feisty, former Minister for Housing, the Honourable Jeff Kennett, took out a full page advertisement to bag the then federal Liberal government because Victoria was not getting its fair share. At least he had a spine; at least he had a backbone; at least he had conviction about the welfare of the state! That was about 1979 — the good old days for the Liberal Party in this state!

With road projects, all the Liberal opposition can do is to try to beat up the Scoresby Freeway toll issue. I give some advice from a bit of a veteran around here — we thought the City Link tolls would deliver us Tullamarine, Gisborne and a whole swag of seats, but it did not work. People are interested in seeing projects. They want to see the Geelong link road proceed; they want the federal government to put the money in. They want to see the next section of the Calder Highway; they want to see the Deer Park bypass. These are the projects that they want to see action on, and they will get that from the state government. But they will not get it from the federal government, and they will not see any support for local communities from the state opposition.

It is a sad situation we are facing with this opposition. The report is riveting reading, and I recommend it to anyone. It refers to the community not knowing what the Liberal Party stands for. One would have thought that someone like Lynton Crosby might have been able to set the party straight, but you must question the report when you look at the history of some of the folks who served on this committee. Even though they are obviously well intentioned, I question that when the only serving member of Parliament on the committee — perhaps he is the new strategist, the brains trust, with future campaigning insights — is the member for Polwarth, Terry Mulder. That is where the sadly depleted Liberal Party opposition in this state will draw its strength, inspiration and direction from!

Mornington Peninsula National Park: management

Mr DIXON (Nepean) — I grieve for the Mornington Peninsula National Park and its future environmental condition. This duplicitous state government has misled the people regarding the Mornington Peninsula National Park at Point Nepean. All of a sudden during the debate about Point Nepean, the Premier, the Deputy Premier and a member for Western Port in the other place have plucked a figure of $10 million out of the air. They said 'We will spend $10 million on the maintenance of Point Nepean over the next few years'. In a bipartisan way I said that was great and supported the proposal. But when I and a few other people started to look more closely at the issue, we queried where the $10 million would come from.

I looked at the 2003–04 budget and it was not in that. I looked at the forward estimates for 2004–05 and 2005–06 and it was not in them — absolutely no mention of it in them. No-one knew where this $10 million was coming from — it was just pulled out of the air — and no-one knows how it will be spent. How can it be spent when the state government at this stage has not even said what it will do with the extra 200 hectares of Point Nepean that it will get. There is no detail of where the maintenance will occur and how the money will be spent.

Putting that aside, let us look at what is happening over the fence. There is literally a fence between the Department of Defence land at Point Nepean and the Mornington Peninsula National Park. What has happened at the park, in light of this magic figure of $10 million? There has been an 85 per cent cut in the environmental budget of the Mornington Peninsula National Park! That is a massive cut. In fact, we are at least 15 per cent through this financial year, so for the rest of the financial year no more money will be spent on any environmental works in the Mornington Peninsula National Park. The rangers have been told that this cut will be for at least two years.

Where has the money gone? That was a good question that the rangers could have asked — why is the money being cut and where is the money going? They were told the money was going to other parks that had a greater need. The Mornington Peninsula is not important; Point Nepean is not important, therefore it

has had 85 per cent chopped off its budget. They were also told that there was a Labor Party promise at the last election that a Labor government would employ 50 new rangers. When people see the proposed appointment of 50 new rangers they think, yes, 50 new rangers and they have advertised for 50 new rangers, but it is not new money — —

Honourable members interjecting.

Mr DIXON — I am getting to that. The new rangers are being funded by the environmental cuts. There is no benefit at all for Victoria. They are funding the appointment of new rangers to fulfil an election promise, but the government did not say where the money was coming from — it is coming from environmental cuts! Not one of the 50 new rangers will go to the Mornington Peninsula. If any were going to the Mornington Peninsula, it has had an 85 per cent cut in its environmental budget, so what could the rangers do if they have no money to spend on the environment? There will be no environmental works next year and at least an 85 per cent cut in the next financial year as well. That means there is no more new environmental fencing, no more weed control, no more planting and no pest control.

On one side of the fence we have this magical $10 million that will appear out of nowhere, but on the other side of the fence we have an 85 per cent cut in spending. That is duplicitous. The rangers are totally amazed at how this can happen, and they are very upset about it.

If this is happening, if there is an 85 per cent cut in the environment budget for the Mornington Peninsula National Park, what will happen when the state government inherits a further 205 hectares of bushland — the defence department land that will be incorporated into the Mornington Peninsula National Park — at Point Nepean? How is the government going to maintain that land if there is an 85 per cent cut? Is this magical $10 million for that purpose? There is no detail on it. I really fear for that extra 205 hectares because there is no way known the state government will be able to maintain that land.

This $10 million was plucked out of the air during this debate and no detail has been provided about it. That is quite indicative of the government's attitude to Point Nepean. We have seen policy made on the run. We have heard exaggeration about what might happen at Point Nepean. There has been downright scaremongering and lies. If there was anything bad, it was going to happen and it was multiplied 10 times. We have had unbelievable negativity, with absolutely no recognition of anything good at all. Everything has been negative, everything has been wrong.

We have also had broken promises. During the leaders' debate the Premier said that the state government would buy the property if need be. It now does not have to buy it, but the government had said it would not and then said it would — another broken promise.

The government has no desire to come to some sort of constructive outcome. Things are moving, things are happening well and we have had a great announcement this week but the government's attitude is because it has something to do with the federal government, it is therefore wrong. There has been no bipartisanship at all.

A number of groups including the state government have raised concerns since the announcement was made this week. The government thinks the fact that the land will remain in public ownership means there will now be private ownership. The land will remain in public ownership and be leased out to a group — which I will talk about in a moment — under certain conditions. How can that be private ownership? It does not add up — it cannot be public and private at the same time.

Another concern expressed by the government is that because the land will remain in public hands and be leased out, there will be reduced public access. Excuse me — the place is locked up at the moment! It has a barbed wire fence around it and nobody can get in. No-one except serving members of the army has ever been allowed in the area. The government talks about reducing public access — there is none there now! There will now be massive public access allowed to the national park that I hope the state will be able to maintain.

The public will have access to the park run by the Mornington Peninsula Shire Council and to whatever happens in the built-up areas — whether it be school areas, tracks, environmental study centres or marine study areas. All the things that happen on that land, including the beach, will be open to the public. I cannot see how that can be regarded as a reduction in public access.

Another concern expressed about this proposal is it will be opening the site up to overdevelopment. In a moment I will go through the limitations on this lease; they totally debunk that argument. Another argument put forward is that the state planning laws will not apply to the 90 hectares to be leased out. State planning laws will not apply but the land will be leased under incredibly strict heritage and environmental laws,

which will control what happens on the site. It does not matter whether they are state or federal laws as long as there are strict planning controls over that area — and there will be strict controls.

Three levels of government will be involved with Point Nepean and the argument is that it will be too piecemeal. I do not see that at all. All of the land will remain in public ownership. There will be a park, and I think it is natural that a shire council should manage it. The 205 hectares will be managed by the state government and the other area will be leased out. In fact, I think the state government should bow out of it altogether. It cannot manage the land. If the government is cutting the budget of the existing Mornington Peninsula National Park by 85 per cent, then I am not too keen on it taking over a further 205 hectares. What sort of mess will the government make of it?

I said earlier that I would talk about the lease conditions for the land and what sort of uses will be allowed. The allowed uses are based on the findings of the community reference group which was made up of 25 local representatives, who came up with a master plan. The lease must be in accordance with that plan. This is not overdevelopment, these are good, solid community projects that will add a lot to the local community, to Victoria and to Australia.

First of all the use will be restricted to education — school use, university use, research, education facilities and some sort of maritime research and maritime college. That will be wonderful for the area. It will create employment and add to Victoria and Australia. That is not overdevelopment, it is a good use. I do not know why the state government does not like that.

The land will also be able to be used for recreation — open space, parkland and sporting facilities. What is wrong with that? What is wrong with the land being in public ownership and being leased for recreational and community use — youth activities, community centre, rescue facilities, jetty facilities? That land will be in public ownership and leased out for community and tourism use — a museum, restaurant, conference facilities and accommodation. I do not know why the state government does not like that.

Ms Buchanan interjected.

Mr DIXON — Here we go! That is a good example from the member for Hastings. As soon as the member hears the word 'accommodation' she blows it out of all proportion; it is blown out to become 40-storey buildings, which is just crazy.

The lease conditions also talk about protecting the environmental and built heritage value of that land; therefore massive accommodation cannot happen. Rather it will be accommodation using the existing buildings. Those great tourism uses will bring jobs to the area and add to the area. It will still be public land. The state government is against any tourism use, community use, recreational use or educational use of that land.

The government has also said that any submission must show how the heritage and environmental values of that area will be protected, and whatever project that is put up to be leased then all activities must be subject to the new commonwealth heritage legislation. There is more than enough protection over that area, which does not require state planning because of very stringent conditions, and there is a great set of wonderful community uses for the area.

I say to the Victorian National Parks Association (VNPA), the National Trust of Australia, the Australian Conservation Foundation, certain individuals and the government to stop whingeing and get on with it. They are whingeing for the sake of it. My children often say to me, 'Get over it and get on with it'. It is more important to get over it and get on with it because this is too great a project to miss.

To their credit the VNPA and the National Trust of Australia have come up with a good project, one that needs to be considered. I ask them to ensure that they submit that as one of the uses of that land because it fits in with the community reference group's guidelines, and I am sure it would fit in with what the Australian Heritage Commission wants. I implore them, and any other community group — there have been great ideas out there — to make a submission to release the public land for those uses. Rather than carping with negativity, I want them to be active and proactive and do something. This will be a great asset not only for the Mornington Peninsula but for Victoria and Australia.

Everybody has called for the land to remain in public hands, and that is what has happened. There will be no residential development, only leased public land that will be restricted to educational, recreational, community and tourism use. That is a fantastic outcome and a wonderful thing for the Mornington Peninsula.

Liberal Party: review committee report

Mr NARDELLA (Melton) — Today I grieve for the Liberal Party members who are being let down by this amateur mob on the other side of the house. The *Report of the 2002 State Election Review Committee*

says they are being let down. We all have the report on this side of the house and we have read it assiduously from cover to cover. It has been put together by these intellectual giants.

I shall go through some of the intellectual giants, Lynton Crosby being one. There is the Honourable Jim Short, no longer in federal Parliament but he was pulled out of retirement, just like Staley, a sacked and discredited member, but they brought him back — resurrected him. There is John Fahey, the former Premier of New South Wales. The Liberal Party in Victoria is again looking to New South Wales as its saviour. The Liberal Party in Victoria hates Victoria and has to look to New South Wales to get it out of the poo, so it has put John Fahey on the committee. The other big brains trust on the review committee is the member for Polwarth, Terry Mulder. What the honourable member for Kew said earlier this morning demonstrates how connected they all are.

Then we have another failed candidate, another failed MP, on the review committee — we have already had Jim Short who was sacked and John Fahey, a man the New South Wales voters got rid of him because he was hopeless — in Lorraine Elliott who has been replaced by one of our members on this side of the house. Then we have, I assume, the wife of a retired member of Parliament in Wendy Spry. We have these distinguished — —

Mr Baillieu — On a point of order, Acting Speaker, the member is misleading the house and ought to get his facts correct.

The ACTING SPEAKER (Mr Ingram) — Order! I do not think there is a point of order. I am not in a position to make a judgment.

Mr NARDELLA — The brains trust was put together by the Liberal Party to tell it what was absolutely simple. This pompous opposition today will now implement all the recommendations of this review.

When it came to some of the very critical issues in regard to the factionalism that is rife throughout their party, they wimped out. What did they do at their last state conference when a recommendation came to them to get rid of branch stacking? They opposed it! It was defeated on the floor, and all the recommendations of this report in regard to the factionalism within that party are being disregarded already.

So here we go. This report is about one thing and one thing only: it is about set setting up a raft of committees to tell the party's MPs and its candidates how to campaign. It is about setting up these committees to give its candidates and MPs these crayons so they can communicate with their head office and with the Leader of the Opposition. They will all get crayons come the election campaign, because that is the only thing the Liberal Party understands. It is the only way its members can actually talk to each other. The report itself demonstrates, without a shadow of a doubt, that in the last election campaign the party's whole campaign structure collapsed. It collapsed both in the opposition rooms and in the party's head office.

We have one of the recommendations here. It states that the daily early-morning campaign tactics meeting should occur every morning, and the following is underlined — 'without fail'. Without fail it should occur. What does that mean, and what does it say about the past tactics campaign? It means that the meetings did not occur, that at that time the opposition leader did not have the leadership, did not have the authority, the discipline or the unity among his people to get them out of bed, because they were sleepy. It was an election campaign, and they were snoozing away. All the zeds were there. They could not get out of a bed: 'Oh, look, it was a bit early to get out of bed for the election campaign. It was cold and dark, and it is scary when it is cold and dark'. The Libs were very scary at that time, and they still are. That is one of the very basic recommendations in this report. Worse still — —

Mr Stensholt interjected.

Mr NARDELLA — Yes, and Robert Dean was certainly asleep at the wheel when he did not fill out his forms. This is very Monty Pythonesque, because the Liberal Party is just racked with factionalism.

You know, you do not have the People's Judean Front for Revolution or the Revolutionary Judean People's Front. All the splitters are in there, so the way they — —

An honourable member interjected.

Mr NARDELLA — Yes, Victor is in there. He is a splitter. Victor is a splitter.

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member for Melton should address members by their proper titles.

Mr NARDELLA — The honourable member for Doncaster is a splitter. He is up there in the auditorium, in the forum, and he is there by himself. That is where he will remain for a long time to come.

The party went down the path of setting up — I will go through it with you — eight committees to run the election campaign to give its MPs and candidates some

crayons so they can communicate with each other. In the Liberal Party news that is sent out every couple of months there will be a survey form for Liberal members to send back to their head office. I suggest that every time the Liberal Party sends out one of those it should actually send out the crayons with it so members can communicate with their head office.

The party set up eight committees. I have to go through them because it is just so much of a laugh; these people are so incompetent. On page 26 recommendation 12 sets up the first committee:

> A campaign council should be established …

That is the first. Liberal members should have a campaign council leading into a state election campaign. That is really brainy stuff! This is the stuff the honourable member for Polwarth actually had to think about. That is the first recommendation.

Let us go to committee 2, recommendation 14. It is on page 27, for members on the other side of the house. By the way, Acting Speaker, on photocopiers now you can get these pages blown up to A3 so they can be read a bit more clearly. Recommendation 14, committee 2, states:

> The body currently known as the state strategy committee should be renamed as the key seats committee.

That is another committee they set up.

Committee 3 — here we go! — recommendation 17:

> That the key seats committee prepare written guidelines for electorate councils, which set out minimum standards that must be met.

Here is a political party in this state which wants to be on this side of the house, which wants to be the government and to run things here in Victoria, which has to put down minimum standards not only for its candidates — you can understand that, because the candidates have not been in the political process before — but also for its MPs. It is saying there have to be minimum standards for its MPs because they are so lazy they have to be told the minimum things they should be doing!

Then we go to committee 4, recommendation 19. It is on page 29, again for honourable members on the other side of the house:

> The state campaign strategy committee should immediately be convened.

So here we go, we are convening a state campaign strategy committee.

Committee 5: the Liberal Party should set up this really special committee — these are the people who want to come back to the Treasury benches — a rural committee, a rural committee to start dealing with issues in country Victoria!

Mr Andrews interjected.

Mr NARDELLA — It could be renamed, as the honourable member says. It could be renamed as the toenails committee. That is what the Liberals considered country Victoria to be when they were in office, when they closed the 380 schools, the 12 hospitals and the rail lines in country Victoria. They now have this brainwave of setting up the rural committee.

Committee 6 is a special committee for the Liberal Party. We always claim that it has no policies and it stands for nothing. It will continue to have no policies and stand for nothing, but what does it propose to do for committee no. 6? It will set up a policy unit! A policy unit will be set up by the Liberal Party to develop policy. It will be really interesting to see what comes out of that.

Now we will look at committee 7, which is made up of the president, the state director and the state leader. This is another special committee. The members do not trust each other; what they have to do is come together every two weeks. They have to meet every two weeks for the next three and a half years. Imagine how funny and gay and terrific and interesting that committee will be when these three people sit down and talk together every two weeks. I want to be a fly on the wall. I want to be there!

Committee 8: members will set themselves up to run for the next state election. Again they are going to put together a really important committee. They are going to put together the campaign unit, which is going to propel them into government and propel them onto this side of the house onto the Treasury benches. This is revolutionary for the Liberal Party, Deputy Speaker. The brains trust that has been put together has actually thought about all this. They have actually spent time together. Again I want to be a fly on the wall to see how they work together, because they are so faction ridden. They have come up with these brilliant ideas to propel them into the next state election, but they will not get here. They are essentially lazy.

It is a pompous opposition. You just see the way that it operates in the media and in here. It is extremely pompous. It has no policies. One of the recommendations in here is that shadow ministers actually attend their policy committee meetings; they

are directed to attend their policy committee meetings at least once every two months. Once every two months! You would think if you were developing policy you would be there every month; that you would go to some subcommittees and that you would actually start to develop policy. Worse still, it says that the state director and the state leader have to sign off on policy and ads. And there is another revelation — that is, that the shadow cabinet also has to sign off on policy.

So there are all these steps of signing off on policy. The only problem is that members of the Liberal Party are so lazy they will never create any policy. After nearly four years out of office they still have no policy. They look to their federal counterparts, and who have they put there? It is their failed state director Brian Loughnane. That is why they will stay on the other side of the house.

The ACTING SPEAKER (Mr Ingram) — Order! The honourable member's time has expired. Just before I call the honourable member for Hawthorn, I remind the honourable member for Melton that I am an acting speaker. The Deputy Speaker is the member for Lara.

Wind farms: sites

Mr BAILLIEU (Hawthorn) — I grieve for Victoria's coastline, and in particular for its breathtaking beauty. I do so because of the government's approach to wind farm development in this state. I want to put on record at the start that opposition members support the wind farm industry. We believe wind farms have their place. For example, Pacific Hydro is developing a wind farm at Ararat with some 38 or 40 turbines, and there are no complaints about that.

However, this government has an approach to the location of wind farms on Victoria's coastline which is reckless, unilateral and irresponsible. It has been described by coastal communities as plain and simple coastal vandalism; and this approach comes from a Premier and a Deputy Premier who claim some personal affinity with the coast. It is a disgrace, and it will haunt this government.

I will run through some of the developments. There is the Portland wind energy project, which is the government's flagship proposal for a wind farm. Two bodies, the Victorian Civil and Administrative Tribunal and the government's own appointed panel, said that a wind farm should not proceed at the capes near Portland. They said it would cause landscape and environment damage and damage to a tourism icon. Page 235 of the panel's recommendations states:

> … the net effect of any wind farm would be one of substantial environmental and economic loss which should be avoided.

The panel went on to say that it acknowledged:

> … that this development will cause landscape harm.

The reality is that the panel was swamped with arguments about so-called economic mitigation, about the fact that this proposal would bring a range of jobs and that an enormous number of permanent direct jobs would be established in Portland because of this project. As a consequence panel members reluctantly said that, yes, they would give conditional approval to the Portland project subject to conditions of location and subject to the manufacturing plant being a condition of the approval, and approval was given.

However, the reality is a little different. How many jobs were meant to be involved? Initially the environment effects statement on the Portland wind energy project said over 2000 jobs would be involved. The day before the approval was issued on 14 August the *Weekly Times* reported that Pacific Hydro claimed that a new wind turbine manufacturing plant would employ 750 people. It was down to 750! On the day of the announcement the Treasurer said there were 400 to 500 jobs. The Minister for Energy Industries and Minister for Resources said on 29 April that there were 450. There have been a number of statements more recently about the number of jobs, but it has been coming down.

Let me refer to just one statement made on behalf of Pacific Hydro by Mr Roy Adair, the principal spokesman for the project. He made this statement on 20 April last year at a forum at Deakin University. I have it on tape, and I have had the transcript prepared. He said:

> NEG Micon, who we've selected as our preferred supplier … those are the 400 direct jobs …
>
> …
>
> It is only dependent on one thing and that is approval.

He went on to say:

> So the jobs are guaranteed and there's nothing speculative about them.

Further he said:

> … the jobs are guaranteed.

They are the 400 direct jobs associated with NEG Micon. But what did NEG Micon have to say about it?

The company made a submission on 19 May this year to the federal government's mandatory renewable

energy target review, in which it stated that the current arrangements:

> … will not be enough … to make these projects economically feasible …

It went on to say:

> Our plans involve capital expenditure of up to approximately $15 million, and employment and training of at least 55 staff …

And further:

> … it is impossible to justify significant manufacturing investments, and difficult to maintain full-time job positions.
>
> …
>
> This will not be enough to justify even our current staff levels, let alone an expansion of manufacturing or offers of full-time positions directly related to our work scope.

So there will be barely 50 jobs, which is down from 2100. The only justification the panel could see for this project proceeding was on the basis of the job promises, but now it is down to barely 50. They are short-term, part-time jobs, and even the manufacturing company itself says the investment is unsustainable. Indeed on the ABC recently Pat Lennon from NEG Micon, when asked whether the plant would close up shop after the Portland project was completed, said:

> Not necessarily, but it's certainly … we wouldn't be as confident going forward.

The reality is that the people of Portland have been conned. Not only that, but the panel was very strongly of the view — and it actually used this phrase — that it could justify the project in Portland only if there was a 'nationally significant inward investment'. The nationally significant inward investment associated with NEG to which the panel refers is less than $15 million — and NEG has said that.

To date nothing has happened, nothing has started. The approval was issued by the Minister for Planning without the fundamental condition of the manufacturing plant. Further, the tragedy is that the government is now seeking to financially prop up the project. To make matters worse, last week on 3AW the Premier had this to say about wind farms, and in particular about the Portland project:

> The principal reason that we approve a wind farm is based on environmental and social considerations … I don't think we should be … confusing that with … job considerations.

What a sham this planning process has been from the start to the finish.

We go on from the Portland project to the Bay of Islands project — a $100 million project at the Bay of Islands, east of Warrnambool. It is a proposal comprising two other governments — the Stanwell Corporation, a wholly owned Queensland government company; and Meridian, a wholly owned New Zealand-based company — and some 75 turbines, each up to 130 metres high. I note that the next generation of wind turbines are 190 metres high, almost twice the size of the Melbourne Cricket Ground light towers. The project will be right on the coast, at Nirranda. I am sure members opposite have received correspondence to this effect. I can see the look of embarrassment on their faces. The reality is that local communities there are passionately opposed to the proposals at the Bay of Islands and the government is doing nothing about it.

I go on to South Gippsland, to the Bald Hills $220 million project. Here is a fascinating story. We have a $220 million project, the applicant a company called Wind Power Pty Ltd, 84 turbines in total and a further 40 being considered — each again up to 130 metres or 40-storey building height — at Bald Hills, overlooking the gateway to Wilsons Promontory. What is happening? The local community is passionately opposed. Will the Premier, the Minister for Planning or the Minister for State and Regional Development visit? Not a chance.

Mr Nardella — Did you go there?

Mr BAILLIEU — Yes, I have been there and I have talked to the people down there and they are passionately opposed. Who is the applicant? Wind Power Pty Ltd, a company with paid-up capital of $100. The paid-up capital of the four shareholder companies is: $2, $100, $2, and $2500.

Mr Nardella — So what?

Mr BAILLIEU — It is a company with no capacity; it is a prospecting company with no long-term interest in South Gippsland. This is yet another disgraceful placement of a wind farm proposal on the coast. Here we have a government that is paying no heed to it at all.

The government's guidelines on wind farms have been a complete flop. There was next to no consultation, the planning authority for these projects was removed from local government by those guidelines — and there have been stories in the press about how that came to happen. In addition those guidelines have failed to protect our sensitive coastlines.

Who better to make comment on that than one of the government's agencies, Great Ocean Road Australia,

the marketing bureau? It has circulated to all members of this house material indicating its total opposition to these projects on the coastline. I would be staggered if members opposite were not moved by the material they received. Let me quote from the material:

> The current planning processes are inadequate to stop these inappropriately located developments. Our coastline is recognised around the world for its scenic and natural beauty. It has been nominated as the world's no. 1 'Journey of a Lifetime'. Don't destroy our competitive advantage.

The reality is that is what is happening — and it is the government's policy which is doing this: it is allowing the reckless prospecting of wind farm development sites, when plenty of other opportunities without concern exist in this state.

In addition to Great Ocean Road Australia let me refer to the Australian Council of National Trusts and Auswea, the Australian Wind Energy Association. They have acknowledged that the government's guidelines are a sham and they have effectively called for a moratorium so that a strategy can be put in place. Great Ocean Road Marketing is joined by the Australian Council of National Trusts, the National Trust in Victoria, and Auswea nationally, in admitting, claiming and pleading with the government to change its guidelines.

What has been the response from the government? It has been staggering. We have had the Treasurer, the Minister for Environment, the Minister for Planning, the Minister for Tourism and the Premier effectively conspiring to let this happen. Why are they happy to let it happen? Because these are not in their seats.

Mr Nardella — The jobs.

Mr BAILLIEU — The jobs? The jobs that have vanished, says the member for Melton. The reality is that the Treasurer has misled on jobs himself. Now he is seeking to prop up a project that was meant to have a 'nationally significant inward investment' and he has refused to release the financial figures for that propping up.

What has the Minister for Environment done? This is his territory. This is about the breathtaking beauty of coastal Victoria. What has he done? He has played favourites with his mates down in Portland — and that is on the record already. He has sought to insulate Labor seats. What happened to the wind farm projects on the Bellarine Peninsula? Vanished. Who has an interest in the Bellarine Peninsula? The Labor Party has a seat there and, interestingly, the Minister for Environment has an interest in the territory himself.

What else has the Minister for Environment done? He has silenced the three Victorian coastal boards: the Western Coastal Board, the Central Coastal Board and the Gippsland Coastal Board — and the peak body.

Where are those coastal boards? They have been told they cannot speak out. They cannot speak out because they are subject to ministerial direction. The Minister for Environment has gagged the coastal boards whose responsibility it is to look after our coastline. It is a disgrace. The minister has gagged Parks Victoria and he has gagged other bodies and tried to intimidate anybody who has expressed opposition to this coastal vandalism.

What has the Minister for Planning done? She has removed the power of councils to be involved; she has ignored the panel she established. I should have said that the Minister for Environment tried to nobble the original panel but did not get away with it. The Minister for Planning has never visited a wind farm, she has never been to this site, she has issued these approvals after failing to ensure that the manufacturing plant was a condition of the approval as she promised it would be, as she told the Parliament, and as she told the Public Accounts and Estimates Committee it would be.

What has the Minister for Tourism done? He has been silent, he has shut his mouth completely. Staggering! That is a surprise, coming from him.

What has the Premier done? The Premier has sent a message in regard to the Toora wind farm. He was invited to open the Toora wind farm, but at the last minute he decided not to turn up. Why not? Because he knew he would have been lynched. The Premier has conned 3AW listeners into believing that the only decision here was about the environment, when clearly it was not. He has had his head in the sand and been in denial.

What are the Labor backbenchers doing? I invite the backbenchers to go and stand on the beach at Discovery Bay and look back at the capes. Go down to Tarwin Lower and gaze back at Wilsons Promontory over Bald Hills. Go down to the cliffs near Nirranda and think about what they are doing. Feel the shame of what they are doing and let it eat their hearts, because that is what Labor is doing to the Victorian coastline and it is a disgrace.

Liberal Party: review committee report

Ms GREEN (Yan Yean) — Today I grieve for the long-suffering rank and file members of the Liberal Party in Victoria, given the parlous and pathetic

condition of the state Liberal Party. Liberal members still have not worked out why they lost the 2002 election and their own report confirms this. It confirms what the Victorian community knows and what we in this place know. This mob is pompous and lazy. Liberal members do not stand for anything; they oppose everything; they have no plans, no policies, and no ideas. They say and do anything to get a headline, and you cannot believe a word they say. They talk down Victoria and they stand up for Canberra. The fact is that we have more jobs, more nurses, and crime is down.

Like the honourable member for Footscray I received a special delivery in my pigeonhole yesterday. It was the report of the 2002 state election campaign review committee. I have read it and I would say that my 13-year-old son could write a better report on campaigning than this mob.

Mr Nardella — Without the crayons!

Ms GREEN — Yes, without the crayons. He can use a pen and he knows how to talk to people and how to listen.

Let us have a look at some of the recommendations that the brains trust that authored this report has made. There is a section on the redivision of Victoria's state electoral boundaries undertaken in 2001. Recommendation 2 says that the secretariat should put in place a clear campaign strategy for those members of Parliament who find their seats altered as a result of redivision.

Recommendation 3 says that members in electorates affected by a redivision should be fully briefed on the demographic and political consequences of changes to boundaries well in advance of an election. A recommendation that says members of Parliament should learn how to read a map and know the electorate they seek to represent, or already represent. How novel to know about the electorate you represent. The Council of Adult Education runs map-reading classes, so do bushwalking and orienteering clubs. If any Liberal Party members really wanted to serve their community they could go down to their local Country Fire Authority. When you undertake the minimal skills training required to be a firefighter you have to pass a module on map-reading. I urge Liberal Party members to join up.

An Honourable Member — You are hilarious.

Ms GREEN — I would have thought Liberal Party members did not need their party headquarters to tell them this sort of stuff. It is simply commonsense, but maybe not. My Liberal Party opponent in the 2002 election campaign showed that he was certainly geographically challenged. Despite his claim to have local knowledge, he distributed a local issues survey in Diamond Creek and Eltham North. There was just one problem with this survey — Eltham North is not now and has never been in the electorate of Yan Yean. I see that the honourable member for Eltham is having a good laugh at this, and so he should. I am sure that the former Liberal member for Eltham, Wayne Phillips, would have been pretty unhappy with his neighbouring Liberal candidate for Yan Yean campaigning in the wrong seat. This was not just any candidate in the last state election. In his day job he was the chief of staff for the honourable member for South-West Coast who was the former Liberal Party opposition leader.

It is reasonable to ask that if this individual could not work out the boundaries of the electorate he was seeking to represent, how on earth did he ever manage to get his boss, the former opposition leader, or the front bench correctly into any of the other 87 seats in the state of Victoria? Not only was he geographically challenged, he talked our community down. He had his boundaries wrong and like the rest of his opposition colleagues he spent his time talking the community down. He wrongly asserted that crime in our local community was soaring when in fact it was, and is, declining. As the Minister for Education Services said this morning, the current Leader of the Opposition in his visit to Bendigo just talked down local communities. The Liberal Party indulged in baseless fear-mongering, saying that crime was out of control in the local government area of Whittlesea, making it out to be the Bronx, when in fact 12 months ago crime figures demonstrated that the City of Whittlesea was 16.3 per cent below the local state average for crime.

Let us not forget that this is the same Liberal Party outfit that, at the very time that the honourable member was making this claim in my local community, had to withdraw and correct its dishonest television advertising about crime rates. They will say anything!

What we have seen from the Liberal Party since the election is more scaremongering on crime and more talking down of our local communities, whether it be Bendigo, Geelong or Ballarat. That is not the way to win back the hearts and minds of Victorians. That is a good strategy: talking down our suburbs and our towns. The Liberals are still nowhere near fit to govern.

We in the government, on the other hand, are working hard in partnership with our local communities to ensure that they continue to be safe places to live. We are undoing the damage of those seven dark years when police numbers fell by thousands and police stations

were in a state of disrepair. I am really proud to be a member of a government that treats the safety of its communities seriously.

My electorate of Yan Yean is now served by 42 extra uniformed police. New police stations serving parts of my electorate have opened in Eltham and Kinglake. By the end of this year a brand-new 24-hour emergency services complex will open in Diamond Creek and will house the police, ambulance services and our wonderful Country Fire Authority volunteers. Also the police station at Epping has been refurbished. The runs are on the board.

Current local crime figures show that crime is down again this year. It is down by 11.3 per cent in the local government area of Whittlesea, 5.3 per cent in Nillumbik and 25 per cent on the Hurstbridge rail line. But the Liberal Party will still continue to talk down our local communities.

I return to the Liberal report. Quite a few things in this report did not click with me, but one of them really had me stumped. Recommendation 81 on page 65 is:

> That at least two MPs be able to work in the CLIC during campaigns.

An honourable member interjected.

Ms GREEN — It is the central Liberal information centre! I acknowledge that I am a new member and I have been in this place a short time, but I reckon I have worked out that my job here is to represent the communities of my electorate of Yan Yean. As a candidate I saw my job for up to a year prior to the election as getting out amongst the members of my community and talking to them about what was important to them, assessing their needs and advocating for them. At no stage did it cross my mind that my job as either a candidate or a member was to work out of ALP head office in King Street. It is not our job. We, as members, get well paid by the taxpayers of this state to do our job of representing and serving our electorates. We do not get paid to work as campaign workers in party headquarters.

I offer my sympathy to the loyal campaign volunteers of the Liberal Party. Here they are, slogging it out on the ground, and a recommendation is made that says the appropriate place for MPs is not working on the ground in their electorates or alongside their volunteers but in Liberal Party headquarters in Exhibition Street. As the fantastic new hardworking member for Evelyn can attest, having no opponent in the field is a distinct advantage. Liberal Party members in Evelyn during the campaign had a right to know where their local member was.

Mr Nardella — Where was she?

Ms GREEN — I can tell you where she was. She was in Frankston, holding the hand of the nervous now former member for Frankston — so she was a big help! Keep it up, guys, it worked really well staying out of your electorates — although no doubt some Liberal Party members would prefer that the local members stayed out of their electorates because they only mess them up when they are around. I mean, look at Robert Dean!

Honourable members interjecting.

Ms GREEN — He did rent a house once. I read that in the paper. I think the Robert Dean affair must have spurred recommendation 96 on page 73:

> That the secretariat compile a campaign handbook for local electorates covering issues such as media and crisis management, fundraising ideas and shadow ministerial visits.

That would be if they knew where to go!

My colleague the honourable member for Melton talked before about the policy unit. Let us look at the opposition leader. What has he been doing about policy? I read in the *Age* of 12 July that he is planning to release 20 to 30 policy platform statements by the end of this year. That is good. It is about time the Liberal Party started to talk about some policy. But do not just talk about it, guys; do it. That was six weeks ago. They had better get a move on if they are going to get 20 or 30 statements out by the end of the year. That is quite a few each month, and we have not seen any yet. Sorry, I do remember the wonderful plan of the honourable member for Doncaster to decrease teacher numbers. That was a good plan! Keep it up, guys.

The government had a well-thought-out policy platform in the lead-up to the election, and now it is working hard on implementing it. I would just like to say a little bit about what that implementation has brought about in my electorate: 173 extra nurses in the northern region of Melbourne; as I said before, 42 extra uniformed police; and 52 additional teachers. I shall just talk about a couple of the suburbs.

I have told the house before about what a diverse community Yan Yean electorate is. In Diamond Creek, for example, the government has spent $224 million for a new bus service linking Diamond Creek and Eltham; and it has provided funding for the Diamond Creek emergency services centre. Over $1 million has been provided for an upgrade of Diamond Creek East

Primary School. It has put in a new preschool building, creating an education precinct with the Diamond Creek Primary School and the Diamond Creek Living and Learning Centre. The government has put in road safety improvements, including a new roundabout at the intersection of Main Hurstbridge Road and Phipps Crescent. The government has also committed to the duplication of the bridge over the Plenty Gorge, which will improve traffic flows and safety for people. The government is not just talking about it, it is doing it.

In Epping $29.3 million has been spent on the duplication of Cooper Street. In the first three years of the Bracks Labor government around $40 million was spent on roads in Yan Yean. That is just what was spent in my electorate — more than what the previous government spent in seven years across the whole state! The opposition should stop talking down our community and instead work for it.

At the Northern Hospital the government has spent $12 million on constructing a new 32-bed ward and a new operating theatre, which will open next month. We have also committed funding for another new wing to cope with the growth in the north. We have spent $300 000 for Kildonan child and family community care centre in the new growth corridor of Epping and South Morang. Our record is a good one; we are working hard for our community.

Being in opposition is tough. Members of the opposition should get out there and work, talk to people and understand what the community wants. They want work and they want action, and they trust us to do it. They do not trust that lot to do it, and it will take a very long time before they can win back the community's trust. Opposition members have to stand up for Victoria and stop kowtowing to Canberra.

Question agreed to.

HUMAN SERVICES (COMPLEX NEEDS) BILL

Second reading

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

In recent years, concerns have been raised by a range of service providers, support organisations and individuals including the Public Advocate, presidents of the Mental Health Review Board and Intellectual Disability Review Panel, the courts and police about how very difficult it is to provide services to a small but very significant group of Victorians with extremely complex needs.

This group has been described as disorganised, sometimes dangerous, with very high levels of need and not easily fitting within the legislative framework or service provision model for any one disorder or diagnosis. The service system pressures in relation to this population continue to escalate.

Responding effectively to this group has been an ongoing issue over several years and has often been visited without successful resolution. The group of people considered to have complex needs are those adolescents and adults who may experience various combinations of mental illness, intellectual disability, acquired brain injury, behavioural difficulties, family dysfunction, and drug and alcohol abuse.

When engaged with the service system, these individuals characteristically draw on significant resources — not only from health and welfare services, but also from a range of emergency services, agencies and other government and funded organisations. Frequently, the service response for these individuals is 'crisis driven', unplanned and uncoordinated. The responses often deliver limited outcomes for the individual, their families, and the wider community.

The government has recognised that there is an urgent need for new solutions.

I want to thank the stakeholders who have been so actively involved and committed to finding these new solutions. Service providers right across the human services system, advocates, representatives from the courts, police and family members and carers have worked together with officers from the Department of Human Services and the Department of Justice to grapple with the issues and forge a new approach.

A profiling exercise undertaken during the development phase of this bill identified approximately 220 Victorians aged 16 years and above with multiple and complex needs. While this number provides a snapshot of the population at a single point in time, the level of extraordinary need that defines the group will ensure that the population will always be small. The key characteristics and features of this group are:

- it is a relatively young population with 44 per cent of individuals aged between 18 and 35 years; men make up almost two-thirds of the group;

- all within the group have two or more 'presenting problems' that may include mental illness,

intellectual disability, acquired brain injury, or significant drug and alcohol misuse;

the group present significant levels of risk to the community, to staff and to themselves through challenging behaviours that include aggressive and assaultive behaviour, as well as self harming, and risk taking;

almost all of the individuals were reported to have harmed themselves, staff or a member of the community on at least one occasion over the previous 12 months;

the group are very high volume users of emergency services, particularly police, ambulance and hospital emergency services;

A striking feature is the level of contact with the criminal justice system — 71 per cent of the group have current or past contact with the adult or juvenile criminal justice system;

Housing arrangements vary across the population but lack of stability in housing is marked and 35 per cent of individuals were reported to be homeless or living in short-term or crisis accommodation;

Social isolation also features strongly with 91 per cent of individuals noted to be isolated with very few having any regular contact with family;

Finally, more than half of the group were noted to have chronic health problems, often related to their chaotic and unstable lifestyles.

While the health, housing and welfare service system works well for most people and improvements in the range and availability of specialised services targeted to specific needs have been introduced, a coordinated response to this vulnerable population is lagging behind.

The increasing service system pressures experienced by the health, welfare and housing sectors, the overrepresentation of this group in the criminal justice system and the risk to individual clients and to community safety have driven a range of attempts at providing an improved response.

A number of recent initiatives have focused on particular elements of the multiple and complex needs problem. Strategies such as treatment approaches targeting dual mental health and drug or alcohol abuse, or improving assessment and interventions for individuals with an intellectual disability within the juvenile justice system are important initiatives that go some way to tackling the problems for some within this high needs group.

The comprehensive shift to community based service models, the move away from therapeutic programs with longer term treatment and care options and the emergence of increasingly prevalent health and welfare issues, such as the growth in the serious misuse of alcohol and drugs, have all contributed to what has emerged as a new public policy challenge.

It is now time to confront the need for change — to depart from program boundaries and establish an overarching responsibility and capacity to direct resources in relation to this client group with the primary objective of better services. We need to draw on the existing expertise and high-quality services and practitioners across our health, housing and welfare services for the primary benefit of this group.

Many stakeholders argue that while the majority of these clients will have long-term and high-level needs for services, often at greater cost than the majority of clients, outcomes in relation to health and wellbeing can be significantly improved.

Victoria is not alone in confronting this challenge. Other jurisdictions within Australia and internationally are struggling with similar issues.

A new approach will be based on four key findings:

individuals with multiple and complex needs require access to care, support and accommodation appropriate to their needs — regardless of program specific eligibility requirements;

clear leadership by the Department of Human Services, with involvement of all aspects of its directly delivered and funded sector services is necessary to achieve improved outcomes;

a forum and process with formal authority is required to bring together relevant providers and experts to plan for and deliver a coordinated, individualised service response; and

comprehensive, multidisciplinary assessment of need should inform this process.

The new model proposed will deliver a specialist time limited intervention that aims to:

stabilise housing, health, social connection and safety issues;

provide a platform for long-term engagement in the service system; and

pursue planned and consistent therapeutic goals for each client.

The introduction of this bill is critical to the establishment of the multiple and complex needs service model. The bill establishes client eligibility criteria as well as the multiple and complex needs panel and its functions. It will be particularly important to ensure the panel and multidisciplinary assessment service are able to authorise the collection, use and disclosure of relevant client level information to facilitate comprehensive assessment of needs and an informed and coordinated service response for the primary benefit of the eligible individual.

Extensive consultation with stakeholders has informed both the development of the multiple and complex needs service response and this bill.

The major elements of the bill are:

Establishment of a multiple and complex needs panel

The bill establishes a multiple and complex needs panel to consider referrals for assessment and determine care plans for the support and stabilisation of eligible persons. Participation in the system will be voluntary.

The establishment and membership of the panel outlined in the bill will give encouragement to service providers to 'go the extra mile' to cooperatively provide assistance to one of the most vulnerable groups in the state.

The bill clearly defines the panel's key functions and the panel's constitution — including the requirement that the chair be appointed by Governor in Council and members appointed by the minister. The Secretary of the Department of Human Services will be an ex officio member.

Referrals to the multiple and complex needs panel

The bill provides that the threshold for eligibility for services is very high and is targeted at those whose needs are acute and complex. On this basis, the bill defines very specific eligibility requirements to limit access to this service response to only those with exceptional needs. These criteria reflect the characteristics of the individuals profiled during the development of the proposed bill.

To ensure that 'net widening' does not occur, the bill also requires that only the Secretary of the Department of Human Services may refer eligible persons to the panel. In effect this will mean that, while any service provider, government body or individual may propose a referral, only the secretary may make a referral to the panel.

I have requested the Secretary of the Department of Human Services to ensure that appropriate systems of internal review are established should an individual seek a review of a decision. The bill also contains a provision to ensure that a person may involve an advocate or friend in any aspect of the decisions made by the secretary or the panel.

Assessments and care plans

Often people with multiple and complex needs may not have experienced comprehensive, multidisciplinary assessment or thorough service planning. Sometimes assessments have been one dimensional and frequently disputed from other perspectives.

Consequently, the bill provides that the panel may refer a person for a comprehensive assessment of their needs from an agency with whom the Secretary of the Department of Human Services has an agreement. Importantly, the multidisciplinary assessment service will be required to recommend a care plan to the panel that will identify the supports required to create a stable environment for the individual. The creation of these components and processes in legislation establishes both a framework and expectation that will encourage better service participation.

The bill provides for the sort of comprehensive case coordination that facilitates proper engagement with service providers and ensures that the providers themselves have an appropriately holistic view of the individual's needs. In determining a care plan, the bill also requires that the panel identify a care plan coordinator. Through the provision of intense support and careful coordination of services, this position will be critical in ensuring the successful implementation of the care plan.

Information disclosure

As the objective of the service model is to assess and develop a care plan for the primary benefit of each individual, access to and sharing of relevant client information is critical. Without the creation of this capacity through legislation, the necessary exchange of information may not occur. As a result, comprehensive assessment of the individual's needs would not be achieved and the integrity and potential effectiveness of any plan would be severely compromised.

Victoria has significant protections in place for the privacy of personal information and health information.

Those provisions are working well. However, the needs of some individuals and their involvement with the health and welfare sector together with the justice system require information sharing across the spectrum of services.

This bill specifically allows service providers to disclose information to the panel and assessment service about a person in their best interests.

Generally, in order to ensure that comprehensive information exchange can take place within the best interests of the eligible person, the bill provides specific authority to allow collection, use and disclosure of information relating to an individual across the service spectrum.

The bill clearly specifies the very limited purposes for which information can be exchanged.

These relate to the determination of eligibility, the completion of a multidisciplinary assessment, the determination of a care plan and the implementation, monitoring and review of the plan.

The bill does not compel service providers to exchange information, rather it allows them to make a professional judgment based on what they believe will be in the best interests of the individual. This will be a paramount consideration.

The nature of the client group means that much of the information disclosed will be particularly sensitive. This bill aims to achieve an appropriate balance between the protection of personal information and the best interests of the individual.

In acknowledgement of the importance of protecting the privacy of personal information, the bill incorporates clear confidentiality provisions. These stipulate that information relating to an eligible person must not be disclosed inappropriately. Breaches of these requirements will incur penalties. Unnecessary disclosure of a family member's information will also be an offence under the bill.

These prohibitions apply in addition to those existing sanctions contained in the Information Privacy Act 2000 and the Health Records Act 2001.

Notification measures

The group of individuals whose needs will be addressed by this bill is small and highly vulnerable. Their characteristics include significant levels of impairment in a number of areas, high-risk behaviours and exceptional need. As I have indicated previously, their experiences of the broader system has largely been characterised by fragmented service provision and sometimes exclusion from services. The multiple and complex needs service response must be mindful of the individual's previous experiences of the service system.

Given that the bill permits a broader exchange of information than currently occurs, it is critical that individuals being considered for referral to the panel are informed not only about the purpose of the referral, but also of information exchange requirements and their ability, at any time, to refuse to participate in the process.

To this end, the bill contains two very explicit notification provisions. The first of these provisions requires that the individual is notified in writing and in person about the service response, that information may be sought from persons or organisations for a specified purpose and that they are able to refuse to participate before the secretary refers them to the panel.

The bill also requires the panel to formally notify the person when it has determined, varied or terminated a care plan. At these points the individual must also be informed that service providers identified in the plan may share and use personal and health information if it is in the best interests of the person and would help them implement the plan. A copy of the care plan must be provided to the individual within 14 days of its determination.

To facilitate proper notification, the bill requires that information be provided to the individual in writing and in person in a manner they will best be able to understand. Many individuals in this group already have advocates, guardians or carers from whom they can obtain separate advice on the implications of their participation in the service response. The bill acknowledges their right to receive advice and support or be accompanied to meetings.

Refusal to participate

While some individuals will be very explicit in their refusal to participate in the service response, others will have types of impairment and behaviours that will make their intentions less clear. As such, the determination of whether an individual is refusing to participate at any point in the service response will be a professional judgment made by the secretary or their representative, the panel, the multidisciplinary assessment service or the care coordinator.

Sunset

Finally, the bill contains a sunset clause which will come into effect three years after the panel is appointed. The multiple and complex needs service response is, as I have previously stated, a new and innovative approach to addressing the needs of some of the most vulnerable people in our community. A sunset provision will ensure that the model and its supporting legislation undergo an appropriately rigorous evaluation to determine the blueprint for future service responses.

People with multiple and complex needs are among the most vulnerable in the state. This bill provides an opportunity for Victoria to lead the way in improving service responses to, and consequently the wellbeing of, this exceptionally high-needs group.

I commend the bill to the house.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until Wednesday, 10 September.

HERITAGE (AMENDMENT) BILL

Second reading

Ms DELAHUNTY (Minister for Planning) — I move:

That this bill be now read a second time.

In this bill the Bracks government is meeting its election commitments to legislate to enforce tougher penalties for those who breach heritage permits.

Victorians are passionate about their cultural and natural heritage. They enjoy and celebrate living in a state with a long and proud history, the heritage of which surrounds them in their daily lives. The conservation and care of remnants of the past engenders a sense of continuity and confidence in the future.

The Victorian community has supported the conservation and preservation of all types of heritage, not just the grand buildings of the 19th century such as the building I am standing in and we are working in today but also other types of heritage places which reflect our shared history and values.

Places such as the Olympic swimming pool, which is not only an icon of modern architecture but is also a place that is remembered because of its association with the 1956 Olympic Games or Bells Beach, which is an international icon of the Australian surfing tradition, have been recent popular inclusions in the Victorian Heritage Register.

The Bracks government strongly supports the conservation and protection of Victoria's cultural heritage. In the 2003–04 budget the government announced a commitment of $4 million for each of the next two years to support community heritage projects. The government also supports the pursuit of the Victorian heritage strategy.

The Heritage Act 1995 was assented to on 5 December 1995. One of its functions is to provide for the protection and conservation of places and objects of cultural heritage significance. This bill makes a number of changes to enhance the effectiveness of the act. These relate to:

levels of penalties;

making of orders; and

clarified powers of entry to enable the registration of significant heritage places.

Levels of penalties

The penalties provided in the Heritage Act have not been reviewed since the act was passed in 1995. The government believes that the deterrent effect of these penalties has diminished over time. The current penalties do not reflect just how seriously the government and the people of Victoria view the loss of a heritage place. They are a non-renewable resource and can not be repaired if significantly disturbed or destroyed. A loss is a loss forever.

A simple thing as a person fossicking for objects in an archaeological site may not seem much but the untold damage that is done to the information that is contained in each layer is devastating.

The bill therefore increases penalties under the act to reintroduce their deterrent effect and make it clear that the people of Victoria will not tolerate offences being committed against its heritage.

Making of orders

Currently when a person is alleged to have committed an offence against the act, prosecution is initiated. Should the court find the person guilty of the offence the only option that is available to the court is to bring down a monetary penalty. Whilst this deals with the immediate problem it does not always fix the reason that a prosecution was initiated. In cases where damage can be rectified, as in the former Robin Boyd house in

Camberwell, the court is precluded from requiring reinstatement. Only the Supreme Court can make an order to reinstate. This is costly and as such decisions are made on whether to make an application on the basis of whether the cost is warranted.

Owners have been known to make a decision to carry out works knowing that they would not be forced to do rectification work unless Heritage Victoria took the costly step to go to the Supreme Court for an order. In this way the owner really won and the people of Victoria lost.

This bill will enable the court, if a person has been found guilty or convicted of that offence, to make any order that it thinks appropriate to remedy or restrain the contravention that constitutes the offence.

In this way the government is adding to the deterrent effect of penalties under the act.

Clarified powers of entry

The Heritage Act makes provision for entry into residences by inspectors or persons authorised by the Heritage Council to enable them to do a physical inspection of the residence for the purpose of assessing its cultural heritage significance. However, before an inspector or authorised person can gain entry, the written consent of the occupier is required. This requirement is sometimes impossible to meet because the occupier refuses entry or its unoccupied and therefore there is no occupier to give written consent.

The proposed amendment provides a clear process in such circumstance. That process provides for entry through an order of the Magistrates Court.

It is not the intention of the amendments to affect the rights of the occupier. The bill requires notification to be provided to the occupier who refuses consent through the requirement that a copy of the application to the Magistrates Court must be provided to the occupier within 14 days of the hearing. The bill is also quite clear about giving the occupier or their representative a copy of the order and what the inspector or authorised person can do once entry has been gained.

This will ensure that decisions are made on whether or not to add the residence to the Victorian Heritage Register on the best available information.

This bill represents the Bracks government's commitment to the protection of the state's cultural heritage, in recognition of the importance placed on that protection by the Victorian community.

I commend the bill to the house.

Debate adjourned on motion of Mr BAILLIEU (Hawthorn).

Debate adjourned until Wednesday, 10 September.

COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL

Second reading

Debate resumed from 5 June; motion of Mr CAMERON (Minister for Agriculture).

Mr THOMPSON (Sandringham) — Members of the house would be aware that Melbourne is often regarded as the multicultural capital of the world, the most liveable city in the world, the BYO capital of the world and, importantly in the context of today's debate, the sports capital of the world. This house recognised the accomplishments of the former government in launching the initial Commonwealth Games bid in January 1996, when the then Premier announced Melbourne's bid to host the Commonwealth Games in 2006. It was part of a 10-year plan, a 10-year program and a 10-year strategy that it was felt would give an economic boost to the Victorian economy of upwards of $200 million.

Melbourne has derived its reputation as the sports capital of the world in part from the 1956 Olympic Games, which were regarded as the Friendly Games. In a Newspoll in 1996, 97 per cent of Victorians polled supported Victoria's bid for the games. Victoria and Melbourne have world-class facilities such as the Melbourne Cricket Ground, Melbourne Park, the Sports and Entertainment Centre and the Melbourne Sports and Aquatic Centre, which was part of a facilities upgrade embarked upon between 1992 and 1999. The facilities will be complemented by the new velodrome, the new hockey facilities, the new netball centre and a games village. The rounded athletes focus of the Victorian bid was part of its success.

It is worth noting that some 1.7 billion people live in the commonwealth countries that will be participants in the games. It is also worth noting that some 3184 athletes competed in the 1956 Olympic Games across 15 sports. It is anticipated that in 2006 some 4500 athletes will compete in Melbourne in some 16 sports and 24 disciplines.

In terms of games history it is interesting how the ideas of individuals can have an outcome and end in an event. According to the web site outline of the history of the

games, they are the culmination of an idea of a person in 1911 that there be some form of empire games, and in 1930 in Canada the first British Empire Games took place. Since that time the games have been conducted every four years, except for 1942 and 1946 when they were not held owing to World War II. Some 72 nations or territories will have the opportunity of participating in the games. They derive from the regions of the world of Africa, the Americas, Asia, the Caribbean, Europe and Oceania.

The main provisions of the bill before the house today establish the Melbourne 2006 Commonwealth Games Corporation as a statutory authority to replace Melbourne 2006 Commonwealth Games Pty Ltd, a company regulated by the Australian Securities and Investments Commission.

It codifies the existing functions and powers from the Melbourne 2006 (M2006) constitution and contractual arrangements with the Australian Commonwealth Games Association and the Commonwealth Games Federation. It provides for the transfer of the board, staff, assets and liabilities from M2006 to the statutory corporation and provides that the statutory corporation is the successor in law to M2006 when M2006 is dissolved in accordance with the memorandum of understanding between it, the ACGA, the CGF and the government. It provides immunity for directors when they are acting in good faith.

It provides protection for various classes of Commonwealth Games indicia, images or references. It creates an offence of using those indicia or references for commercial, promotional or advertising purposes or of suggesting a sponsorship arrangement without the agreement of the corporation, the ACGA, the CGF or, in limited circumstances, the Minister for Commonwealth Games. The bill provides a power of seizure where goods being sold in a Commonwealth Games venue are suspected to be using games indicia, images or references without authorisation. These provisions are to protect the value and integrity of sponsorship arrangements.

There are two principal issues in the bill before the house today. Firstly, a statutory authority will be created which brings the games organising committee closer to government. Unlike the existing company, the statutory body will be under the jurisdiction of freedom of information (FOI), the Ombudsman, the Financial Management Act and subject to ministerial direction. The FOI provisions and the role of the Ombudsman are a valuable enhancement to the operation of the games itself and ensure full public accountability for its activities and financial administration.

Secondly, the intellectual property provisions are onerous as far as they apply to Commonwealth Games references. However, it is fair to point out that they mirror those of the Sydney Olympics. It is also worth noting that the intellectual property provisions were not wide in Manchester. There are commercial reasons for these strong provisions in the bill before the house.

There is another element of the games. It is notable that the budget for the Commonwealth Games will be only 10 per cent of the Olympic Games budget according to early estimates relating to the Melbourne bid. It is believed it will involve some 5000 service providers and some 15 000 volunteers drawing the games together.

There are a number of venues that it is envisaged will be used in the hosting of the games, which will draw together metropolitan Melbourne and some outlying areas as well. Royal Park will host hockey and netball, the multipurpose venue will host cycling, and the Junction Oval will host cricket.

At Doncaster there will be a lawn bowls facility. I believe the area of Bayside was at one point bidding to hold the Commonwealth Games lawn bowls, but it lost out to Doncaster. The Melbourne Exhibition Centre will host boxing and weightlifting, the RMIT sports centre will host badminton and squash and the Melbourne Gun Club will host events at the Lilydale clay target venue. Olympic Park will host the Rugby Sevens; Docklands Stadium will also host the Rugby Sevens — it has a capacity of some 52 000 people. The Melbourne Cricket Ground will host the athletics, and a new northern stand, envisaged to be completed prior to the games, will boost the capacity for the games to 125 000.

Bendigo, the only out-of-Melbourne venue, will host full-bore rifle shooting, which will be of value to development in regional Victoria. Melbourne Park will host boxing, gymnastics and netball. The Sports and Entertainment Centre will host rhythmic gymnastics, which I suggest members of the government backbench might take an interest in! The Melbourne International Shooting Club will host the shooting at West Gate Park. Another development that took place in Victoria between 1992 and 1999, the Melbourne Sports and Aquatic Centre, will host the aquatic swimming — including disabled swimming — diving, badminton, squash and table tennis.

I pay tribute to the work undertaken by people involved in the Special Olympics — they have done outstanding work in preparing Melbourne athletes to compete in Ireland earlier this year. I am sure that many of those

athletes look forward to participating in events associated with the Commonwealth Games as part of their own programs.

A number of specific issues arose in the opposition briefing on the bill. For the purpose of providing further information to those who will be studying the bill in detail, I would like to outline them to the house. The games contract requires efficient organisation of the event. Proposed section 4F(b) has been drafted to reflect this. Other examples of the requirement for efficiency or financial efficiency appear in the Melbourne Sports and Aquatic Centre Act 1994. It is an interesting provision to have in a bill, and is not reflective of earlier drafting provisions, but I am sure it will be an important benchmark for the government to comply with.

Under proposed section 4J the board must consist of 8 to 12 members, with 2 recommended by the CGF, 4 by the ACGA and 6 by the state, appointed by the Governor in Council. By virtue of proposed subsection (4), if a person is recommended by the CGF or the ACGA, the minister is required to nominate to the GIC the appointment of that person. This provision retains the contractual rights of those parties regarding the constitution of the board. Consultation between the minister and the parties prior to formalisation of amendments would be normal and appropriate. The provision is meant to be consistent with the current constitution.

I also pay tribute to a number of members of the board. Colin Carter has made a great contribution through his work in the Boston Consulting Group. He is a former director of the Geelong Football Club and an Australian Football League commissioner. His business judgment and experience in sport will be of great benefit to the board. I would also like to personally acknowledge the excellent work of Campbell Rose, an Australian Olympic yachtsman who was part of the Melbourne Major Events Committee and had an initial role as part of the successful bid.

He was tenacious and determined, and he had an excellent sporting background which facilitated the strong major events work undertaken in Victoria between 1992 and 1999. That generated positive returns to the state of Victoria, the fruits of which will still be realised in years to come.

Another provision I would like to comment on is proposed section 4M in clause 7. This provision gives effect to the government policy that where a body is being formed that has commercial functions, the approval of the Treasurer is required. An analogous example is the provision included in the Water Industry Act of 1994.

In relation to proposed section 4N, the approach has been to ensure that the powers and responsibilities of the body and its board as closely as possible resemble that of a Corporations Law company. The corporation will be covered by statute and not be subject to Corporations Law.

Regarding proposed section 4R, a query had been raised whether the act required members of committees to be board members. By way of clarification, it does not. However, it should be noted that committees do not make decisions but in fact act in an advisory capacity to the board. The board has the mandate currently in its new form to form whatever committees it might think fit.

Under proposed section 4Y the dissolution date is the date of final winding up of M2006 under the Corporations Act or the date of deregistration of M2006 under the act, whichever first occurs. On the relevant date, that being the date on which section 8 of the act comes into operation, all rights, liabilities and assets of M2006 are vested in the corporation. On the dissolution date the corporation is the successor in law of M2006 and residuals are vested in the corporation by virtue of proposed section 4Y(b). As advised, a memorandum of understanding between the parties underpinning the transfer procedures is being executed. This is essentially a technical legal document, and it is understood that it is not proposed that it be given to any outside parties. By way of comment, I ascertained whether any freedom of information issues pertain to that document.

Under proposed section 4S the good-faith immunity clause is written in standard format according to the government's policy on indemnities and immunities. A comparison might be made with the Australian Grand Prix Act 1994. Similar but differently worded provisions were included in the Sydney Organising Committee for the Olympic Games legislation as well. It is possible that a person acting rationally and in good faith — that is, not wilfully in wrongdoing — might be found to be negligent to some degree. The directors are nonetheless bound by the duties and are liable for losses where these are breached.

A question was raised as to whether proposed section 56ZB applies to officers of corporations where officers are also employees of the corporation. Proposed section 56ZB applies to officers of the corporation defined in section 9 of the Corporations Act 2001, regardless of whether they are employees of the

corporation. On behalf of the opposition I would like to thank Lloyd Freeburn for the foregoing detailed comments and comprehensive response to a number of issues that have been raised in relation to the bill.

I would now like to turn to some more specific issues in relation to the legislation, in particular under part 3. These provisions govern Commonwealth Games commercial arrangements. The definitions provision in clause 11 lists those arrangements. It states, in part:

> 'Commonwealth Games reference' means —
>
> (a) any of the following words, expressions or figures —
>
> (i) "Melbourne 2006 Commonwealth Games";
>
> (ii) "Melbourne 2006 Games";
>
> (iii) "Melbourne Games";
>
> (iv) "Melbourne Commonwealth Games";
>
> (v) "Melbourne 2006";
>
> (vi) "M2006";
>
> (vii) "MO6";
>
> (viii) "Australian Commonwealth Games";
>
> (ix) "Commonwealth Games";
>
> (x) "the Friendly Games";
>
> (xi) any other combination of the words "Commonwealth Games" or "Games" and the numbers "2006", "18th" or "XVIIIth";
>
> (xii) "Australian Commonwealth Games Team";
>
> (xiii) "Commonwealth Games Cultural Program";
>
> (xiv) "Melbourne 2006 Cultural Program";
>
> (xv) "MO6 Cultural Program";
>
> (xvi) "Queen's Baton Relay";
>
> (xvii) "bronze", "silver" or "gold".

There was a competitor at the Melbourne 1956 Olympics, I think in the wrestling category, named Spiros Stamoulis. He has been a significant contributor to Melbourne together with his family and was involved in many Greek community activities. He has also been a strong contributor to Melbourne's commercial and media networks. He started a business called Gold Medal Drinks Pty Ltd. I was concerned that he might be caught by these onerous provisions, but I am relieved to find on his behalf perhaps that later in the bill it is apparent that where someone has an existing trademark or business name, it is not caught by their operation. So the company might be well poised to generate further sales of Gold Medal soft drinks during the games. I understand that formerly they were sold in crates at petrol stations and door to door and it was certainly a very successful enterprise conducted by Mr Stamoulis. It is to be hoped that all other like usages will not be adversely caught as a result of the onerous requirements, which do have a rationale behind them.

On the commonwealth parliamentary library web site there is a good description of what is termed 'ambush marketing'. 'Ambush marketing' has been defined as:

> … the unauthorised association by businesses of their names, brands, products or services with a sports event or competition through any one or more or a wide range of marketing activities — 'unauthorised' in the sense that the controller of the commercial rights in such events, usually the relevant governing body, has neither sanctioned nor licensed the association itself or through its commercial agents.

Unfortunately the term is not broad enough to acknowledge in full the contribution the former coalition government made in obtaining the Commonwealth Games. As the games will be held during the term of the current government, unless there are any constitutional arrangements that come into play, it may be that the achievements of the former coalition government and those people who were responsible for the initial bid may be overlooked. But I trust that Victorians will understand the background to the successful Melbourne bid. But I digress perhaps a little too far at this stage.

I would like to give some other examples of ambush marketing, such as in the Nike-Reebok sneakers war. I quote from the library web site:

> During the 1992 Barcelona Summer Olympics, members of the gold-medal winning USA basketball 'Dream Team' with personal sponsorship from Nike threatened to boycott the medal presentation rather than wear the official team uniform featuring Nike's rival, Reebok.
>
> Also during the Barcelona Olympics, GMH advertised it would give a Golden Holden to any gold medal winner, despite Toyota's exclusive deal.
>
> During the Seoul Summer Games in 1988, a T-shirt manufacturer designed a logo 'Body and Seoul' in honour of the summer games.
>
> During the 1994 Lillehammer Winter Games, Wendy's hamburger chain, a rival of sponsor McDonald's, paid for air time during the telecast to promote itself by using spoofs of winter sports, while carefully avoiding mention of the Olympics.
>
> To protect official sponsors from these sorts of attacks …

In the case of the Olympic Games that was the rationale for the enactment of the principal act.

I understand that Qantas used some ambush marketing at the last Olympics as well. The reason the ambush marketing provisions are strong is that a number of sponsors are investing significant sums of money, and it is important that their financial interests are protected so that the Victorian community is not left with any debt either as a result of financial mismanagement by the government of the day or as a consequence of the sponsorship return not being that which is envisaged as a result of the sponsorship rights being allocated.

Members in this chamber would have their own reflections on great moments in sport. In Olympic terms Debbie Flintoff-King's victory in the 400 metres hurdles as she crossed the line in her final stride defeating the Soviet athlete Ledovskais was regarded as one of Australia's great sporting moments.

There was another significant sporting moment that may have escaped the attention of many members, other Victorians and Australians. It occurred in Auckland on 1 February 1990. Andrew Lloyd, an Australian athlete who had significant success as a marathon runner, was unfortunately severely injured in a motor vehicle accident in 1985. His wife was killed in the accident. He broke his leg and his arm very seriously. When his arm was being reset he asked the doctors, who could not guarantee him a full recovery, to reset it at an angle that would enable him to continue running. He underwent seven operations over time to his right ankle and right elbow. In the final of the 5000 metres he was over 40 metres behind the leader, John Ngugi, who had won a gold medal in this event at Seoul. In the closing lap he started to make up some ground. Turning into the final straight he was still a fair way back but had passed the second-placed person, whose name was Hamer, and at that point, using the Australian vernacular, he used words to the effect of 'Forget silver, go for gold'.

There is a great picture on a web site of Australian sporting heroes, www.sporting-heroes.net/athletics-heroes, which shows Lloyd closing on Ngugi moments before the line. It is interesting to contemplate what was going through his mind at that time, as with his closing stride he took first place. Was it the years of training he had done as a marathon runner where he had achieved national success? Was it the seven operations that he endured to work his way back onto the track? Was it the death of his wife that drove him to the line on that day? It is a great moment in Australian sport, and may there be many such moments in the Commonwealth Games in Melbourne in 2006.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Lowan will have the call when this matter is next before the Chair. This is an appropriate time to break for lunch. Question time will take precedence when the house resumes at 2.00 p.m.

Sitting suspended 12.59 p.m. until 2.02 p.m.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Police: files

Mr DOYLE (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. I refer the minister to his claim last night that his conversations with the Chief Commissioner of Police about the police files scandal were 'absolutely confidential'. Given that the minister extensively discussed and quoted from these conversations in the *Age* on 16 and 23 August, I ask: was last night's answer another lie or will the minister now withdraw his claim of absolute confidentiality and answer last night's question?

Honourable members interjecting.

Mr DOYLE — I know I have to keep it reasonably simple for him.

Mr HAERMEYER (Minister for Police and Emergency Services) — The Leader of the Opposition wants a simple answer, and he will get one. The question he just asked is substantially the same as the one he asked last night, and the answer is substantially the same.

Securing Our Water Future green paper

Ms BEARD (Kilsyth) — My question is to the Premier. Will the Premier inform the house of the details of today's release of the government's green paper on water and how the government intends to bring these issues to the attention of the commonwealth government?

Mr BRACKS (Premier) — I thank the member for Kilsyth for her question. She is right that at the Council of Australian Governments meeting on Friday we will be discussing, among other things, water reform and potential contributions to new water projects around Australia.

I have to say that in that respect Victoria is very well placed. The initiatives this government has undertaken over the last three to four years are the most extensive

of any government in Australia. If you look at the leadership Victoria took over the Snowy River, where the government has contributed some $150 million over 10 years towards restoring environmental flows, if you look at the Wimmera–Mallee pipeline, where the government has contributed $77 million as its part contribution to the completion of that project, if you look at the new Victorian Water Trust more broadly, which has received a contribution of $320 million, you see that the government's contribution is extensive.

The Victorian government has contributed $320 million to the water trust, $77 million to the Wimmera–Mallee pipeline and $150 million to the Snowy River, while the commonwealth government is putting only $125 million on the table, not just for Victoria but for the whole of the nation. Every state and territory government in Australia will say that that will not make a difference. It will not make a significant difference to environmental flows in the Murray River nor the adjustments required to assist and support irrigators with any changes made. It is so important for the commonwealth to bear responsibility for the structural adjustments and changes made in the future.

It is in that context that I was very pleased to join the Minister for Water today in releasing the government's green paper on water for the future. The green paper builds on the ministerial statement the minister made to this house. It will be open for discussion from now until 31 October. The green paper deals with the three major issues confronting our state in the sustainability of our water supply in Victoria.

One is water for people, which is smarter use of urban water and catering for the increased population we expect over the next 30 years. It involves water for farms, smarter use of irrigation water, more reliability and security for our primary producers, and water for the environment to assist our stressed rivers and streams to ensure that we can improve our environment and water capacity in the future.

The green paper is now out for discussion for some two months. After that input it will obviously form the basis of the white paper which we indicated will be released at the start of next year. It is a comprehensive reform of the water system that Victoria will be undertaking to ensure that we have a secure water supply to assist a growing population, to assist in meeting our target of getting $12 billion of export from food and fibre, and to assist also in ensuring that we can relieve stress on our streams and rivers, which are currently suffering enormous pressure because of the lack of environmental flows.

I commend the green paper to the house. I know there will be a lot of interest in it, and it will lead to a much more sustainable water system in Victoria.

Police: files

Mr RYAN (Leader of the National Party) — My question is to the Minister for Police and Emergency Services. I refer to the minister's equivocal answer to my question last night, when he said that he did not believe he had ever sought or received information from police files of National Party MPs or candidates. If we jogged the minister's memory of full particulars of all National Party members and candidates, would that enable him to remember the events precisely, rather than telling the house his belief?

Mr HAERMEYER (Minister for Police and Emergency Services) — Unfortunately I do not have a membership list of the National Party. If the Leader of the National Party is prepared to provide me with one, I would be happy to go through it. But let me make it clear that I get scores of letters every week from members of Parliament, members on the other side, dealing with a whole variety of issues which are referred to Victoria Police for a response. Whether those representations are on behalf of party members, family or whatever, I do not know.

All I can say is that I have never inappropriately sought access to anybody's police details. I have never seen a police file and have never accessed the police database, so I have to say — —

Honourable members interjecting.

The SPEAKER — Order! The member for South-West Coast and the member for Scoresby!

Mr HAERMEYER — He has been at lunch again! If the Leader of the Opposition wants to provide me with the membership of the National Party database, then I am happy to run it past all of the representations his members have made to me to see if — —

Mr Ryan — The Leader of the Opposition or me?

Mr HAERMEYER — To you. You asked me about members of the National Party.

Mr Ryan interjected.

Mr HAERMEYER — Sorry, the Leader of the National Party. I apologise. I am happy to do that for him and am looking forward to the membership list.

1 Treasury Place: catering contract

Mr MILDENHALL (Footscray) — My question is to the Premier. Can the Premier advise the house of the facts regarding the catering contract at 1 Treasury Place, and in particular advise who under government guidelines is entitled to receive this hospitality?

Mr BRACKS (Premier) — I thank the member for Footscray for his question, and as he is parliamentary secretary to me as Premier I appreciate it very much. What we have seen today is an example of an opposition that will say and do anything for a headline.

I have been asked a question about some of the facts concerning the government's catering contract at 1 Treasury Place, and I am happy to provide those facts, because they represent a stark picture compared with the hysteria we have heard from the Deputy Leader of the Opposition.

The member for Warrandyte, just to remind the house, claimed the contract with the company called Damm Fine Foods is for $330 000 for one year. That is his claim. We have to ask a question in the house: do you think he is telling the truth?

Honourable Members — No!

The SPEAKER — Order!

Mr Doyle interjected.

The SPEAKER — Order! I remind the Leader of the Opposition that it is considered polite to cease interjecting when the Speaker is on her feet. I also ask the member for Doncaster not to wave papers around in that manner.

Mr Honeywood — On a point of order, Speaker, on the issue of relevance — —

Honourable members interjecting.

The SPEAKER — Order! Members have the right to raise points of order, whether members on the government benches agree with them or not. I ask them to be quiet and allow the member to do so.

Mr Honeywood — If the Premier's own contract off the web page is for one year, then does it mean that this government's information on its web site is often totally factually incorrect? Would the Premier like to clean up his own web page?

The SPEAKER — Order! There is no point of order. That appeared to be a point in debate.

Mr BRACKS — Members of the house answered that question extremely well. It is important to note how far out the member for Warrandyte might have been. He might have been 10 per cent, 20 per cent or 30 per cent out; but I can inform the house that his exaggeration was some 300 per cent out.

Honourable members interjecting.

The SPEAKER — Order! The member for Doncaster!

Mr BRACKS — Of course the honourable member for Doncaster has form on this. He is the past master of the great hypocrisy and the telling of untruths.

If I can just go on, the contract to which the honourable member for Warrandyte referred is the contract for three years, not one year.

Mr Honeywood — On a point of order — —

Honourable members interjecting.

The SPEAKER — Order! I ask opposition members to assist the Chair in enabling their own member to raise his point of order. It is impossible to hear him with that noise from the background.

Mr Honeywood — On a point of order, Speaker, the Premier is misleading the house. His own contract states 'One year duration, $330 000', so the Premier might like to apologise to the house.

The SPEAKER — Order! The Speaker is not in a position to rule on factual matters in relation to information given by members of the house, and therefore there is no point of order. I ask the Premier to continue his answer.

Mr BRACKS — It is probably fair to say that the document which analysed the Liberal Party's election campaign got it right. The Liberal Party should check its facts before it does things. It should check its facts.

Mr Honeywood interjected.

Mr BRACKS — Calm down. You always do it when you get caught out.

I might go to the other matter, which was the purpose for which this catering arrangement contract is used. Some allegations were made by the honourable member for Warrandyte this morning in an extraordinary performance, but there you go. I might go through some of the events and activities that have been involved in the catering contract.

The catering contract is for the Premier, the cabinet, the department and departmental staff. It is for major events which occur during the year. I will go through some of those, and members in this house might remember a few of those events.

I can remember having a request, which was a sensible request, for a reception for Tammy van Wisse when she did that extraordinary feat of swimming the Murray River — swimming for day after day. It was important to have a reception for her, her family and her friends, and we were happy to do that. I have to say I was very pleased that Liberal Party members on the other side were at that function as well — and so they should have been.

In case there is any doubt, records and photographic material is always kept. I will not be presenting those — it would be unparliamentary — but I can indicate that the honourable members for Hawthorn and Sandringham and a former honourable member for Monash Province were at those functions, of which the Tammy van Wisse function was one. They might want to get up and deny that, but they were there.

I might go to some of the other things that have been held in the Melbourne Room and other function rooms at 1 Treasury Place, which form part of the this contract. They include the handover on 16 November 2001 of the condolence books for the 11 September tragedy; a reception in honour of delegates attending the Save the Children conference — often if there are big conferences we have these events; a reception for the Prime Minister of New Zealand on 21 February 2003; a reception in honour of the European Heads of Mission on 18 October 2002; national day receptions — —

Honourable members interjecting.

The SPEAKER — Order! I ask government members to be quiet — and opposition members too.

Mr Honeywood — On a point of order, Speaker, the Premier is now debating the issue. If he would like to table the full range of functions which that $330 000 has gone to we will accommodate him, but to selectively pick and choose certain Labor-mate functions the taxpayers have paid for is very much a use of selective memory on the Premier's part.

The SPEAKER — Order! I do not believe the Premier was debating the issue. I understood he was giving instances of the expenditure of money under that contract. On the second point, the Speaker has no power to ask the Premier to present anything. However, I do ask the Premier to conclude.

Mr BRACKS — I understand. I will summarise, and I will do so on these two points. The Deputy Leader of the Opposition was totally wrong on the quantum of the contract. The Deputy Leader of the Opposition was again totally wrong on what the contract was used for.

I can also say that the Liberal Party's own election review got it right when it stated that the Liberal Party has a general lack of credibility that leaves voters disinterested in its views. That is absolutely right. It opposes everything; it stands for nothing.

Police: files

Mr DOYLE (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. I refer the minister to his attack on a Liberal candidate in Parliament on 17 October last year, when he specifically claimed that the candidate 'did not provide a name to police'. Given that the Ombudsman reported that this information did not come from his advisers and did not come from official police sources, and given that the minister has refused to reveal any media source or point to any reporting of this fact, how did he alone get this confidential and accurate police information?

Mr HAERMEYER (Minister for Police and Emergency Services) — The Leader of the Opposition seems to have some difficulty with reading. The Ombudsman's report says firstly — and this is from an interview with Sergeant Murphy at Mill Park police station:

> He stated that, prior to Mr Guy attending at Mill Park police station on 11 October 2002, he had received a telephone call from the *Whittlesea Post*, the local newspaper, requesting that he confirm that Mr Guy had made the report. Sergeant Murphy said that about an hour later Mr Guy attended at the police station with representatives of Channel 7 news.

So it was highly confidential!

The Ombudsman has also stated in his report that the information I received was in the public domain. He also said:

> I have no difficulty — —

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition has asked the question. He should allow the minister to answer.

Mr Doyle interjected.

Mr HAERMEYER — It is in here.

Mr Doyle interjected.

Mr HAERMEYER — So you are accusing the Ombudsman of lying?

Mr Doyle — I am accusing you!

Mr Cooper interjected.

Mr HAERMEYER — Speaker, the —

The SPEAKER — Order! Will the minister hold his fire for a moment? It is not appropriate for the minister and the Leader of the Opposition to have a discussion across the table, nor do I wish for further interjection from the member for Mornington. The question has been asked, and I would like the minister to now have the opportunity to answer it.

Mr HAERMEYER — The Ombudsman has made very clear what information I had access to and that it was totally appropriate for me to receive that information. I refer the Leader of the Opposition back to the Ombudsman's report.

Securing Our Water Future green paper

Ms LOBATO (Gembrook) — My question is to the Minister for Water. Will the minister inform the house of the key recommendations of the Bracks government's green paper on water?

Mr THWAITES (Minister for Water) — I thank the member for her question. It was a pleasure to join the Premier today in launching the green paper which will secure our water future. This is a plan for how we can be much smarter in how we use our water over the next 30 years so that we can meet an increase in population of some 1 million people across Victoria, so that we can look after the health of our rivers and streams and so that we can continue to grow a prosperous irrigation sector that is already leading Australia.

This irrigation sector is leading Australia in terms of efficiency and productivity, and the green paper sets out new opportunities by making the market more flexible, which is something I am sure will receive widespread support throughout the community. The green paper sets out some 80 proposals to help us strike the right balance for people, for the environment and for farms.

For Melbourne we have a three-pronged strategy: first, reducing the amount of water we use as individuals by 15 per cent in the next decade; second, by using recycled water whenever we can rather than pure drinking water; and third, by looking to increase supply, but without building a new dam, which would not only be very expensive but would take water from country communities.

I was very pleased to announce these initiatives today. They include a proposal that new housing developments be required to achieve water savings of at least 25 per cent. New developments can do that by a combination of recycled water through third-pipe systems, by the use of stormwater or indeed by rainwater tanks.

I have also announced today an extension of the Water Smart Homes and Gardens program so that we have additional rebates for people as an incentive to save water. This will encourage people to take on dual-flush toilets, AAA shower roses, high-pressure cleaning devices and a broader range of garden products. There is a pre-Christmas special for people who take on AAAA washing machines and AAA dishwashers. There will be rebates between 1 October and 1 December — that is, $150 for the washing machines and $100 for the dishwashers.

This is about ensuring that we use water more wisely. We are also going to be ensuring that we get much better protection for the environment, and we are going to do it in an environment where we continue to grow our prosperous irrigation industry.

Crime: incidence

Mr WELLS (Scoresby) — My question is to the Minister for Police and Emergency Services. How does the minister justify his claim that crime in Victoria has declined when 307 kids under the age of 17 years were raped last year, an increase of 3.4 per cent; when 369 men over 60 years were assaulted, an increase of 18 per cent; and when 81 women aged 60-plus were robbed, an increase of 17 per cent?

Mr HAERMEYER (Minister for Police and Emergency Services) — A question on policy! The editorial in this morning's *Age* is headed:

> The shock and horror of a falling crime rate. Whipping up community fear when the crime rate is falling offends against the truth.

The opposition is offending against the truth.

The crime rate figures released by Victoria Police and me on Monday show not only that we have a 6.8 per cent drop in the crime rate overall — that is, 2.4 per cent over the last two years — and not only that we have the lowest crime rate in 10 years, they show that crimes against the person are down 3.4 per cent, crimes against property are down 8.3 per cent and drug

offences are down 1.1 per cent. The truth is that the crime rate is falling. The truth is —

Mr Doyle — You did not release the full figures.

Mr HAERMEYER — Oh yes we did!

Honourable members interjecting.

The SPEAKER — Order! The member for Scoresby has asked his question; I ask him to cease repeating it continuously. I also ask the Leader of the Opposition to cease interjecting across the table and allow the Minister for Police and Emergency Services to answer the question he has been asked.

Mr HAERMEYER — The truth is that the crime rate has fallen and is continuing to fall. The truth is that Victoria is easily Australia's safest state. The truth is that the crime clearance rate has also improved to its best performance in nine years. The truth is also that with more police on the streets Victoria Police is processing more offenders. The truth is that there is less violent crime and people are less likely to be victims of crime. The truth is that the government has put over 800 additional police on the street.

The government's answer to dealing with crime and to getting the crime rate down is to increase police numbers, not to sack 800 police like the opposition did when in government.

Infrastructure: government initiatives

Mr ANDREWS (Mulgrave) — Will the Minister for State and Regional Development inform the house of the Bracks government's policies to build infrastructure and to attract long-term private sector investment opportunities for our state?

The SPEAKER — Order! I do not know who writes the minister's questions, but it would be really good if they could make them a little more specific. That is a very general question. I ask the minister to be brief in his response.

Mr BRUMBY (Minister for State and Regional Development) — I think members do need to define their questions a bit better.

Honourable members interjecting.

Mr BRUMBY — I am sure they will heed that advice. Speaker, having said that, it is, of course, an excellent question and I will do my best to answer it.

I begin by saying that the Bracks government is driving investment in Victoria. We are delivering record levels of infrastructure and we are seeing per capita business and public investment in our state at a record high. The reason I say this is that while the government is building new public infrastructure and creating new opportunities for private investment, we have the opposition out there with what seems to be one single policy — to oppose private sector investment in Victoria.

At the weekend I was amazed to see an article attributing statements to the member for Warrandyte, with the member for Warrandyte opposing government and private sector investment in the Commonwealth Games village, opposing private and government sector investment in large parts of the Melbourne showgrounds, opposing the redevelopment of Spencer Street station and the neighbouring part of Melbourne's west, and opposing redevelopment of a prime parcel of land at Docklands. There are billions of dollars of investment involved here, and the Bracks government is getting on with the job of promoting and encouraging this investment. Yet here we have a lazy opposition out there — —

Mr Honeywood interjected.

Mr BRUMBY — Here we get the interjection 'flogging it off' from the member for Warrandyte.

The SPEAKER — Order! I ask the minister to address the question, as opposed to the opposition.

Mr BRUMBY — We all remember who it was who flogged off Victoria's assets.

Mr Perton — On a point of order, Speaker, I think we have been reasonably patient. Question time is for ministers to answer questions relating to government administration, not an opportunity for the minister to use his press release or public relations document to attack the opposition. I ask you to ask the minister to return to answering the question.

The SPEAKER — Order! I uphold the point of order and I ask the minister to respond in relation to Victorian government business.

Mr BRUMBY — When you look at the facts of the matter — and I advise the house of this — the general government net assets in our state in 2000, $16.5 billion; in 2002, $21.8 billion; and the budget forecast for 2007, $28.1 billion. The fact of the matter is the Bracks government is busy building up net assets in our state; the opposition is opposing private sector investment and flogged off key assets during the period of the Kennett government. They are out there opposing private sector investment. The only private

sector investment in Victoria the opposition seems to support is to build a five-star resort at Point Nepean.

Honourable members interjecting.

The SPEAKER — Order! I ask the minister to relate his answer to Victorian government business.

Mr BRUMBY — The latest criticism we have heard of public infrastructure and private sector involvement is of the synchrotron which the government is building at Monash University. I just want to say that the synchrotron enjoys extraordinary support from the scientific community across Australia. Some of the people who have supported the synchrotron are: Professor Peter Doherty, the Nobel laureate; Sir Gus Nossal; Professor Frank Larkins; Dr Jenny Martin, University of Queensland; Professor Rob Lewis, Monash University; Professor Colin Raston, Professor of Chemistry, University of Western Australia; Dr Ian Gentle, University of Queensland; Professor Rob Lamb, University of New South Wales — and the list goes on and on.

The Deputy Leader of the Opposition has made claims — —

Mr Perton — On a point of order, Speaker, the minister is for the second time clearly flouting your earlier ruling. I ask you to discipline him on this point.

The SPEAKER — Order! While I have already reminded the minister twice to respond on Victorian government business, on this occasion I am not quite sure what he was going to say about the member for Warrandyte because he had not got that far. I am more than happy to re-emphasise that the minister should relate his comments to Victorian government business, not opposition behaviour.

Mr BRUMBY — We are getting on with the job and we are building the infrastructure. We have the forward commitments in the budget for the synchrotron. We have let the first contract — which I announced just a month ago with the Minister for Major Projects — to Thiess Holdings for $39.4 million, in fact under budget, under cost. This is a great project for our state.

We have heard some claims but you can assess those claims against the veracity of the claims made today by the Deputy Leader of the Opposition. The fact is the Deputy Leader — —

The SPEAKER — Order! The minister will relate his answer to Victorian government business.

Mr BRUMBY — I am certainly doing that because we are getting on with the job and building the synchrotron. Some of the claims have been made by an individual who is a repeat offender.

Honourable members interjecting.

Mr BRUMBY — You are a recidivist. The Deputy Leader of the Opposition has form.

The SPEAKER — Order! I have asked the minister several times to stop reflecting on the opposition. The minister has now been speaking for a long time. I ask him to conclude his answer now.

Mr BRUMBY — That is a challenge for you, isn't it. $1000 a day. You are a tiger for punishment.

The SPEAKER — Order! I will sit the minister down if he continues to ignore the Speaker. The Treasurer will address his comments through the Chair, and I ask him to conclude his answer now.

Mr BRUMBY — Here is what Sir Gustav Nossal says about the Victorian synchrotron:

> Victoria's decision to fully fund the core elements of the Australian synchrotron, including the bigger, brighter Boomerang 20 machine, is great news for Australian science. This major investment in Australia's future amply demonstrates the Victorian government's vision and leadership in innovation.

The public can back Sir Gustav Nossal or it can back the recidivists opposite.

Bushfires: Emergency Services Commissioner's report

Mr WALSH (Swan Hill) — My question is to the Minister for Environment. I refer to the Emergency Services Commissioner's interim report on last summer's bushfires and the government's response, in which it promises extra staff to work on fuel-reduction strategies. I ask the minister to explain why his department is offering redundancy packages to some of the most experienced officers in its forest management section.

Mr THWAITES (Minister for Environment) — I thank the honourable member for Swan Hill for his question and point out that this is another case of National Party members scaremongering. It is another case where they are making statements without any credibility, another example of where they have no evidence on which to base what they are saying — and what they are saying is plainly wrong.

This government, as the Premier indicated yesterday in his response to the interim report, will be accepting those recommendations and is in fact boosting fire prevention activities before the next summer period. It is employing additional training officers in the regions at risk to train firefighters not only in fire suppression but also in fuel and hazard reduction. It is following up on the recommendations that have been made in the interim report by taking this action. In addition, the government will be taking on the project firefighters early so they can perform additional fire prevention work in the lead-up to next year's summer season.

Contrary to the allegations made by the honourable member for Swan Hill, this government is doing the right thing by following expert advice, and it is doing what it can to ensure that the state of Victoria is protected into the future.

Kew Residential Services: site development

Mr LANGDON (Ivanhoe) — My question is to the Minister for Community Services. Could the minister outline to the house how the redevelopment of the Kew Residential Services site will improve the lives of the people with intellectual disabilities who live there?

Ms GARBUTT (Minister for Community Services) — I thank the honourable member for his question. I am delighted to answer a question that, for once, focuses on people with intellectual disabilities and what this program means for them.

This government has a great record in addressing disability issues. It has increased funding by 48 per cent. It is committed to redeveloping the facility at Kew, which is now an outdated and Dickensian institution. Year after year we have had reports from the community visitors, an independent group that visits Kew Residential Services, telling us that the facility should close. Great progress has already been made: 50 people have already moved out and are doing very well. Their lives are richer, they are getting more support, they are getting out more often and they are making new friends; and they and their families are thrilled with the results. Around 50 people will move before the end of the year, and 60 will move next year.

Residents and their families are involved in every step along the way. They choose where they want to live, the sorts of houses they want to live in, who they want to live with and what support, services and activities they need and want.

We are giving people real choices, and we are planning around individual needs and wants. As a result, people are moving into different types of housing. They have choices ranging from larger six-bedroom houses to smaller units.

Mr McIntosh interjected.

The SPEAKER — Order! I ask the honourable member for Kew to cease interjecting.

Ms GARBUTT — Some of these houses will be located close together, or next to each other, if this is what individuals want and need. We will not be building new institutions, and we will not be segregating people on the basis of their disabilities. Everyone will get to be part of the community. That is our commitment, and that is what we are doing.

Closing institutions for people with disabilities has been the public policy of successive government for decades. To its credit the Kennett government closed many institutions: Mayday Hills in Beechworth, Pleasant Creek, Aradale, Janefield and Kingsbury. All of those institutions were closed with bipartisan support. Sadly the Liberal Party members sitting opposite us today have done a backflip. They have no credibility at all; they are simply scaremongering.

When this government announced the redevelopment of Kew two years ago the Liberal Party, under the leadership of the honourable member for South-West Coast, supported the project. Now it has done a backflip. What is the reason for that? Liberal Party members have turned their backs on people with disabilities. They are more interested in the shifting margins in blue-ribbon seats. There has been a complete backflip by Liberal Party members; they are scaremongering and distorting the truth.

This government guarantees that every person from the Kew facility will move into a new home. They will have more support staff than they had in Kew; their own rooms, which is more than you can say now with 2, 3 or 4 people often sharing a room; a vehicle for every house; access to day services and activities; and access to the medical, dental and other services they need. That is the choice we are giving them. People with intellectual disabilities are writing to me saying that it is — —

Honourable members interjecting.

Ms GARBUTT — They are saying it is important that we close Kew.

The SPEAKER — Order! I ask the Leader and Deputy Leader of the Opposition to stop their continual interjections across the table.

Ms GARBUTT — People with intellectual disabilities want to move out. They are saying that living at Kew is isolating, lonely and boring, and they want a better life in the community. That is what we are committed to doing.

COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL

Second reading

Debate resumed.

Mr DELAHUNTY (Lowan) — I am pleased to speak on behalf of the National Party on the Commonwealth Games Arrangements (Governance) Bill. I thank an honourable member for North Western Province in another place, the Honourable Damian Drum, for the work he has done in preparing the National Party for the debate on this bill and for the discussion we had on it last Monday.

The National Party welcomes and is very excited about and supportive of Melbourne and Victoria hosting the 2006 Commonwealth Games. As honourable members know, this is a very important event, as Melbourne and Victoria have been recognised as the events capital of Australia. In fact, ours is one of the events capitals of the world.

I heard honourable members speaking about Melbourne wanting to be the world's most livable city. I highlight on behalf of the National Party that we want Victoria to be the most livable state. We also want to benefit from major events such as the 2006 Commonwealth Games. Again I highlight the fact that the National Party welcomes and is excited about and supportive of Victoria hosting the 2006 games.

As we know, the bill has many purposes, the first of which is to amend the Commonwealth Games Arrangements Act of 2001. I think this is the third bit of legislation that has been introduced to amend that act. The second purpose of the bill is to establish the Melbourne 2006 Commonwealth Games Corporation. The third is to provide for the corporation's powers and functions. The fourth is to safeguard against the illegal use of any of the Melbourne 2006 Commonwealth Games insignia or images.

The National Party consulted widely in relation to the bill. In fact the people with whom we consulted are mostly heavily involved with and very supportive of the Commonwealth Games; but there are some people, such as the members of the Royal Park Protection Group, who have major concerns about what is going on there in relation to housing development.

An honourable member interjected.

Mr DELAHUNTY — One honourable member says they do not live in Royal Park. The National Party thinks about all Victorians, but it has a real focus on country Victoria, as the honourable member for South Barwon knows, because he travels through country Victoria regularly.

I inform the house that the National Party will not be opposing this legislation. The Melbourne 2006 Commonwealth Games legislation loosely follows the arrangements put in place for the Sydney 2000 Olympic Games. We all remember the great and successful event that was, not only for Sydney but also for Australia.

The Melbourne 2006 Commonwealth Games Corporation is now being established along standard body corporate guidelines. That will be important for the many activities that will take place in relation to advertising and in respect of the many dollars that will be involved in the various processes the corporation will have to go through in the activities of the Commonwealth Games. We trust that after the passage of this bill the corporation will have the responsibility of delivering the games in a more open and transparent process than we have at present.

At present we are being told by this government, 'Trust us'. The government's record so far is not good. For instance, many concerns have been raised by the National Party about the games village. In fact we have had a fairly insipid response from the Premier on issues in relation to valuations of land to do with the Commonwealth Games village. In the past couple of weeks we have seen that the Minister for Commonwealth Games, who has responsibility here that overshadows that of the Minister for Planning, has changed the approval processes for the housing developments that will occur at the village. I think that has increased the height limits for many of the buildings already, so although we have not even started the process, changes have been going on.

Major concerns have been expressed by Victorians about the upgrading of the Melbourne Cricket Ground (MCG), in relation to which the government turned its back on some $90 million offered to it by the commonwealth government. Again it is saying, 'Trust us'. We also have concerns that the government might roll over in relation to the MCG being a smoke-free venue. As a board member of Vichealth I want to make

sure it stays that way, and I trust the government will not weaken on that and will not change the MCG's smoke-free venue status.

Also in relation to the government saying, 'Trust us', there are major concerns in country Victoria. I know that after the last budget many community groups across country Victoria were looking for minor facilities grants under the community facilities funding program, which is administered by the Minister for Sport and Recreation. One group that has worked closely with its council and with departmental officers for the past three years is the Coleraine skate and leisure park. It has been told it has done everything right, but again it has not been given a grant. Again the government — the old 'Trust us' — is letting down these volunteers who have worked very diligently in developing this application over the past three years and who have been knocked back twice. They are fearful, like many other people are, that Melbourne will soak up all the dollars and that therefore the capital expenditure needed for the development of country Victoria will be siphoned away.

Ms Allan — You are mounting a scare campaign, are you?

Mr DELAHUNTY — I can tell the Minister for Education Services that two shires in my electorate, Glenelg and Southern Grampians, applied for minor facilities grants and neither received a grant out of the last budget, so the reality is — —

Ms Allan interjected.

The SPEAKER — Order! The Minister for Education Services!

Mr DELAHUNTY — She will have a heart attack the way she is carrying on — and she is only a young lady!

The SPEAKER — Order! The honourable member to continue with his speech, in relation to the bill.

Mr DELAHUNTY — The Minister for Education Services said that I put in the application. I can assure her that the application was put in by the Coleraine skate and leisure park people — by the type of volunteers who work in many country communities, as the minister should know. That was done in cooperation with the Shire of Southern Grampians and also departmental officers. This government says, 'Trust us', but its record is not good at this stage.

Under the bill the corporation will have its own finance committee. But after looking through the legislation, and from the briefing given to us by the Honourable Damian Drum in the other place, we do not believe there are any safeguards in place to guarantee to the people of Victoria that the cost of the Commonwealth Games will not blow out. This has happened already with the Melbourne Cricket Ground upgrade, given that the government has turned its back on $90 million.

Another key feature of the bill is that it will put responsibility on the corporation to deliver what the government has promised. We support the games, as they are a very worthwhile event, but the government must also work with the Commonwealth Games Federation and the Australian Commonwealth Games Association to provide a world-class major sporting event that not only Victorians but all Australians can be proud of.

As I said, Victoria has a good record. We hosted the 1956 Olympic Games, and the Australian Football League (AFL) finals will be on here in a couple of weeks.

Dr Napthine interjected.

Mr DELAHUNTY — I am afraid a few of them will be interstate. It is un-Victorian to move AFL football out of Victoria. Go Bombers! I am sure they will scream up the ladder. They will roll those Collingwood people this week, and they will have a major impact on the final series, which will eventually come back to being played in Melbourne.

Other major events held in Victoria include the Spring Racing Carnival, which will be coming up again in the near future, the tennis open and many other cultural and arts events. Melbourne and the rest of Victoria do very well at hosting these events.

One other event I would like to highlight is the Stawell Gift, which is one of the major running events in Victoria. I commend the Northern Grampians Shire Council and the Stawell Athletics Club on the great Stawell Gift they ran this year. The track had been extended, and the facilities had been upgraded; it was a fantastic event. It showed that not only Melbourne but also country Victoria can host major sporting and cultural events.

As I said before, the Commonwealth Games will follow along the lines of the Sydney Olympic Games. I had the opportunity to sneak up there at short notice. I was there for only two days — I flew there, stayed one night and came back the next day. I must commend the members of the Olympic Games group in Sydney for the transport services that were provided. They worked very well — one ticket got you everywhere. I also want

to congratulate the volunteers who worked for the Sydney Olympic Games. I am sure Victoria will be able to equal the standard set by the Sydney event.

As other members have said, it is important for country Victorians to be part of this event. Some members spoke about school students wanting to go to the games, and school buses to be used to transport them to some of the major events, such as the opening and closing ceremonies. I ask the government and the corporation to look at ways of facilitating that so that we in country Victoria can attend and support these activities.

Many sporting champions have come from country Victoria. Last night Lauren Hewitt, a great little runner from Bangerang near Warracknabeal, which was in my electorate — —

An honourable member interjected.

Mr DELAHUNTY — Not quite. Most of western Victoria is, but Warracknabeal is not. I send a cheerio to Lauren Hewitt's father, Quentin. Lauren last night ran in the 200 metres semifinal at the world championships being held overseas.

Other great sporting people who have come from country Victoria include Shane Kelly, of Ararat, and, as the member for Benalla has informed me, Matthew Gray, an archer who is ranked 42 in the world — and he is a likely candidate for selection to participate in the Commonwealth Games. I would also like to congratulate Bayden Cooke, who comes from Benalla and who was the sprint champion of the Tour de France. Many sporting champions have come from country Victoria, and no doubt many others will be looking forward to being involved in the Commonwealth Games in Melbourne in 2006.

Part of the bill deals with other activities such as the promotion of Melbourne and Victoria. We have many good training facilities across country Victoria, which I am sure the Commonwealth Games athletes be able to use. I ask that we are given the opportunity to encourage tourists to country Victoria. There will be times when visitors will want to go to the Grampians, the many national parks like the Little Desert National Park and also the Harrow sound and light show. They might even want to go to the Harrow Beaut Blokes weekend! I am sure another couple of those will be running before the Commonwealth Games.

The bill also covers the things the corporation will be responsible for — and the functions and contract obligations will be within its powers. We all know that the games budget is about $1.1 billion, but there is no mention in this bill or in other legislation we have seen of the budget that the corporation will have to work with. That is something the parliamentary secretary, or whoever is following me in the debate, may want to comment on. What budget will the corporation have to deal with?

The corporation is given powers under the Borrowing and Investment Powers Act 1997, but we do not know if there are any limits to them. We ask the government whether there will be any limits under the Borrowing and Investment Powers Act that the corporation will have to operate within. The bill states that it will have to consult with the responsible minister, the Minister for Commonwealth Games, and also the Treasurer. But it does not state in black and white whether there is any upper limit on the borrowing capacity of this new corporation.

The management of the corporation is the responsibility of the board of directors. I am not sure, on my reading of it, whether there will be any country representation. I ask that consideration be given to having country representation on the board of directors.

Under the bill the corporation must comply with the directions of the minister and also inform the minister — —

An honourable member interjected.

Mr DELAHUNTY — I could do a very good job at performing that with my sporting background and interest in country Victoria! I will refer to some of the clauses of the bill.

The explanatory memorandum to the bill says that proposed section 4Q, to be inserted by clause 7, provides that:

> … the powers of the corporation do not include a power to exempt a director from, or to indemnify a director against, any liability that would otherwise attach to the director in respect of a wilful breach of duty or wilful breach of trust in relation to the corporation.

There is a little bit of gobbledegook. I am not a lawyer, but I ask: is this similar to the legislation that has gone through this place which has taken away the protection from board members and directors of water authorities and the like — other statutory authorities which have now lost that protection? Again I believe it will force a bigger cost onto organisations such as water boards to take out insurance in relation to that.

But proposed section 4Q also provides that:

> … the corporation's powers do not include a power to pay a premium in respect of a contract of insurance insuring a

director against any liability (other than one for legal costs) that would otherwise attach to the director in respect of a wilful breach of duty or wilful breach of trust.

So again I highlight the fact that there seems to be a little bit of a difference with other statutory authorities in Victoria such as the water authorities, which are not protected in relation to the duties of their board directors.

I want to talk about other proposed sections in the short period of time I have. Proposed section 4S offers the directors of the board personal immunity providing their actions or inactions are deemed to be in good faith or that any liability resulting from the act of an individual board member is attached instead to the corporation. I would love some more comment on the differences between this and other statutory authorities in Victoria.

Proposed section 4R outlines the various committees that will be set up by the corporation. To my understanding the corporation will be able to set up as many committees as it likes, and the membership and functions will be determined by the corporation. Proposed section 4V transfers existing board members from M2006 to the new corporation, including the chair and deputy chair. Proposed section 4X, to be inserted by clause 8 of the bill, and the following provisions deal with the transfer of assets and liabilities from M2006 to the new corporation.

Clause 11 of the bill, which inserts definitions into section 3(1) of the act, deals with games-related indicia and images. The use of the games logos is very important. There needs to be cooperation between the corporation, the Australian Commonwealth Games Association and the Commonwealth Games Federation on games logos. As we know, the corporation must be notified whenever any of these logos are used, and anyone who is authorised to use logos must, under this act, be registered by the corporation with the name, date and the duration of the use of those logos.

Proposed section 56L will stop people engaging in conduct which leads to others believing they are sponsors of the games. It is important that that takes place.

The Magistrates Court will be involved with this, and I know many magistrates are looking forward to adjudicating on this. I also want to say that proposed sections 56V, 56W, 56X and 56Y deal with the seizure and forfeiture of goods and the compensation issues that will be involved.

We in the National Party still have some concerns about the Commonwealth Games, including, as I highlighted before, the valuation issues of the land at the games village. We also have concerns under the planning issues that have been given to the Minister for Commonwealth Games, and the fact that those planning controls continue for five years after the staging of the Commonwealth Games. We still do not see the justification for that. We are very concerned also about the fact that Commonwealth Games compensation issues have been not written off by a section 85, because the government would not be game to do that. But you would not believe it — it has put a limit of $400 on the maximum amount that can be claimed in compensation by any person or business being aggrieved because of that. Four hundred dollars is not even going to pay for the cost of the application. So again I think the government would be very embarrassed about this issue.

I say in summary that we do not want to forget that it was the previous government's achievements that enabled these games to be brought to Victoria and to Melbourne. The implementation of that proposal now falls to this government to ensure that these games are conducted in a way that benefits Victoria's reputation for major events. The benefits of these games will be distributed right across the state.

As the member for Lowan and as a proud Victorian I want to see the best Commonwealth Games ever held, and I hope we get many representatives and supporters from the 72 countries that are eligible to attend. But importantly I hope we as Victorians will also support our Commonwealth Games athletes in the best way we can. This was highlighted in Sydney with the support given by a very parochial Australian crowd — they did extremely well. Sydney did it very well for the Olympics.

I would like to finish by saying that I trust Melbourne and Victoria can do equally as well as Sydney did with the Olympic Games, and I wish the corporation all the best on behalf of the National Party and country Victoria for all of their operations in the lead-up to the Commonwealth Games.

Ms GILLETT (Tarneit) — It is a privilege to be able to make a contribution this afternoon to the Commonwealth Games Arrangements (Governance) Bill. I would like at the outset to thank the members for Sandringham and Lowan for their indications of support for this bill. Though they did range widely in their contributions, the most important thing is that both parties in opposition have given their support to this particular piece of legislation.

The bill does two things essentially. The first is to create the Melbourne 2006 Commonwealth Games Corporation. The Commonwealth Games organising committee creates a statutory corporation, and that statutory corporation essentially is the successor in law to Melbourne 2006 Pty Ltd.

The first part of the bill sets out the functions of the corporation. They are to enter into agreements which govern the planning and delivery of the games, to undertake the organising, conduct, management and promotion of the games, and to do, obviously, all things necessary for or in connection with the conduct and the financial and commercial management of the event and all of the programs that surround the event. To ensure that the games continue to be delivered in accordance with the games contracts, the bill also provides that the corporation can carry out its functions in accordance with the contracts under which the corporation is authorised to organise, conduct and market the games.

The powers of the new corporation are set out in proposed section 4G. The corporation has the necessary borrowing and investing powers. The member for Lowan should look at proposed section 4I, which indicates what those borrowing and investment powers are, and it should calm any of his concerns.

To continue the existing arrangements relating to the conduct of the board, division 3 of the bill sets out the responsibilities of the board of directors of the corporation providing for membership to be determined by the Governor in Council on the recommendation of the minister and ensuring that the board consists of nominees from respectively the Commonwealth Games Federation (CGF), the Australian Commonwealth Games Association (ACGA) and the state in accordance with the current constitution of the organising committee. I reassure the member for Lowan that there is broad representation on the board of directors.

Proposed section 4L provides that the board must provide information to the minister as the minister reasonably requests. Proposed section 4M provides that the minister may from time to time issue directions to the board as is necessary for the good conduct and creation of the games.

Proposed section 4N establishes the duties of the directors of the board. Proposed section 4O provides that if a person contravenes his or her duties as established under proposed section 4N, that the corporation or the minister may recover from that person any profit or damage that has been caused. Proposed section 4Q provides the power of the corporation to indemnify an individual officer consistent with the principles of the Corporations Law.

Proposed section 4S provides an immunity — a very important immunity — for board members where those board members have acted in good faith. Not where there has been an act that has been in any way, shape or form prejudged, premeditated, wilfully damaging or destructive but where the member has acted in complete goodwill, that member will be indemnified from further legal action.

Clause 9 inserts schedule 2 into the principal act. This schedule sets out the membership and procedures of the board. Most importantly, to protect the state's financial interest it is necessary to provide an appropriate legislative framework protecting the commercial interests of the organising committee, the ACGA and the CGF. The commercial protection proposed by these amendments is, as has been said by other speakers, similar to that provided for the Sydney Olympics.

The bill necessarily and specifically prohibits the use of such games logos and insignia, and ACGA and CGF indicia and images without authorisation. The bill also prohibits the use of Commonwealth Games references without authorisation where the use implies an association with the Melbourne 2006 Commonwealth Games that does not exist.

The legislation does not intend to regulate the use of Commonwealth Games references that can be regarded as ordinary uses of the language, such as for educational purposes. It is only an offence under proposed sections 56L and 56M to use Commonwealth Games references where the use suggests a sponsorship, association or affiliation with the Commonwealth Games that does not exist. This should ensure the public interest is maintained as well as the integrity of the sponsorship arrangements. There have been serious investments by those sponsors and they deserve to be protected.

To further protect the public interest, proposed section 56K provides that certain people can use Commonwealth Games references without seeking authorisation for non-commercial purposes. This allows people with a legitimate association with the games, such as institutes of sport and sports associations affiliated with the ACGA, to use Commonwealth Games references without seeking authorisation, the assumption being that that adds to the promotion of the Commonwealth Games and that the associations and the institutes of sport seek nothing for themselves out of an association with the games but simply add value to the promotion of the Commonwealth Games.

A publicly available and searchable register of authorised persons will be managed by the organising committee to ensure that the public interest is maintained. The public register will be similar to the authorisation register for the Sydney Olympics.

I cannot conclude today without letting a couple of comments from the members for Lowan and Sandringham go unanswered. This government has not turned its back on $90 million from the federal government. The federal government had attached inordinately inappropriate strings to that $90 million.

I would urge the member for Lowan and the member for Sandringham, being the powerful and influential men that they are in their respective parties, to talk to their federal colleagues and urge them to get on board for Victoria. I would urge the members for Lowan and Sandringham to stop sticking up for Canberra and to start backing the best state in Australia, which is this one. The best Commonwealth Games to have been held in Australia will be held in Victoria in 2006. It would make a huge difference, both in fact and as a matter of perception, if Victorians could see the federal government coming in and supporting our huge efforts to ensure that these are, indeed, the best Commonwealth Games ever.

I would ask the member for Lowan and the member for Sandringham to talk to their federal colleagues and get on board — to ask them for the money.

Dr Napthine — Well, comply with the law!

Ms GILLETT — Whose law? Speaker, I know it is unruly to interject and it is silly to respond to interjections that are as silly as that one was.

I would ask the members to use all of their influence to help the commonwealth government understand how important it is for it to come on board, not just with its good wishes but with the cold, hard cash to make these games as special as they possibly can be.

I need to say also, just to reassure members, that there are very onerous and appropriate safeguards both for the state and for the corporation itself in terms of its reporting and accountability.

As was alluded to by the member for Sandringham, they are bound by the Ombudsman and the Audit Act, so there is a strict range of legislative and non-legislative boundaries that ensure the corporation itself is able to be open and accountable. There is no point in producing the best Commonwealth Games if there is a cloud under which they are delivered. This government is committed to making sure these games are an outstanding success financially, socially, environmentally and culturally.

Debate adjourned on motion of Dr NAPTHINE (South-West Coast).

Debate adjourned until later this day.

NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL

Second reading

Debate resumed from 5 June; motion of Mr THWAITES (Minister for Environment).

Mr PLOWMAN (Benambra) — The National Environment Protection Council (Victoria) (Amendment) Bill is really a bill which is complementary to the federal act which was introduced in 1994. That act deals with environmental issues of national importance and introduces the National Environment Protection Council, which is comprised of a minister from each state and territory and the federal minister. The complementary legislation was introduced in 1995 to establish the council, as it was in every other state. The council is based in Adelaide and 50 per cent of its cost is funded by the federal government. The council meets about twice a year, and sometimes up to six or eight times a year, to determine those environmental issues which are of some national importance.

The council looks at two major issues. The first is the environmental protection of all areas including water, soil, air and noise pollution. The second issue it is there specifically to look at is to ensure that the interests of the business community are not distorted through the environmental standards applying across state borders nor markets fragmented by different environmental requirements across state borders.

The council sets the environmental standards nationally. An example is the standards for air pollution set in 1988, specifically lead and sulphur. The standards are not specifically for point source pollution. The Environment Protection Authority in Victoria has responsibility for point source pollution to ensure that the standards are met within the state. The standards are set to be met within the state, and we can take as an example the air quality standards. There are periods when those standards are going to be exceeded, but that is accepted by the council. Those periods when the standards may well be exceeded are times such as we experienced last summer with the bushfires and the

smoke, which were, I think, unparalleled in the history of Victoria, certainly since white settlement.

Other occasions include smog alert days, when there is insufficient wind to carry away the air pollution that is present and therefore there is a build-up, and nothing can be done to reduce that level of air pollution. So there is an opportunity for those occasions of exceeding the limit to be accepted. It is my understanding that although water quality standards have not yet been introduced by the council, those standards will be introduced in the next few years. It is important that water standards are introduced relatively quickly, because a lot is happening in the water industry at the moment and the two need to be complementary.

The other interesting area of pollution is dealt with under hazardous waste, and that too is covered by the act. It is largely to do with things like the transport of hazardous waste across the state and across state borders and the need to have standards which are complementary to each other so that there is a way of keeping a set of standards that mean that the environmental wellbeing of all states is looked after. The standards are set through what are called national environment protection measures, or NEPMs — which is probably the most difficult acronym I have seen, but that is what they are called. Some people seem to be able to get them out quite easily, but I have quite a bit of trouble with that one. The NEPMs become law in every state and territory.

In the initial 1994 federal act there was a statutory requirement for a review to occur after five years, and that review of the council was conducted in 2001. It suggested two changes by way of minor variations to the national environment protection measures and also the continuation of the five-yearly reviews. It is important to note that when the initial five-yearly review was done it was recognised that not sufficient time had expired for those standards to be evaluated, and on that basis there was an essential need for a rolling review every five years to ensure that those standards were meeting the requirements and objectives set through the federal legislation and the complementary state legislation.

The 2001 Council of Australian Governments meeting proposed that the Environment Protection and Heritage Council should join with the National Environment Protection Council and that their meetings should be held together. As a result it was decided that there needed to be some mechanism for the joint meetings to be properly staffed and serviced. The three amendments to the commonwealth legislation went through in December 2002 and will be put in place on 20 December 2003. That time variation is to give the states the opportunity to introduce their complementary legislation.

For the three amendments made by the bill I will run briefly through what is there currently, what is proposed and the rationale for the changes. The first one deals with a streamlined process for minor variations to national environment protection measures. Currently all the variations have to undergo an extensive impact assessment and consultation process. If a minor variation is required, it seems inappropriate to have to go through a process that can take some months. If I could just give an example of that: I was talking before about hazardous waste. The documentation required for hazardous waste could well be updated to meet the new recording standards, and in a case like that there is no real need to go through the whole process all over again, with every state having to go through the process it would have to go through if a new measure were being introduced. A minor change has been recommended, and that is proposed as one of the major amendments made by this bill.

Public consultation is still required, but that is restricted to one month, whereas at present consultation could take up to or in excess of two months. The safeguard in respect of minor variations is — and it is something I got reassurance on when I was getting the briefing — that when the council determines whether that variation is minor and not substantial there must be a unanimous vote of every member of that council. That is a reasonable check and safeguard to ensure that something untoward is not going to slip through without the proper level of consultation.

The second amendment is one that I mentioned before, and that is the introduction of the five-yearly reviews, which will continue on a rotating basis. The current situation is that the first review was to be conducted after five years but there were to be no further reviews after that. When the initial review was done it was determined that not enough of the NEPMs had been operating long enough to be able to measure their effects and it was clear that there was a need for further review, and it is important that the reviews are introduced on a five-yearly basis from hereon in.

The third amendment deals with the administrative capacity of the service corporation. As I said, with the merging of those two bodies it was important that the service corporation be given the statute responsibility to service those joint meetings. It is proposed that the National Environment Protection Council service corporation will have the capacity to provide secretarial services to those joint meetings.

There has been no opposition from any of the states or territories to any of the amendments to the National Environment Protection Council (Victoria) Act. In fact the Australian Capital Territory and Tasmania have already passed complementary legislation. With that thought in mind I, on behalf of the opposition, support the amendments and the passage of this bill before the house.

During the briefing I was assured that the minor variations needed to have unanimous support. The other issue I raised was about the submissions received as a result of the draft of those proposed minor variations going out. Under new section 22C, to be inserted by clause 7 of this bill, the council is required to have regard to any submissions. I was concerned that having regard to them might not be sufficient to ensure that those submissions get the response they deserve, but I was assured that those submissions — if they were substantial — certainly would have an effect on the council in determining whether the minor amendments are accepted or reconsidered.

I believe all those minor variations should be mandated to be in the annual report that the council is required to put out. Again I was assured that those minor variations would be registered in the report. In that respect there is every justification for thinking that any concerns the community might have are covered by these measures. As a result, on behalf of the opposition I support the bill.

Mr JASPER (Murray Valley) — The National Environment Protection Council was established under the National Environment Protection Council Act in 1995. It is interesting to look at the background to the development of this council. I refer to the debate in the Legislative Council on 21 March 1995 when the bill was introduced by the then Minister for Conservation and Environment, the Honourable Mark Birrell. I think it is worthwhile reading into *Hansard* the comments he made in his second-reading speech:

> The intergovernmental agreement on the environment was signed by all Australia's first ministers in 1992.
>
> …
>
> In February 1994 the Council of Australian Governments reiterated its support for the intergovernmental agreement on the environment and its timely implementation. National environment protection measures aim to give all Australians the benefit of equivalent environment protection wherever they live and ensure that business decisions are not distorted and markets are not fragmented by variations in major environment protection measures between Australian jurisdictions.
>
> …
>
> The National Environment Protection Council is empowered to make measures to control: ambient air and water quality; assessment of site contamination; environmental impacts associated with hazardous wastes; the reuse and recycling of used materials; and noise where variations in measures would have an adverse effect on national markets. In accordance with a memorandum of understanding, the council will work with the National Road Transport Commission to establish measures for motor vehicle emissions.

Further on in the second-reading speech the minister refers to the requirement for annual reporting from the organisation:

> The annual reporting process will make council members accountable to the Australian community for their environmental performance. For the first time, Victorians will be able to clearly contrast the high environmental quality they enjoy with that in the remainder of Australia.

That was the introduction of this legislation into the Victorian Parliament, and there was complementary legislation across Australia. The interesting part is that the standards are set through the development and implementation of national environmental protection measures, which the member for Benambra indicated some difficulty pronouncing. I join in his concern, so I will keep repeating it in full, or perhaps call it the NEPMs. The NEPMs are broad framework-setting instruments that set agreed national objectives for protecting or managing particular aspects of the environment. The NEPMs are a vehicle through which national environment protection issues can be addressed in a cooperative manner. That has been the development that has taken place over several years with the council.

The National Party supports the council in the work it is doing, not only as a council but also in bringing all the state governments on board. The legislation which we are debating today is complementary legislation to that produced by the council and supported by the state governments and the federal Parliament.

As was indicated by the member for Benambra, the review which was undertaken in 2000–01 came up with the changes and proposals for implementation, and this legislation is a response to the investigation which has taken place.

I note in the information provided to me that six measures have been made by the council to date. It talks firstly about a measure for a national pollutant inventory; secondly, a measure for ambient air quality; thirdly, a measure for the movement of controlled waste between states and territories; fourthly, a measure for used package materials; and fifthly, a measure for the assessment of contaminated sites. I was quite interested in reading about that issue, because I believe that

perhaps the Leader of the National Party will want to make a contribution on that in relation to this legislation and the current concerns about the proposal to establish a hazardous waste site at Dutson Downs in his electorate of Gippsland South. The sixth measure on which they indicate work has been undertaken is the measure for diesel vehicle emissions.

Those are some of the issues which have been dealt with by the council, and it has been able to get agreement between the council and the federal and state Parliaments. In looking at the legislation before us, again as was indicated by the member for Benambra, the second-reading speech states that three amendments to the National Environment Protection Council (NEPC) Act are proposed in Victoria. They are modifying the process for minor variations in national environment protection measures, providing for a five-yearly review of the NEPC Act and providing administrative functions for other ministerial councils, such as the Environment Protection and Heritage Council.

I acknowledge that it could be indicated that these are minor and not major amendments to the act, but of course there has been agreement between the states and the commonwealth government. I indicate clearly that as far as the National Party is concerned some of these issues are not quite as minor as is indicated in the second-reading speech.

Before commenting on the amendments before the house I want to indicate as a member who lives along the border between Victoria and New South Wales that border anomalies are critical in relation to this council. Whilst the establishment of the border anomalies committee in 1979 has over the years seen a lot of changes implemented, and in fact the elimination of a number of border anomalies between Victoria and New South Wales and other states, there is still a great range of anomalies that need to be addressed. The importance of the National Environment Protection Council as I see it is in looking at these issues on a national basis and then getting consent from the other states so that there can be implementation of protection measures which will be uniform across Australia.

Again in the second-reading speech the minister particularly talked about the government's environmental credentials. I suggest that some of those environmental credentials have been brought into question when we look at the issue of the hazardous waste proposal at Dutson Downs, when we look at the proposals for wind farms along the Victorian coastline and the concerns that they raise for many people living in those areas, and when we look at the major bushfires in north-eastern Victoria — at the implications of the fires and the work that needs to be done by the Victorian government to ensure that we do not have that disastrous situation facing us again in the future.

The report which was presented to the Parliament only yesterday on the investigation into the bushfires in north-eastern Victoria makes clear the major recommendations for changes into the future, particularly for fire control measures which need to be implemented in forests and national park areas. I believe that the government does have responsibilities in the area of the environment and the damage to the environment that has been caused by government actions in the past.

Whilst I acknowledge that there have been movement and improvements in the environment and in the acknowledgement of the difficulties that we face in the state of Victoria, certainly the government has a long way to go in some of the areas I have mentioned. Again looking at the considerations on the border between the two states and the issue of water — which has become a huge issue in the Parliament and indeed for all of us living within the state of Victoria — we have great issues in relation to the Murray River.

But I want to put on the record that we need to get balance in all the things we do and in the changes which are implemented to ensure that we maintain balance and that all parties are protected in any changes we wish to have implemented. Indeed I am a supporter of extending some of our dams in north-eastern Victoria to provide extra capacity, which has not been supported by the Murray-Darling Basin Commission or by Goulburn-Murray Water at this stage on the basis of the cap which was implemented in the mid-1990s in relation to the provision and supply of water for the Murray-Darling Basin system.

But I am clear in my mind that if we could extend the storages we could ensure water availability and would be able to provide that water when it was required — whether that be for irrigation, for town supply or indeed for environmental flows, which is one of the huge issues for discussion today. In my electorate of Murray Valley we saw the situation where the Rural City of Wangaratta was in a desperate situation in respect of its water supply on the basis that there was not enough water coming down from the Buffalo Dam or Lake William Hovell. These are the issues that I believe need to be addressed when we look at the environmental flows that are being talked about down the streams and in the Murray-Darling Basin in particular.

The National Party has undertaken some investigation into the amendments before the house and has some responses to the three particular amendments we are looking at. In relation to the five-yearly review of the act, the National Party certainly supports the proposition that there should be a review of the act. To do that on a five-yearly basis, or indeed on occasions when it is required, would be supported by us. We need to understand that annual reporting of the council needs to be provided for in the legislation.

We would support the National Environment Protection Council being able to look after other related ministerial councils such as the Environment Protection and Heritage Council. The other issue raised concerns modifying the process for minor variations of national environment protection measures. The National Party has some concerns about that. I quote from a letter from the Victorian Farmers Federation, which expressed some concerns about that amendment before the house. The president of the VFF, Paul Weller, wrote to the Deputy Leader of the National Party, the member for Swan Hill. It is important that I put this on the record. Mr Weller states:

> The VFF believes that variations to national environment protection measures need to go through the full RIS process. It is a suitably transparent and consultation process for regulatory changes.

I understand the point the federation is making. Parliament should recognise that if there are to be changes, even though they may be minor, they need appropriate support from state and federal governments but only after a full consultation process. Over the years that I have been in the Parliament I have seen changes implemented by legislation or regulation where the general public was not aware of them. Only when the changes became law did people realise that they affected a particular group in the community. There should be a full consultation process. I understand the regulatory impact statements provide for the review of regulation, which is an important process.

In the 1980s Victoria was the leader in implementing changes to the regulatory review process. It implemented regulatory impact statements which gave people the appropriate time and consultation period to allow responses to the various changes proposed by government.

The letter from Mr Weller goes on to state:

> The VFF believes it is essential that parliaments be required to continue to use this process for all variations to regulations, including for national environmental protection measures to ensure that affected industries and communities have the opportunity to comment on proposed changes.
>
> If the regulation amendment process can be changed from full RIS to a one-month advertisement for environment protection measures, eventually these lower standards will be adopted in other areas. Such a result would see approval of regulations removed further from parliamentary oversight and approval and deliver more power to unelected departmental bureaucrats.
>
> Irrespective of the issue of RIS, the definition in the bill of a 'minor variation' does not explain what a minor variation is. Under this definition a 'minor variation' could mean any variation the committee saw fit to make consistent with the national agreement. The VFF believes that this definition must be clarified.

The National Party seeks from the minister responsible for the legislation and the government an explanation of 'minor variation' and how it will be implemented. If there are queries about this, they should be raised with the council, with other states and the commonwealth government to get a better interpretation of it.

The bill provides in clause 4 a definition of 'minor variation'. A 'minor variation' is defined as:

> … in relation to a national environment protection measure, means a decision made under section 22A(1) to vary a national environment protection measure.

Clause 7 inserts new division 2A. Under the heading 'minor variation measures' proposed section 22A(1) states:

> The council may vary any national environment protection measure if —
>
> (a) the variation is supported by a unanimous resolution of all of the members; and
>
> (b) the resolution states that the variation does not involve a significant change in the effect of the national environment protection measure.

Proposed section 22B(3) states:

> The period specified in each notice under sub-section (1) must end no less than 1 month after the day on which sub-section (2)(b) has been fully complied with in all participating jurisdictions.

They are the concerns expressed by the Victorian Farmers Federation. I think credit should be given to the investigation that the federation has undertaken into the legislation and of this particular aspect of it. In relation to that the government should give a further explanation and make representations to the National Environment Protection Council to ensure that we do not get a situation as detailed by the information provided in the letter by Mr Weller.

The National Party will not oppose the legislation, recognising that the government indicates there are three minor amendments to the act. However, I believe

we do need to take note of the representations made to us and in particular where variations have been made to national environment protection measures, that we have a full regulatory impact statement on changes that may be introduced.

In closing I indicate that while supporting the legislation and the amendments there are critical issues in relation to border anomalies and actions taken by governments jointly not only with environment protection but also in other areas to ensure uniformity, which will assist all of us living in Australia and those of us living on the border between Victoria and New South Wales. The National Party will not oppose the legislation.

Ms LINDELL (Carrum) — It gives me great pleasure to speak on the National Environment Protection Council (Victoria) (Amendment) Bill, and it is a pleasure to follow the honourable member for Murray Valley in debate. It is not a common practice that I get this opportunity, but it is certainly a delight.

The bill makes three minor amendments to the original National Environment Protection Council (Victoria) Act 1995. The first amendment looks at minor variations to the national environment protection measures (NEPMs). The second amendment institutes five-yearly reviews of the act, and the third gives force to the practicalities of the National Environment Protection Council (NEPC) service corporation providing secretariat services to joint meetings of the National Environment Protection Council and the national Environment Protection and Heritage Council.

The original commonwealth National Environment Protection Council Act establishing the council was passed in 1995. The council comprises ministers representing each state and territory as well as the commonwealth government. It signifies a cooperative approach by all jurisdictions to address environmental protection issues of national importance. The council was originally constituted under commonwealth legislation, and mirror legislation passed by all states and territories ensures that wherever we live in Australia we benefit from the same protection from water, air and soil pollution. We see many examples of commonwealth legislation that is then mirrored in the states coming from the Council of Australian Governments (COAG) arrangements.

The National Environment Protection Council provides a stable regulatory system where business decisions are not disturbed by variations between jurisdictions. In his contribution the member for Murray Valley spoke about the difficulties we have along the Murray River on our border with New South Wales and how difficult things can be when different arrangements are in force in different states.

The process that achieves the aims of the National Environment Protection Council is the development of national environment protection measures — I think NEPMs is the term, but it is one for the linguists. It certainly is not an easy acronym to pronounce. To date national environment protection measures have been developed for a number of areas including air standards, control of the movement of hazardous waste across Australian jurisdictions and agreed methods for assessment of contaminated sites.

Under the original act a review was required to be undertaken five years after the establishment of the National Environment Protection Council. That review was duly conducted in 2000–01. The *Report of the Review of the National Environment Protection Council Acts (Commonwealth, State and Territory)* of 29 June 2001 states, among many other things, that:

> The need to meet environmental challenges at a national level remains as large as ever and the review of the acts presents a timely opportunity to build on nearly a decade of experience under the Intergovernmental Agreement on the Environment (IGAE) and five years experience with NEPC and NEPMs.

The report further states:

> We would go further in concluding that in five years NEPC has made significant progress on matters of national priority in environment protection. The NEPMs on ambient air quality; movement of controlled waste between states and territories; the national pollutant inventory; assessment of site contamination; and used packaging materials are making a real contribution to providing equivalent protection from pollution to all Australians.

The review recommended two of the amendments contained in the bill we are debating today. One of the recommendations was the introduction of five-yearly reviews of the legislation. This will enable ongoing review and further development of national environment protection measures on diesel emissions and air toxins and further work on the ambient air national environment protection measure. The review also gave rise to the amendment introducing a streamlined process for making minor variations to NEPMs.

The outcome of the review was considered by the National Environment Protection Council, and amendments were made to the commonwealth legislation in December 2002. The states and territories are expected to mirror the changes to the commonwealth act within 12 months. That is part of the issue I would like to take up with the member for

Murray Valley. The state has a responsibility to pass these amendments to ensure we stay in line and conform with our obligations under COAG. In regard to the minor amendments, what has come from the review and the council itself is the decision that a non-significant variation to a national environment protection measure is one that is unanimously agreed to by the council, including all states and territories and the commonwealth government. If just one council member believes a variation is not minor but is significant or has significant effects, that variation will need to go through the full variation process.

There is another safeguard, and that is that the minor variation must still go through a public consultation process and the council must have regard to the submissions made. The importance of the amendment to allow minor variations to national environment protection measures relates to practicality and workload. It will ensure that the council spends its time developing significant outcomes for environmental improvement rather than being caught up in very minor, technical and time-consuming matters that would be allowed if all parties were in agreement that they were technical in nature or minor in significance.

The third proposed amendment in the legislation is an administrative one that will allow the National Environment Protection Council service corporation to provide secretarial support to the joint meetings of the National Environment Protection Council and the new Environment Protection and Heritage Council. It is obviously a non-contentious issue, one which makes complete commonsense. It is a streamlining of administrative processes. I have great pleasure in commending the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until later this day.

CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL

Second reading

Debate resumed from 6 May; motion of Ms GARBUTT (Minister for Community Services).

Mr PLOWMAN (Benambra) — Anyone who has any background in private or public land management recognises that the Catchment and Land Protection Act is significant in the management of all land, both private and public, and therefore the bill which amends that act is equally important. When you look at some of the statistics it becomes clear.

There are in excess of 1000 noxious weed species across Victoria. With your knowledge of the Mallee, Acting Speaker, you would understand that there are predominant weeds which affect the cropping regimes and also invade public land, yet those weeds are totally and absolutely different from the weeds which have similar properties that invade north-eastern Victoria in high rainfall areas. There are urban weeds, weeds outside of the state which we need to keep a close eye on, and weeds outside of the country which, if they were to get a hold in Australia, would be disastrous.

The 1000 weed species we have create about $360 million-worth of damage annually to agriculture and our natural resources. It is essential that we look closely at the management of public land when considering the damage invading weeds do to our public land. Probably nothing has a greater effect on biodiversity, particularly on public land, than the invasion of weeds. They are certainly deemed to be the second greatest threat to biodiversity, second only to habitat loss which is worldwide.

The other interesting statistic is that ugly noxious weeds in Victoria comprise 28 per cent of all flora species, which is an incredible statistic. It is of concern that we have such a high percentage of those noxious weeds when trying to protect our flora.

The other issue dealt with in the bill is pest animals, which include wild dogs, foxes, feral pigs and goats. I would certainly include rabbits in that pest animal category. These species are estimated to cause about $120 million-worth of damage to agriculture and the environment. If that is added to the $360 million damage annually from noxious weeds then it is about $500 million-worth of damage happening every year.

The impact of biodiversity, particularly in respect of predation, is of concern. I noted in yesterday's *Age* that three species of birds are singled out as being highly threatened, one of which was the plover. I can recall in my youth that the plover used to be prevalent in north-eastern Victoria, but because they are land based and a land-nesting animal they are subject to the predation of foxes. The damage done by some of these pest animals, most particularly foxes across the board and wild dogs on public land, has a very severe impact on the biodiversity which we are all desperate to maintain. They also have a significant impact on the destruction of native habitats. When one considers the damage that wild pigs can do, it is essential that we control them before they carry out that damage on both private and public land.

The government commitment to weed and pest control must be questioned. The majority of these recommendations came from the parliamentary Environment and Natural Resources Committee (ENRC) in 1998 when that committee was chaired by David Perrin, and approximately 18 months ago the previous minister introduced what was called a framework for action. But the fact that nothing has happened in all that time — and only now has this bill been introduced — shows a real lack of interest by this government in weed and pest animal control programs.

It is extraordinary that this bill was on the notice paper for some weeks before the end of the last sitting and was not deemed to be important enough to get through Parliament. I remember how quickly some bills went through Parliament in the last sitting. I am sure that if there were any real desire by this government to introduce the changes that are necessary and the changes that were determined by the ENRC as early as 1998, this bill certainly would have gone through before now.

It is important to say that, because those of us who are country based recognise the importance of both weeds and pest animals to our environment and certainly to the returns to primary industry. It is essential that governments of all persuasions take these issues very seriously and act accordingly.

The bill introduces a single-step approach to the issuing of land management notices. I ask again: how long have we been asking for this? The land management notices have always attracted criticism because of the difficulty of applying them, so although I appreciate the fact that the government has brought in this single-step approach, it has been a long time in coming. It is clear that it is one of the reasons so few prosecutions have been conducted in the state. Unless we do have prosecutions we are not really taking the weed management issues seriously in Victoria.

It is also clear that the predation of pest animals equally tends to get overlooked. Certainly in respect of the damage wild dogs are doing in north-eastern Victoria, in Gippsland and in other areas of the state, the predation of wildlife is one of those issues that is grossly underestimated. It is certainly not properly appreciated by either government or the general public.

I should also say that the issuing of that land management notice under a single-step approach is not for a state-prohibited weed but rather for those other weeds that are to have the land management notices applied to them. The existing system requires a directive, and it can take up to 60 hours to prepare a brief. All of these things are time hungry, which reiterates the suggestion that we are not getting sufficient prosecutions to make a difference to weed management throughout Victoria.

The bill also increases penalties for non-compliance of land management notices. That is an excellent change, particularly when we look at issues such as serrated tussock. In north-west Melbourne there are examples of where serrated tussock is taking over whole areas. It is interesting that some landowners are working hard to keep their properties clean whereas right alongside them there are properties covered fence to fence in serrated tussock. It is probably one of the worst weeds inasmuch as once serrated tussock takes over, that land becomes totally unproductive.

Farmers attempting to farm productively in that area loosely called the green wedge in the north-west of Melbourne have a real battle to contest with serrated tussock, so when I see the non-compliance penalty going up from $2000 to $24 000, I think that is a substantial but justified change, and one I support on behalf of the opposition. As much as anything, this will assist in bringing developers into line because developers can see no good value in controlling noxious weeds unless they have to. They are not interested in the productive capacity of that land; they are purely interested in the long-term prospect of development profit. It is therefore necessary to have penalties that are sufficient to make developers realise they will be subject to these sorts of fines if they do not do anything to land they are sitting on.

The other valuable addition to the bill is that any subsequent owner of land will be bound by an existing land management notice. Again this applies very much to land developers who try to avoid the cost of a land management notice. It is cheaper for them to change the title by which that land is owned in order to avoid the need to comply to a land management notice and then be subject to a penalty. They are able currently to make those changes and then to avoid the compliance and the penalties. This change will make it much tougher for those developers; therefore the changes are worthwhile.

Another issue again on much the same grounds is that the land management notice will not be subject to appeal to the Victorian Civil and Administrative Tribunal. Once again I think this a good move, because an appeal to VCAT in these sorts of circumstances is only a time-wasting exercise and a means of avoiding the responsibility of a land management notice. Certainly although VCAT may not come down in favour of a developer, it still gives that developer more time, and more time means that the weeds we are trying

to control such as serrated tussock or ragwort get another year's seeding, and therefore the problem is exacerbated.

So for these amendments I support the government and suggest that this will make the control of noxious weeds, particularly in these sorts of areas, more efficient. Hopefully through that efficiency we will have better weed control. But I do have to say that if you look at weed control right across Victoria, you only have to go back to 1982 and that giant experiment of putting all agencies together under one roof with the introduction of the Department of Conservation, Forests and Lands in order to get better overall management of public land. In those days we had the old Lands Department. I should not say old; I should just say the Lands Department. Although a lot of criticism was levelled at the Lands Department and the Vermin and Noxious Weeds Destruction Board, that department and that board had responsibility, and I think they did an outstanding job in comparison to the other states of Australia.

If you go back to 1982 you find that we had, and we were respected as having, better management and better control of weeds and pest animals than any other state. Since 1982 the experiment has failed badly in that respect. We have slipped back to the field. It is hard to see that Victoria in any way leads the country in weed or pest animal control. It is important to look back on that and say, 'Can we do it better?'. These changes that have been introduced are changes in the right direction, but they go nowhere near meeting the need to get Victoria back to a situation where we can again hold our heads high in respect of weed management and pest animal management and say, 'We lead the rest of Australia'. I do not believe we do so at the moment, and it is a challenge to this government and any incoming government to look at how we can meet that responsibility better than we have done over the last 20 years. It was a giant experiment, and I think that experiment has failed in respect of weed and pest animal control.

The bill also allows the minister to declare a newly introduced weed by way of a notice. In an emergency situation this is certainly very valuable. Anything that can cut down the time that is taken to get onto a newly introduced weed is going to be of value to the department, and this will assist the department in getting onto those newly introduced weeds in a minimum of time. Examples of this are branched broomrape, which as I understand costs up to $10 000 per hectare to control over a four-year period. Branch broomrape is a threat to the grain industry, and on that basis it must be controlled. The opportunity to declare a newly introduced weed by way of a notice and bring about effective control immediately is a great improvement.

Another potential threat is Mexican feather grass, which also would be devastating if it got a hold in Victoria. There is no doubt about it, many of these weeds are either existing or potential threats to Victoria's biodiversity.

In respect of consultation that was carried on by the opposition, two issues came up, one from the Victorian National Parks Association and the other from the Victorian Farmers Federation. The VNPA was particularly pleased to see the legislation controlling the movement of weeds via vehicles. It commented positively on most aspects of the bill. However, it was surprised that it was not already an offence to release a pest animal. In discussing that when the opposition had a briefing, it became quite clear that it was necessary to retain the ability to release a pest animal. That is particularly so in cases where you are releasing an animal as a biological control measure — for example, releasing rabbits with myxomatosis and so on. Clearly the introduction of an offence of releasing a pest animal also had to enable the continuing release of pest animals when that is required for biological or any other such control measures.

In respect of the Victorian Farmers Federation consultation, its members were concerned about the prevalence of weeds on public land. I will quote briefly from a letter from the president of the VFF, Paul Weller:

> The government must commit to improving resourcing of weed and pest management on public land. The CALP Act must apply equally to government-managed land. It would be extremely unfair and inequitable to punish private landowners under the legislation if weeds and pest animals are allowed to multiply unabated on public land.
>
> The legislation must also provide provision for private landowners to defend themselves against prosecution if they can demonstrate poor public land management practices are the source of their weed and pest infestations.
>
> At present the responsibility for managing regionally controlled weeds on roadsides falls upon the adjoining landowner. The VFF strongly believes the adjoining landowners should not be required to carry this responsibility and that the legislation should be amended to reflect this.

Clearly that fell on deaf ears. I have to say that the issue of roadside weeds is still something with which we grapple. I remember back to about 1982, 1983 or 1984 when Joan Kirner was the Minister for Conservation, Forests and Lands and this issue was debated incredibly strongly for probably 12 months.

The Victorian Farmers Federation took a strong position on that. The government of the day did not change the then act, and that act has not been changed by either side of government since then. It is something that the VFF is quite rightly bringing up again. It is an issue that does need to be better managed and it needs to be managed on a cooperative basis. Rather than just giving adjoining landowners that responsibility, there needs to be a cooperative management program whereby adjoining landowners, the department and other private interests can cooperatively look at how roadside weeds can be better controlled.

I want to briefly thank the minister's adviser, Anna Skarbek, for providing me with the list of all declared and controlled pest animals. I went through the lists of controlled pest animals and prohibited pest animals. The lists are just extraordinary. Undoubtedly many of these animals do not exist in Australia, but should they come into Australia they would create quite a problem. Then we have the list of regulated pest animals. Most of those are animals that again we do not see in Australia but could in fact come into Australia.

Then we get to the declaration of established pest animals. They are the animals that are doing the major damage in Victoria: red fox, feral dogs, dogs run wild, dingoes and hybrids in the wild, European hare, European rabbit, feral goats and feral pigs. The one group of animals that are not there are feral cats. I cannot understand why feral cats are not included in the list.

Mr Walsh interjected.

Mr PLOWMAN — The member for Swan Hill suggests that all cats should be subject to this sort of scrutiny. I think he might have a battle if he were to try to introduce that in Melbourne.

Certainly feral cats are now a major source of predation on the wildlife, particularly bird life. Nothing would create a greater menace than the feral cat population, which is increasing on public land. It is important that feral cats are included and that the damage that they do is documented and included in that list of declared and established pest animals.

The other issues I wish to discuss relate to the wild dog issue, fox control, and weed control on public land, particularly in respect of the interface with private land. I have mentioned the issue of roadside weed control. I want to talk about blackberry control after the fires. I also wish to express my appreciation that the state government increased funding in last year's budget for pest and weed control.

I touch on the wild dog issue. Over the past 11 years that I have been the local member, nothing has been more significant to the landowners in north-eastern Victoria than the predation on sheep and cattle by wild dogs. Despite the efforts of past governments and this government we are not getting control over that wild dog population. Until we take it absolutely seriously and actually declare war on those wild dogs on public land and we are prepared to throw everything that we can at them, I do not think we will ever get control over the ever-increasing wild dog population.

The other really important issue is that the dogs are getting bigger. They pose a threat now not only to sheep and lambs but also to calves. They are attacking cows when they are down calving. There will come a day when a human is attacked and maybe killed by a wild dog. If we take this lightly then we are underestimating the menace of the wild dogs to those people who enjoy public land. Sooner or later something tragic is going to happen unless we take dramatic steps.

The dramatic steps required are that we must go back to the old practices of aerial baiting right across Crown land, where the majority of wild dogs breed. It is not enough to look purely at the interface between public and private land in controlling wild dogs. We must get back to controlling the wild dogs in their breeding areas. I can see nothing that can match aerial baiting to bring about a substantial reduction in the number of wild dogs on our public land.

I have heard from all sorts of areas that if we have aerial baiting of wild dogs we will be losing wildlife like tiger quoll, and so on. Our methods are more sophisticated now with baits for specific animals, and therefore the risk of losing wildlife is much less than it was. You have to take into account the fact that if there are thousands of wild dogs out there, every day they are eating native wildlife, and that is having a greater effect on the biodiversity of public land in respect of wildlife predation than any other single factor.

I mentioned fox control earlier, and this comes under the same category. We should take fox control very seriously. I am disappointed that the bounty has been taken away as it was assisting in the reduction of fox numbers across Victoria. Everything that can be done to reduce fox numbers will improve our opportunity for biodiversity on both public and private land.

The are a couple of other issues I want to touch on. One is the extent of blackberries on public land and the enormous opportunity we now have following the bushfires of getting in and spraying the new growth

coming up. I have been through the fire areas continuously over the last few weeks and we are seeing places that nobody knew existed — mining areas et cetera that were completely overgrown by blackberries. We should use the better opportunity now after the fires to get into those areas and control the blackberries.

Finally, I said that I would show my appreciation for the increased funding by this state government for the weed control program. I do that, but at the same time I note that in this year after the drought there is only $1 million instead of $3 million or $4 million being made available, and that is reprehensible.

Mr WALSH (Swan Hill) — I am glad that the honourable member for Ripon has chosen to come and be a part of this debate. This is a very important and vexed issue right across country Victoria and has been for as long as I have been around, so it is interesting that the other members of the government do not believe that weeds and vermin are an issue in their electorates. I thought they would have had the decency to be in the house for this debate.

Mr Helper interjected.

Mr WALSH — It is your bill. It is a rhetorical question. Quite often we see bills which are important to country Victoria debated in this place, but very few government members take part in the debate.

Ms Lindell interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Swan Hill should address his remarks through the Chair and ignore interjections.

Mr WALSH — As I said, the issue of weeds and vermin is a very vexed one right across Victoria. Over the years at every National Party conference I have attended and at every Victorian Farmers Federation (VFF) conference I have been to there have always been a number of motions on the agenda expressing grave concerns about the weed and vermin situation in this state.

Many people feel that we are losing the war against weeds and vermin across Victoria. There are now something like 1000 weed species in our state and although we may focus on the economic loss to production and agriculture, I think biodiversity is probably the biggest loser because of weeds and vermin in this state. Take the example of blackberries: if you go into forests across Victoria you can see the way blackberries have taken over and choked out biodiversity in those areas.

I am not sure if they are a listed plant but, for instance, willow trees in our streams have done a huge amount of damage over the years. Catchment management authorities are now spending vast amounts of money trying to eradicate willow trees from our creeks and streams. A very good report was produced in 1986 — the latest figures I could find — showing that weeds cost agriculture in Victoria $357 million a year. This is a huge sum of money. The cost of controlling those weeds is something like $185 million and the yield loss that they cause by being in the crops and pastures we grow is something like $172 million. That report was produced in 1986, so those figures would obviously be substantially higher now.

The purpose of the bill is to make provision in relation to the control of noxious weeds and pest animals; increase the penalties for offences and make minor amendments to the Extractive Industries Development Act 1995. My understanding is that the minor amendments to the extractive industries act are to do with peat mining.

The other two objectives of the bill are very honourable and the National Party does not oppose this bill. However, it is very concerned that it does not go far enough, and I will talk about that later. It was very disappointing that the reasoned amendment moved in respect of this bill in the other place was not supported by the government because it would have added considerable value to the bill.

A lot of the amendments to this bill flow from the Environment and Natural Resources Committee (ENRC) report in May 1998, entitled *Weeds in Victoria*. As the previous speaker also said, it is amazing that we had a report in May 1998 that recommended some substantial changes to address what is a major issue across Victoria, yet here we are in 2003 finally putting that legislation through Parliament.

A number of issues in that report need mentioning. One is the fact that the serving of notices and their enforcement were very cumbersome and protracted, particularly in relation to absentee land-holders. If an officer went out to serve a land management notice and there was no-one home, he had to keep going back until someone was there or he would have to make an appointment to see someone. It could be weeks and sometimes months before the notices were finally served. The system just got bogged down. This was a problem especially with weeds that go to seed and then spread as time is a very critical issue. So the control of weeds was not achieved in many instances.

It is actually good to see that, as the amendments in this bill do, the process has been streamlined and people can now serve land management notices without going through the cumbersome process that was there before, particularly for those absentee land-holders that I talked about. On the fringe of Melbourne we have constant complaints from people living next door to absentee land-holders who do not control their weeds, which is a constant source of seed burden coming onto their land and creates quite a bit of cost for them.

The other issue that should be addressed but which has not been, and which was talked about in the Environment and Natural Resources Committee report, was dual roles — that it is very hard to have the same person fulfilling the roles of both education officer and police officer. People will not have the same faith in the education officer if that person is also the enforcement or police officer. It would have been good to see this bill actually separating those roles so we could have education officers out there working with the communities and making sure we had the best possible program in place to control the weeds, and then if that did not happen different people could go out and act as enforcement officers. It puts a lot more faith in the education officers if they are not going to turn around and come back the next day as enforcement officers and you have to deal with them in that capacity.

The other aspect of the bill that I think is good is that the minister will now have the power to declare a weed in an emergency situation. As was also mentioned by the previous speaker, if a weed like branched broomrape, which is in South Australia but — touch wood — not in Victoria, were to be found here, we would need to make every effort possible to make sure we did not let it spread. As I said, it costs something like $10 000 a hectare to control that weed. It is a very inoffensive looking weed, but it would have a major impact on cropping agriculture in this state. If those powers had been in place a number of years ago we may not have ended up with serrated tussock spread like it is now; we may not have ended up with Mexican feather grass or Chilean needle grass starting to become major problems in this state.

The other issue that has not been substantially addressed but was in the ENRC report was the moving of machinery and hay. I do not believe the amendments in the bill address the issue totally. If you travel to Western Australia by road you will find that to get into that state you have to have a major inspection of your motor vehicle and any grass, weeds, seeds or whatever will be cleaned off that vehicle. The Western Australian authorities have been able to keep quite a few of the weeds from eastern Australia out of their state. I think we may end up in the situation where we have declared areas where we have to be very careful how we move machinery and hay. With the change to larger machinery and the increased use of contract harvesting and contract haymaking we have to be very careful to ensure they do not become a source for spreading weed seeds across the state.

As was also said by the previous speaker, the increase in fines is a very important issue. We found that previously the cost of control was far more significant than the fines, so particularly for people like absentee land-holders who were not really worried about the consequences of having these weeds it was cheaper to pay the fine if ever it got to that situation than actually going in and controlling those weeds. I think the increase in fines, although some people will not be happy, would be welcomed by the majority of country Victorians to make sure we actually get some discipline in the control of weeds.

The issue of transferring the notices to any future buyers of land is a huge step forward. If that is put in the section 32 statement in a land transfer, people will be a lot more careful about how they control the weeds and any future purchaser of the land will have a better idea of what is on that land. As honourable members are all aware, weeds grow only at certain times of the year and, particularly with cultivated land, you could go and buy land that had been cultivated or sown to crop and six months later you could find you had a very serious weed problem. So in future if a land management notice has been served for the property, that would be in the section 32 statement. That can only serve to help in the future.

I have talked quite a bit about weeds, but the other issue of importance is that of feral animals. I must admit that I was not aware that feral cats were not listed as a prohibited animal. If you look at the damage that — —

Mr Helper — Horses should be listed.

Mr WALSH — No, cats. If you look at the damage that feral cats have done over the years to our native fauna I think you will find it is probably greater than that caused by foxes or the other predatory animals. I think the fact that we have very few bilbies left in this state can go back to the issue of cats as much as to foxes. Everywhere you drive around country roads these days you see lots of feral cats. So it is a big issue out there, as is equally the issue of wild dogs, foxes, feral pigs and feral goats. Those feral animals cost Victoria something like $120 million per year.

If you go through those issues one by one, you realise the damage it does to our fauna, such as bilbies, small birds and so on that have had their populations lessened significantly. Wild dogs are a huge issue in north-eastern Victoria, and it is one that I do not think we have been addressing well. Trappers can have only a limited impact. The dogs are very cunning, and the trapper has to be equally cunning to ever have success. As was mentioned by the previous speaker, aerial baiting in our national parks is probably the most cost-effective way to control wild dogs and that is being used very successfully in Queensland and New South Wales. With regard to the impact on quolls, the issue is really that foxes and wild dogs probably do more damage to quolls than aerial baiting ever will.

In recent times the Minister for Environment has made a decision to not continue with the fox tail bounty. It was interesting to note that the previous minister was very enthusiastic about the fox tail bounty, basically saying it was the solution to all the woes with the foxes. A report has now been released that says that is not the way to go and that a major poisoning program will be set up. What was disappointing to me in hearing that announcement was that if you are going to change direction you should have a new direction to go. But with the change in direction the department now has to spend the time to go out, form a strategy and talk to people. If you are going to change direction, why not have some of that strategy in place first?

That leads to an issue that National Party members have had constantly raised with them for a number of years now — that is, access to Foxoff or 1080 baits. Given that we are going to have a poisoning regime in place to control foxes, we need to do some significant work to improve access to baits. Currently for a person to purchase and use 1080 baits for fox control they need to obtain a chemical users certificate after completing a two-day course and then purchase an Australian chemical users permit. They actually need both of those. That system in itself could be simplified quite significantly. Then they have to buy the baits by going to a Department of Sustainability and Environment office and being able to find someone there — usually there is someone there for only about 1 or 2 hours a fortnight to sell those baits.

Representations about this are made to us constantly, particularly by smaller farmers who do not have the machinery to use the majority of agricultural chemicals and chemical application processes. They do not believe they should have to do a two-day course to learn about things they will never be able to use, and the two-day course does not specifically cover the use of Foxoff bait anyway. What we would like to see the minister do is talk to the chemical standards branch about introducing a short course for those people who do not have the need for a chemical users certificate so they can purchase Foxoff baits and use them. We have had representations from people who previously used the bait under the direction of someone who had a licence but who have now been told that they can no longer do so but must have an Australian chemical users permit (ACUP) themselves before they can handle baits at all. If we are going to make the poisoning regime successful, we need to free up the access to the baits and the use of those baits.

One way forward may be to exempt mixed up 1080 baits from the ACUP system — not the base chemical, because it is extremely toxic — so there are people out there taking part in a concerted baiting program. As we all know, if one farmer uses bait but his or her neighbour does not, the land is very quickly reinvaded from where there has been no baiting. We need a coordinated approach to the baiting of foxes in the future.

I turn to the issue of wild pigs. Having witnessed the foot-and-mouth disease outbreak in the United Kingdom, we all know the damage an exotic disease outbreak could do in Victoria, and wild pigs fall within the classic type of animal that could spread that disease if there were an outbreak in Victoria. We all know the damage rabbits have caused over the years not only to the environment but also to production and agriculture.

As I said, the National Party believes the bill does not go far enough. The introduction to the government's own document *Victorian Pest Management — A Framework for Action* says:

> To be effective, pest management must be part of a holistic management of land and water resources — i.e., it needs to be an integral component of programs designed to protect and enhance biodiversity, native vegetation, and primary production, and for programs that seek to remedy salinity, soil erosion and other forms of land and water degradation. Good landscape management requires the government, land and water managers and the community to work together to develop and implement long-term, effective, safe and integrated management processes that protect and improve both productive capacity of land and the integrity of natural ecosystems.

If we look at the landscape of Victoria we see that the government and private land-holders need to work together to achieve those outcomes. Crown land in Victoria is made up of 3.8 million hectares that is controlled by Parks Victoria and 3.5 million hectares of forest that is controlled by the Department of Sustainability and Environment. We hear constantly that the government is not a good neighbour. The

previous speaker read for the record a letter from the Victorian Farmers Federation president, Paul Weller, who very clearly states that the conditions of this act should apply equally to the government as to private land-holders. We support that position absolutely.

We believe this goes to the nub of the whole issue of the management of weeds and vermin — if your neighbour does not control them, you will have an uphill battle controlling them. If your neighbour just happens to be the Crown, you have the worst neighbour in Victoria. It is very well documented that the spread of vermin and weeds from Crown land constantly reinvades private land. I can speak from personal experience — we are neighbours to the Leaghur State Park. That state park is very heavily infested with golden dotter, which is a parasitic weed. The state park has given up and is not trying to control that weed at all.

In Victoria we have something like 160 000 kilometres of road, which makes up about 7 per cent of the public land in Victoria. The issue of roads involves who should pay for the cost of controlling weeds on those roads. At the moment it is the responsibility of the adjoining land-holder. We believe that is not fair and just and the adjoining land-holder should not be responsible for weeds on Crown land, but the bill does not address that. The Environment and Natural Resources Committee report recommended some form of cost sharing between the adjoining land-holder and the Crown for the control of weeds on roads. We support that and are disappointed that it is not included in the bill.

During the last parliamentary session we passed the box-ironbark forest bill, which provided for 150 000 hectares of new parks in Victoria. What was very disappointing about it was that there was no new money allocated for those new parks to make sure that we can control the weeds and vermin in those parks. There needs to be some discipline put on government so that if we are going to declare new parks we put in new money and personnel to make sure that we can control the weeds and vermin on the land.

The National Party does not oppose this bill, but it is extremely disappointed that the bill does not go to the length it would like so that the same rules apply to Crown land as to private land-holders.

Ms LINDELL (Carrum) — It is a great pleasure to contribute to the debate on the Catchment and Land Protection (Amendment) Bill. The original bill, which was passed in 1994, was designed to provide the legislative foundation to manage declared noxious weeds and pest animals in Victoria. It requires all public and private land and water managers to take reasonable steps to control pests on their own land and to prevent the spread to other land.

The amendments we are debating today come from an Environment and Natural Resources Committee (ENRC) report which has already been commented upon and which was done in 1998 — a report on weeds in Victoria. It recommended that the primary act, the Catchment and Land Protection Act of 1994, be amended to simplify it. It actually said that the act was 'administratively cumbersome, protracted and may ultimately fail during prosecution'. The bill we are debating today is designed to provide a direct impact on the health of the state's catchments, rivers and bays; to improve the productivity of agricultural and natural resource-based industries; and to increase protection of the environment from the impact of pests, plants and animals.

I will just perhaps stray sideways a little bit and talk about the fact that this bill has come from an ENRC report. I believe that worthy of note is the vast array of work that is done by our parliamentary committees, in particular the Environment and Natural Resources Committee, which over many years has produced technically sound and very good reports on various issues affecting the environment and natural resource management across the state that have led to legislative changes. I think one of the things that the general public notes least of our work as parliamentarians is the vast number of kilometres that politicians embark on and the number of people they speak to in coming to their recommendations for those reports.

The bill has a number of specific amendments. Proactively managing our pests and increasing the penalties to make it more cost effective is perhaps the first of the amendments to streamline the administrative procedures. For example, the notices for noxious weed and pest animal control and land management will be binding on each subsequent landowner. I must say it amazes me that in the year 2003 this is the first attempt to make that happen. It really speaks of commonsense and is something that perhaps could have been done a decade ago.

Certainly the bill proposes amendments to strengthen controls on vehicles that can spread noxious weeds. It allows emergency declarations to be made to allow rapid-response prevention of weed dispersal. If you look at the incidence of the striped mussel in the port of Darwin and the enforcement measures that the authorities had in place to combat that infestation, you can see how important it is that the authorities have emergency powers.

The bill will also make it an offence to release pest animals and to fail to comply with conditions of a permit. The bill also improves the administration of the act by enabling entry onto land and into commercial premises to monitor the growth and spread of, the trade in and the possession of weeds and pest animals; by enabling vehicles to be stopped and searched; by allowing for the seizure of weeds and pest animals; by enabling the collection of DNA samples from weeds and pest animals; and by requiring a person to retain a pest animal by service of a notice.

The member for Swan Hill has left the chamber, but I wanted to tell him of something I came across in my briefing notes that is peculiar to his electorate. I am not sure whether he is aware of this, but I am sure he will be reading *Hansard* later in the day. I would like to let him know that in 2000 the department undertook an investigation of exotic pest animals in the Swan Hill area and found two African lions, two Sumatran tigers, two tigons and one Bengal tiger. Earlier in this debate the member for Swan Hill let us know that he had a dislike of cats. Perhaps that is because the size of the cats they grow up in Swan Hill would do that to anyone! Here he is; he will read about it, I am sure.

Mr Walsh interjected.

Ms LINDELL — I will also quote from what has been an oft-quoted resource today in this debate. It is *Victorian Pest Management — A Framework for Action*, which was released last year by the then Minister for Environment and Conservation. I will read what I think is a very good summary of the need for the legislation before us today:

> Pests reduce farm, fishery and forestry productivity, displace native species and contribute significantly to land and water degradation. More than a thousand species of weeds in Victoria have been estimated to cause hundreds of millions of dollars worth of damage annually to Victorian agriculture and aquaculture. Pest animals also have a significant impact on the value and quality of the state's land and water resources. The impact that pests have on natural ecosystems is very serious; weeds such as blackberry and bridal creeper and pest animals such as foxes and rabbits, European carp and the northern Pacific seastar have the potential to destroy the biodiversity values of highly prized ecosystems.
>
> Internationally, exotic invasive species are now recognised as the second greatest threat to natural ecosystems. Non-indigenous plant species now comprise 28 per cent of Victoria's floral species. As a result of these direct impacts there is also considerable social impact through hindrance of the long-term sustainability of rural communities.

That really sums up the challenge before all Victorians, but governments in particular.

If we look at the provisions of the bill before us there is a new offence for releasing a pest animal without a permit and/or allowing for such a permit to be issued. It will be an offence for a person to release a pest animal other than under the conditions of a permit. A permit would be used to cover situations where, for example, sterilised animals are released into a population to reduce the reproduction rate. Also, a new offence is being created where a person is in breach of the conditions of a permit issued under the act to keep or sell a pest animal.

I commend the bill to the house and thank previous speakers.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until later this day.

ALBURY-WODONGA AGREEMENT (REPEAL) BILL

Second reading

Debate resumed from 1 May; motion of Mr BRUMBY (Minister for State and Regional Development).

Mr PLOWMAN (Benambra) — It is with a great deal of pleasure that I join the debate on the Albury-Wodonga Agreement (Repeal) Bill, not because I am all that happy to see the Albury-Wodonga agreement repealed but rather to talk about the benefits, a bit of the history, the future of Albury-Wodonga and my pride in being the member representing that area and because I am totally and absolutely supportive of anything that supports regional development anywhere in country Victoria, no matter whether those seats are held by Labor, Liberal or National party members. Any development in country Victoria is something that I support wholeheartedly, without any reservation. In that respect it gives me a lot of pleasure to join this debate.

I will go back a bit on the background. I have sourced a bit out of *Hansard* going back to November 1973, when the bill was introduced by the then Premier, Mr Hamer. The house might remember that the whole concept was developed by the then Prime Minister, Gough Whitlam. It is one of those concepts for which those of us in Albury-Wodonga certainly owe him an enormous debt of gratitude — as well as the foresight he had in coming up with the whole growth-centre concept. Some would say it was a very costly experiment, but it has given major development to country Victoria and country New South Wales; it has given a rather extraordinary experiment an opportunity to show that it can be successful.

It provided the first cross-border city of any magnitude at all, if you can call the two cities 'a' city. I certainly look at them as a single centre and hope that one day they will become a single city because it is an extraordinary area. The growth in Albury-Wodonga reflects the enthusiasm of those who live and do business there. It is a good example of how regional development can flourish.

However, often enough an experiment requires the assistance of government. To be absolutely fair I think that initial work was done by Gough Whitlam and, I think, Tom Uren as the federal minister responsible, together with the two state premiers, Bob Askin and Dick Hamer.

Very briefly I will quote from some of the *Hansard* that reported that debate on 21 November 1973. I start with some of the points made by the then Premier, Dick Hamer.

> The project is unique, and the decision of the three governments to implement such a decentralisation policy is undoubtedly the most significant taken so far in Australian history … this proposal for conjoint action by the commonwealth and two state governments to create an attractive urban environment for some 300 000 people —

a slight exaggeration there —

> by the turn of the century has no parallel.
>
> The building of new towns as a decentralisation aim has not previously been attempted in Australia, although state governments have been aware of the serious problems caused by the continued growth of the capital cities. The Victorian government has taken many positive steps to attract industries to country centres and to make living conditions in these areas more attractive, and the newly established Victorian Development Corporation has been providing funds to assist the establishment and development of industries in various country centres.
>
> However, the state has taken the initiative and has not received any special assistance from the commonwealth government … It is expected, and indeed promised, that substantial financial assistance will be provided by the commonwealth Treasury to implement the project.
>
> My government —

this is again in the words of Dick Hamer —

> is dedicated to ensuring that the area is developed in such a manner that it will ultimately rank with the capital cities as a place where large numbers of people will seek to live.
>
> …
>
> Fully serviced sites for factories and offices will have to be provided and in some cases buildings will have to be constructed to provide accommodation. Large numbers of moderately priced houses of good quality will also have to be available. No doubt other inducements will be needed to gain the interest of business enterprises and large numbers of people currently located in our capital cities.
>
> It is clear that the complex has to be promoted as an exciting and unique venture in which people, and particularly young people, will want to share. It will need to be the city which offers a way of life that is more attractive than that available in the older cities. This is the challenge for the corporation and the three governments that have undertaken to make the project a success.

I think that was a visionary statement by the Premier, and it matched the vision the Prime Minister had at that time to make this area a growth centre. I think it is a phenomenal result when you look at it. In those days the city of Wodonga was usually labelled Struggletown, not something that we are particularly proud of now. But what we are proud of is the fact that it is no longer Struggletown. We have a growth factor there that has exceeded 2 per cent consistently now for the last 10 to 15 years. There is not another country centre or regional city in Victoria that can match that figure.

That being the case you have to say the experiment in this respect was totally successful. It did not result in the 300 000 population that was expected and hoped for, but maybe that aim was rather unrealistic and very ambitious, as my friend the member for Shepparton agrees. But when you think about the complexity of the challenge that was before those three governments I think you had to be ambitious and prepared to shoot for the sky and aim high. Despite the fact that we did not get to that figure I think the end result really has been a great credit not only to those three governments at that stage but to every subsequent government that has given its support to the development of Albury-Wodonga as a growth centre.

Albury-Wodonga now has in the order of about 100 000 people. That is well short of the 300 000, but it is a fast-growing centre. It is an area where industry is continuing to develop, and surprisingly, although Albury has always been the major city of the complex, Wodonga is growing at a much faster rate. I think for many years it had almost double the growth of Albury. Although Albury is an older and more substantial city, the growth in Wodonga is the envy of almost all other regional centres right across Australia.

If you look at Albury-Wodonga as a single centre you see that it is the biggest regional centre in regional Australia outside Canberra. It is a very important centre, and it has been made important because of the foresight of the Prime Minister and the premiers who introduced this proposal back in 1973.

I will now quote from *Hansard* of 11 December 1973 part of a speech by Murray Byrne, who was then the

Minister for State Development and Decentralisation in the other place. Decentralisation is a word we do not use enough. Decentralisation is something I think governments of all persuasions need to look at very closely, because it is one of the few things that is going to assist Australia develop the way it should develop. I do not think we give enough emphasis to it. Murray Byrne said in his contribution to the debate on the Albury-Wodonga (Agreement) Bill :

> Australian people have become increasingly concerned at the economic and social disadvantages of an excessive concentration of population in the capital cities.
>
> Melbourne may not have the problems of congestion, lack of essential services, excessive noise, air and water pollution, urban social isolation and increasing crime rates to the extent that they afflict many major centres of the world. Nevertheless it is true that these problems are developing and that without remedial action further population pressures will exacerbate them.

How true those comments are. If Murray Byrne could see the change in the city now compared to what it was as little as 30 years ago he would reiterate the comments that it is important to promote decentralisation as the case for Albury-Wodonga. Murray Byrne's contribution continues:

> If the present rate of population increase of 1.9 per cent per annum is maintained and past trends are allowed to continue, approximately 80 per cent of any population increase will be located in our capital cities.

It is interesting to note that in Wodonga we have exceeded that rate of population increase — not by much, but it is quite a factor that in a regional centre we have been able to exceed that rate of population growth. The speech goes on to say:

> During the past 12 months the Victorian government has taken many positive steps to attract industrial and commercial growth to country centres, and to make living conditions in these areas more attractive. Direct financial incentives — the complete rebate of payroll tax is but one example — and other inducements provided in Victoria's 10-point program for decentralisation have achieved remarkable results. But we are determined to do more. The development of properly planned growth centres is seen as a practical, viable and necessary contribution to overcoming the problems caused by the haphazard growth of our metropolitan area.

The haphazard growth is continuing but because of the careful process that has gone on in Albury and Wodonga the growth has been very well planned and the development of both cities is a credit to the planners involved. Again it is interesting to note that Murray Byrne suggested that there needed to be elements of direct financial incentive in order to achieve those areas of decentralisation, and I again state that governments of all persuasions should look at how we manage to assist decentralisation in Victoria because we have this example of how well it can occur and the benefits that accrue from it.

The present situation is that the corporation and the agreement have really run their race. If you look at the history, Gordon Craig was the first chairman and chief executive officer (CEO) of the Albury-Wodonga Development Corporation. He started in 1973 and went through to 1989, when a new CEO was appointed, Mr Ron Dennis. The whole commercial operation of the corporation changed dramatically in 1989. The federal government wanted to see a return from the corporation, and that was initiated in 1995 by the Brian Howe review when it was clear that the federal government wanted to see major returns coming back from its initial investment in Albury-Wodonga.

The current situation is that the winding-up date under this agreement, which was initially to be 2005, has now been extended to 2007. After 2007 there will still be something like 1500 hectares remaining — about two-thirds of that will be in Victoria and about one-third in New South Wales. There has to be somebody who has the responsibility for that area of land. Clearly the councils should not have the role of land developers; after all, they are the planners for those two cities. It is clear there must be some opportunity for succession, and there should be something in the order of a regional land corporation with responsibility for the residual land bank and for the sale of that residual land bank after 2007. Certainly the required outcomes are clear: there should be affordable land for people who wish to come and develop.

One of the major benefits that has accrued from the growth plan for Albury and Wodonga is the continued development of industry. Visy has come to Wodonga with over 100 jobs and the possibility of increasing that number substantially. We have had the recent announcement of the Woolworths distribution centre down near Barnawartha, which is a first for Australia, not just for Victoria. That will prove to be one of the major developments in country Victoria, and again I compliment the City of Wodonga for the work it did in assisting and attracting that development to come there, and also the current state government on its assistance in ensuring that this development occurred in Victoria. There was a very strong push for the development to occur in New South Wales or maybe for it to go to South Australia. Clearly there was a great opportunity to have it on the border in an area that served Victoria and New South Wales. It serves Canberra and is also close enough to serve areas of South Australia.

The Woolworths distribution centre development will be a nucleus for many other industries to develop in much the same way. That being the case we are going to have continued development in this area. It is going to be a development that will require affordable housing. There needs to be an orderly program for the sale of land when that land bank is either sold or distributed. We must ensure that we do not have a fire sale. The sale should not drive down prices or, equally, force prices up — it should maintain prices.

There needs to be a full range of land types available — for industry, for cheaper housing developments, for larger developments where people want larger blocks and more expensive houses. We want to attract all sections of the community to join in one of the most significant developments in regional Australia.

There needs to be a high design standard, as has been achieved by the Albury-Wodonga (Victoria) Corporation over the past 20 years. I want to pay tribute to the corporation. It has done a wonderful job in ensuring that the development has been of a standard that sets it apart from many other regional cities, not only in Victoria but elsewhere in Australia. It is only paralleled by some of the developments in Canberra. Again, I pay tribute to the corporation for its insistence that a high design standard be maintained.

There is another issue that is important, and I am not sure that we are going to win this one, but I think it is worth fighting for — that is, it is important that as that land bank is sold some of that money is returned to be reinvested into the community. Clearly the appreciation of land values means that it is justified that some of those funds come back into the area and improve the infrastructure, not just allowing housing and industrial development in the area but making sure that there is a cultural development for the future growth of the City of Wodonga and the City of Albury.

I had better touch briefly on the purposes of the bill, because I have not talked about the bill today. The purposes are quite straightforward — that is, the repeal of the Albury-Wodonga Agreement Act 1973 and the Wodonga Area Land Acquisition Act 1973, and I have quoted from some of the earlier debates from *Hansard*. It is also to dissolve the Albury-Wodonga (Victoria) Corporation and provide for the transfer of the assets, contractual rights and obligations, and liabilities of the Victorian corporation to the Albury-Wodonga Development Corporation so that when the winding-up agreement occurs — which cannot happen until this legislation goes through — the corporation will not have to negotiate with the states to allow the wind-up with the least possible difficulty.

The purpose of the bill is only to allow the repeal of those acts, to dissolve the Victorian corporation and to allow the transfer of the assets, liabilities and obligations of the corporation so it is finally dissolved in a satisfactory and sensible manner.

There are a few other issues that are important to look at, and I want to touch on them in my remaining minutes. When the corporation was first started and these bills were first introduced Victoria, unlike New South Wales, contributed a large amount of money to this area. It did so in order to ensure that the area was developed along the lines it wanted — the Victorian government of 1973 wanted to see this area developed. It contributed $1.5 million, and there is an agreement that determines how those funds grow.

The funds have now grown to $3.7 million, and under the present arrangement they will come back to the consolidated revenue of the state government. Frankly that was not the intention in 1973 when the funds were delivered to this growth project. The $1.5 million was contributed to ensure the project went the way the Victorian government of the day wanted. It is my belief, having read a considerable amount of the *Hansard* record, including a large contribution by a then member of the Legislative Assembly, Mr Bill Baxter, a current member of the upper house for North Eastern Province, that it is clear that the government of the day wanted to see the development of Wodonga in that part of Victoria.

This government should look again — and I have asked the government before about this, but I ask again — at whether this $3.7 million should not be retained in the area. I put the suggestion that was put to me by the chairman of the Albury-Wodonga (Victoria) Corporation today, Mr Bill Hanrahan: what needs to be retained today is a monument to what was an exciting experiment — an innovative social and regional challenge. The dream in 1970 was that this development would occur, and that dream could be perpetuated by keeping the money from that fund in the area.

It would not be out of order to instigate a major cross-border project named the Whitlam project that indicated the need for and the purpose and benefit of regional development. If I were to suggest where it should go I would suggest Gateway Island, which is the link between Albury and Wodonga. It is very symbolic. It is after all Victorian money so it should stay in Victoria, but both communities would gain enormously from it. It should go to a cultural centre. There is a proposal for a national river discovery centre — an interpretative centre — for the Murray River. What

better place could there be to have a centre of that significance than on the Gateway Island, between Albury and Wodonga?

In this area the Murray changes from being a fast-flowing river coming down from the mountains and levels out and goes into the major flood plain of the Murray. The interpretive centre of the Murray could indicate the extent, the beauty, the significance and the financial contribution this river makes to our whole community. I believe this would be a significant and impressive way of remembering that dream of the 1970s and putting a monument up to recognise that this was a very successful experiment that was taken on 30 years ago. With that in mind I suggest that the last 30 years could well be recognised by keeping that money in the area, by putting it towards something like that, by giving due recognition to the Prime Minister and the two premiers of the day and to creating a major discovery centre or interpretive centre for the Murray Basin between Albury and Wodonga on Gateway Island. Clearly it is in the hands of this government to make that decision, but I put that proposal with no demands other than to say it is a means of showing that we recognise that that 30-year experiment was worth doing. We recognise those people who initiated it.

If you look back at that time, you will see there were other growth centres. One was Bathurst–Orange, which clearly did not have the same success as this cross-border development. It was actually closed or ceased to develop in the late 1980s. There was one development in South Australia, but again that did not have anywhere near the same development that occurred in Albury-Wodonga. It did not have the same level of success. There were other growth development centres, but I do not think any others had the significance of Albury-Wodonga; that is why it is worthwhile recognising that. It could be a symbol that would encourage regional development right across Australia, not just in Victoria, if we were prepared to take on something like this.

There are a few other issues that I think are important. At the moment Albury-Wodonga is still hamstrung by the fact that we do not have a second crossing between the two cities. There is a proposal for this road, and hopefully that will start soon. The development of this road, which has been talked about for 30 years, should start before the end of this year.

But probably the more important issue from Wodonga's point of view is that there has been a proposal to take the railway line out of the city of Wodonga. That has been around for about eight years. Initially this was proposed by the Kennett government, which committed just on $20 million to it. Then there was an historic meeting at the Wodonga factory of Uncle Ben's. My colleague the member for Shepparton, who was then a member representing that area in the upper house, the Honourable Bill Baxter in the other place and I attended that meeting. The Deputy Prime Minister, John Anderson, and the federal member, Lou Lieberman, attended on behalf of the Australian government. The federal government then committed to match Victorian funds and give an additional $20 million to take the railway line out of Wodonga. The amount was then increased by the state government to ensure that the funding source was there to do it.

This major project has now hit a brick wall. It is not progressing. I have not seen a project that has been promised funding by both the state and federal governments for as long as this one has where nothing has happened. It is a project that must go on. It has the commitment of both governments. It certainly has the determination of the communities, and I, as the local member, believe it is the most significant project for the development of Wodonga. I think that if this can be given the assistance that it needs, this government will gain a lot of credit for achieving that railway relocation out of Wodonga. With those thoughts in mind, I commend the bill to the house. The opposition supports this bill, as honourable members might have guessed from my statements.

Mrs POWELL (Shepparton) — I am pleased to speak on the Albury-Wodonga Agreement (Repeal) Bill on behalf of the National Party and say that the party does not oppose this bill. What a pleasure it is to follow on from the member for Benambra who lives in Wodonga. As you can tell by his presentation, he is a very proud resident of Wodonga and very proud of the progress that Albury-Wodonga has shown over the last number of years, particularly since the 1973 agreement, and in his time as member of Parliament.

The purpose of this bill, as the member for Benambra has already stated, is to repeal the Albury-Wodonga Agreement Act 1973 and the Wodonga Area Land Acquisition Act 1973. It is also to dissolve the Albury-Wodonga (Victoria) Corporation, to provide for the transfer of assets, contractual rights and obligations and liabilities of the corporation to the Albury-Wodonga Development Corporation and a number of other purposes. As the member for Benambra has said, the Albury-Wodonga area has been a huge success story in innovation, growth and decentralisation. As a former member for North Eastern Province for six and a half years before becoming the member for Shepparton, I have watched this area grow

with a great deal of pride, and have often been to Wodonga and met with the Wodonga council and also met with the Albury-Wodonga Development Corporation a number of times. I do know that they are committed to ensuring that the best happens in Albury-Wodonga.

But this model that was set up by the commonwealth and by the two premiers of New South Wales and Victoria was innovative. It was something that had never been done before. The member for Benambra called it an experiment, and that is what it probably started off as being. There were number of other towns right across Australia that were looked at and some of those were identified but none of them had the success, and some of them fell by the wayside. Albury-Wodonga was probably the only one that did succeed.

I think there were a number of reasons why it succeeded: it was because of the model set up but, more importantly, it was about the leaders in the Albury-Wodonga area. They included the councils, the tourism agencies, the other development corporations, local businesses and members of Parliament, who gave a lot of support to that area.

Albury-Wodonga had quality services and tried to attract other quality services into the region. The reason it did so well was because the community was behind it and totally supported the concept of the agreement, the development plan, and it was kept informed all along the way. It was not just a matter of designating certain things; the community was kept informed all the way through the development process and was happy to be part of it.

The success story started on 23 October 1973 with the signing of the Albury-Wodonga development agreement. As the member for Benambra said, the agreement was signed by the then Prime Minister of Australia, the Honourable Gough Whitlam; the Premier of Victoria, the Honourable Sir Rupert Hamer, and the Premier of New South Wales, Sir Robert Askin. It was an historic event.

I was talking with the Honourable Bill Baxter, a member for North Eastern Province, who was giving me some information. He said he was present at that historic signing — he must have been a very new member then! He was also involved with the corporation and the Albury-Wodonga process since its start. He has seen it grow. As the member for Benambra said, he has been proud to be part of it, and to watch it grow over the years. He has seen it set up as a model for innovation, decentralisation and best practice. That is important and it is to the benefit of Albury-Wodonga that the leaders have taken it on and run with it.

I thank the Honourable Bill Baxter for providing me with a number of historic documents. It took almost the whole night to read them because there were a lot of reports and annual reports; the history is there if members want to read about it. I was fascinated to follow it right back through to 1973. I know the local papers got behind the concept. The *Border-Mail* was behind the initiative as was the whole community — it could not do otherwise but work.

In 1973 three corporations were set up to prepare Albury-Wodonga for its development as a major Australian city. There was the Albury-Wodonga Development Corporation, the commonwealth statutory authority, the Albury-Wodonga (New South Wales) Corporation and the Albury-Wodonga (Victoria) Corporation. Those three bodies act as one organisation and are fully integrated, with some of the members being on all three boards. The Albury-Wodonga ministerial council oversees those three corporations. It supervises the development of Albury-Wodonga and it sets the policy objectives of the three corporations.

The council membership comprises the ministers responsible for regional development from the commonwealth and the two states. The responsible Victorian minister is the Minister for State and Regional Development.

The bill abolishes the Albury-Wodonga (Victoria) Corporation and transfers the assets, mainly land — quite a substantial parcel of land — to the Albury-Wodonga Development Corporation. As has been said, the commonwealth and New South Wales governments passed legislation in 2000, and they are still waiting for Victoria to pass complementary legislation. It is disappointing that for some reason the Minister for State and Regional Development did not view the legislation as a priority and did not have it passed in the last session of Parliament, which would have seen the winding-up and abolition of the Albury-Wodonga (Victoria) Corporation.

The legislation was introduced into Parliament in May 2002 but was not debated. It is complementary legislation, so it is good that we are debating it now and hopefully it will pass through this place quickly.

The second-reading speech states, in part:

> … it makes sense for both Victoria and New South Wales to withdraw and leave the final winding-up process to the commonwealth.

I think that is true. As the honourable member for Benambra said, the substantial parcels of land involved cannot be handed over to the council because it is a planning authority and should not be in the business of using ratepayers' money to develop the land. It could provide incentives and encourage development, but it should not be involved in development itself.

The decision of the states to withdraw, which was decided at the 1997 meeting of the Albury-Wodonga ministerial council, had the support of the federal, the New South Wales and the Victorian governments. As the member for Benambra said, the winding-up of the Albury-Wodonga Development Corporation has been extended to 2007 rather than 2005 as originally proposed.

Some concerns have been highlighted. I know the Albury-Wodonga Development Corporation has highlighted some of these concerns in its annual report. It stated that there would be a significant and valuable land bank remaining, which has to be sold gradually. The corporation is investigating options to put before the minister on how best to manage the assets in the best interests of the commonwealth and the region. It does not want to see this land dumped on the market so the market is distorted in some way.

The bill also provides for the three governments to enter into a winding-up agreement which will terminate the Albury-Wodonga development agreement. The history of the Albury-Wodonga Development Corporation is unique. I read the initial June 1974 proposal for Albury-Wodonga, which sets out some of the first members. The chairman of the corporation was Gordon Craig. The consultative council that consulted with the Albury-Wodonga Development Corporation had a number of people representing local government. One was Cr Ken Coghill, who became the Labor member for Werribee and also Speaker of the Legislative Assembly. Representing the community was Mr Lou Lieberman, who later became the member for Benambra and who held that seat from 1976 to 1992; he became the federal member for Indi until the last federal election. It is interesting to see who were part of the first council and who then moved on to state and federal politics.

The corporation was set up to look at the needs of the city. It seems strange to call it a city when you have two towns which never really called themselves one town, so calling it a city becomes confusing. The infrastructure needs were very important and included issues such as water, sewerage, transport, education, tourism and recreational activities. Albury-Wodonga is well known for water sports, motor sports and its football and netball, and it even has three Olympic-size pools. However, it was important that the development corporation also looked at the social side of the community, such as did the city have enough churches and were there enough hospitals. The development corporation had a huge agenda to ensure that it looked after the infrastructure and social needs of the community.

One of the issues it considered was the need for land and land use. The land has been used for residential and business purposes. In 1973, 54 000 hectares of land was designated to be acquired for the new city. That amount of land was later reduced.

The Albury-Wodonga Development Corporation developed a number of industrial estates in the city; I think there were about four. One of the large ones was the Wodonga business park, which is a fully serviced area with strong access to the Hume Freeway. The member for Benambra talked about Visy, which is now established in that business park, where it provides more than 100 jobs. Visy intends to expand over a number of years, so hopefully there will be more jobs on site. I attended the launch of Visy at the business park with the member for Benambra and the Honourable Bill Baxter, a member for North-Eastern Province in the other place. That was a very positive thing. There is a lot of confidence in the area, and when you get an organisation like Visy, that gives more confidence to the region and attracts other businesses.

One of the reasons Albury-Wodonga was chosen for Australia's pilot decentralisation project was its prime location — it is along the major road and rail corridor linking Melbourne to Sydney. That is a huge advantage for the businesses located there and businesses which export. That is one of the reasons Albury-Wodonga was chosen and has been so successful. Another reason is that Albury-Wodonga is central to 75 per cent of Australia's total population. That is a huge incentive for making it a special city.

As a councillor I met with the Albury-Wodonga Development Corporation and visited Baranduda, a residential estate in Wodonga. It was an estate that seemed to me to be an example of best practice. When we went there as a council to talk to the development corporation and visit the site we thought what the corporation had done there was amazing. It had planted trees and made it a very attractive development. It was something the corporation got a lot of money for, which was great for the Wodonga council and the rates revenue. I know that that area became almost a bit of an icon, and other councils would go there to look at best practice in how to develop residential areas with

appropriately sized roads, amenities and parking. We were very impressed with that. One of the other residential estates the corporation developed was Thurgoona in New South Wales.

At present there is a land boom with a number of record prices. I will read from an article that appeared in the *Border-Mail* on Saturday, 16 August, under the subheading 'Auction turns into stampede for blocks'. It states:

> The Border's land-buying frenzy stampeded to an extraordinary new level yesterday when 23 blocks in Wodonga's Country Club estate sold for $3 633 000.
>
> The average price was $157 956 — more than $51 000 above the average reserve price of $106 782.
>
> Border auctioneer Mr Warwick Phegan sold the Firestone Way blocks at a rate of about $80 000 a minute for the Albury-Wodonga Development Corporation.

That shows the confidence that exists in the land at the moment and the number of people who need to buy houses.

One of the issues that came out of that was stamp duty. One of the biggest beneficiaries of this land boom is the state Treasury, which will get a windfall gain. On Monday, 18 August, the *Border-Mail* ran an article headed 'High cost of stamp duty means home buyers being … taxed out of market'. It states:

> Wodonga property buyers are paying crippling stamp duty taxes that are more than double the rate they paid in 1999.
>
> New data from the Victorian Valuer-General shows a 115.18 per cent increase in the amount of stamp duty paid in the first half of this year compared with 1999 figures.
>
> … Mr Brian Phegan … said stamp duty was calculated on a $2560 base rate for the first $115 000 with 6 per cent calculated on the remaining amount.
>
> But Mr Phegan said it was almost impossible to find a decent property for $115 000.
>
> …
>
> Member for North Eastern Province Mr Bill Baxter said, while the increase in property value was great for the 1286 Wodonga residents selling their homes last year, it hid one of the greatest 'tax takes in Victoria's history'.
>
> 'From the Rural City of Wodonga alone, the Bracks government is now creaming a bonus of $4.38 million a year without doing a single extra thing for it', Mr Baxter said.

The article says that the stamp duty on a median house in New South Wales was $8990 but in Wodonga it would be $14 860.

The member for Benambra spoke earlier about the $3.7 million that will be returned to Victoria from the wind-up. That money is to be repaid into consolidated revenue. The member for Benambra believed the money should go back to Albury-Wodonga to continue its development. However, he also proposed that the funds could be kept in the area to perhaps put forward a monument on Gateway Island, which is the area between Albury and Wodonga. I think that would be a fitting use of those funds. This is an icon for the rest of Australia. It has worked and has been very successful. It would be fitting to use those funds to show that this was an experiment that did work well and to pay tribute to the Prime Minister and the two state premiers of the time.

The funds could also be used in a number of other areas. The member for Benambra touched on the rail line. The relocation of the rail line in Wodonga is an issue that was brought to my attention in the six and a half years I was an upper house member there. The railway line goes through the centre of the town, and I know that it is stopping the Wodonga council's vision, which relies on being able to relocate the railway line out of the city centre.

It is stifling growth. The growth of Uncle Ben's, a pet food manufacturer and one of Albury-Wodonga's biggest employers, with its head office and manufacturing plant in Wodonga, is also being stifled. It opened its plant in 1967, but the railway line is now impeding its growth. The member for Benambra and I, together with the federal transport minister, John Anderson, a member for North Eastern Province in the other place and the member for Indi, Lou Lieberman, met with Uncle Ben's and spoke about what the company needed. Its needs were strong. For the company to be able to grow and employ more people the railway line would have to be removed and rerouted into another area.

The Victorian government committed $20 million, and I know the Deputy Prime Minister, John Anderson, also committed the same amount of funds. I understand that money is still on the table. The Labor government is blaming Freight Australia for the delay, but the government needs to get on with fixing the issue urgently. The second-reading speech states that $30 million will be available over three years for the Wodonga rail bypass. I urge the government to look at working with Albury-Wodonga to ensure that Uncle Ben's does not move from Wodonga, which would be a catastrophe. I know local members are working hard to ensure the government understands that it is important to remove the railway line not only for Uncle Ben's, which is important, but also for the commercial and business centre of Wodonga.

I conclude by congratulating the current and former members of the Albury-Wodonga Development Corporation for its vision and performance. It has been ably led by a number of chief executive officers (CEOs). The current CEO is Mr Brian Scantlebury, but the former CEO, Mr Ron Dennis, is the man I have had a little more to do with in my dealings as a member. I also acknowledge the acting chairperson, Mr William Hanrahan. Credit should go to the councils of the cities of Wodonga and Albury, the developers and other community leaders. This was an experiment that had tripartite support. It is a development that shows what can happen when everybody gets behind a program. I wish the bill a speedy passage, and I hope that Albury-Wodonga continues to grow and prosper.

Mr HELPER (Ripon) — I welcome the opportunity to speak on the Albury-Wodonga Agreement (Repeal) Bill, and join the members for Benambra and Shepparton in supporting and speaking in favour of it.

The purpose of the bill is to allow Victoria to withdraw from the Albury-Wodonga development agreement, a formal and technical process that came about from a decision in 1997 of the states to withdraw from the agreement in establishing the Albury-Wodonga Development Corporation. That agreement is an historic one, and I pay tribute to the member for Benambra, who generously acknowledged the achievements and vision that were evident in 1973 for the agreement to come about by both the New South Wales and Victorian governments of the day, but which importantly was driven by the federal government of the day, the Whitlam government. I acknowledge the generous spirit in which the member for Benambra has acknowledged those magnificent efforts.

Those efforts were about a vision; about regional development regarding nation building. They were about creating and growing a whole new community, one that had a number of strategic advantages. Albury-Wodonga is well located between the eastern seaboard capitals of Melbourne and Sydney, and is close to Canberra. It is about a vision to develop Albury-Wodonga as a strategic centre of that geographic triangle.

It has the advantage of being well connected for freight transport not only with the Hume Highway but also with the rail routes that run through it. I will come to the rail bypass in a moment. When considering this legislation one must pay tribute not only to the governments of the day but also to the community of the day and subsequent communities.

The member for Shepparton finished her presentation by congratulating present and past members of the Albury-Wodonga Development Corporation. I join her in congratulating them, and on behalf of the Victorian community thank them for the enormous efforts they have made over many years. Wodonga is a city of 31 000. I do not know what the population was in 1973 — —

Mr Plowman — It was 7000.

Mr HELPER — The member for Benambra informs me that it was 7000. That is a magnificent and enormous growth rate, which goes to demonstrate that the vision of the two tiers of government, as well as the local community vision — I should say the three tiers of government because local government shared that vision — can materialise into something. Often visions do not materialise as well as has this particular vision. When a vision works and translates into reality then all of us should acknowledge such an achievement.

Wodonga has a dynamic economy, as does Albury. Wodonga has some 14 000 jobs, which shows that it has a diversified economy. That economy no doubt pays recognition to the strategic advantages that Albury-Wodonga has in terms of transport, lifestyle and the sense of community that exists in the community.

In 1995 the federal government decided to wind up its corporation, the Albury-Wodonga Development Corporation, and the withdrawal from the corporation by the New South Wales and Victorian governments was agreed upon in principle at the 1997 Albury-Wodonga ministerial council meeting.

A number of things have occurred since then to bring about a delay, not least of all the state election that we had late last year. I note that the honourable member for Shepparton was slightly critical, if I can put it in that sense, of the legislation having taken some time to come to the stage it is at today. There have been and are real and practical reasons why that has occurred: some are in the domain of the commonwealth government, and some are in the domain of the parliamentary processes that are occurring here in Victoria, one of which, as I said, was the proroguing of Parliament late last year and the subsequent election.

Be that as it may, here we are and we are moving forward in a considered way to ensure that we protect the interests of not only Victoria but also the Wodonga community in our withdrawal from this agreement.

I will touch on some of the issues of which the state government is very understanding and aware so that we protect the interests of the Wodonga community in the

withdrawal process. Probably one of the most important of those is the opportunity for the Rural City of Wodonga to receive rate revenue on the enormous parcels of land that will, in the immediate term, transfer to commonwealth control. Ongoing negotiations are occurring, and it is imperative that those negotiations resolve themselves at the behest of the commonwealth. The commonwealth is certainly aware of this issue and is considering it to ensure that the local government tier of government is not disadvantaged through a significant loss of rate revenue.

An emerging and growing community puts enormous financial strains on local government. Services need to be provided at an ever-increasing level and as such, rate revenue is essential to the proper operation of the Rural City of Wodonga.

One of the issues of importance to the local community is to ensure that the sale of land occurs in an orderly manner, that the sale is not a dumping or flooding of the market but a gradual release that preserves the value of the land being sold as well as preserving both the interests of the people who own property in the area and the market value of those properties.

In the last few moments available to me I will touch on the Wodonga rail bypass. As the honourable member for Shepparton pointed out, the Victorian government has clearly committed to an allocation of $30 million over three years for the Wodonga rail bypass. It is too easy to underestimate the difficulties of getting stakeholder sign-offs on projects such as that in an environment where there are so many stakeholders. As the honourable members for Benambra and Shepparton have taken a bipartisan approach to this bill I do not wish to make a political point. However, the reality is that as a result of the privatised rail system, the number of stakeholders in any such projects has increased. They are stakeholders who do not have a community obligation interest; they have a purely commercial interest.

Therefore, to come to an agreement with those stakeholders is, regrettably, incredibly difficult and lengthy. I have many examples of that in my own electorate and I am sure the state government is vigorously making efforts to resolve those takeover issues to bring about the construction of the Wodonga rail bypass as speedily as possible.

It is a credit to this house that we have taken such a bipartisan approach to this legislation, and I commend it to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until later this day.

CHILD EMPLOYMENT BILL

Second reading

Debate resumed from 9 April; motion of Mr HULLS (Minister for Industrial Relations).

Mr McINTOSH (Kew) — I move:

> That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this house refuses to read this bill a second time until key stakeholders are consulted on options to address the needs of the community and ways to properly protect children'.

The sentiments behind this legislation are essentially supported and the purpose is certainly supported because everybody in this house wants to ensure that all children in the state of Victoria have the largest and the best possible protection that is available. We all want to see our kids protected against danger and exploitation. We all want to ensure that our kids are properly educated and to give them the best possible opportunity of being able to participate in our rich life here in Victoria.

There is no doubt that the current system of regulation of child employment in this state is out of date. It is not being enforced, and there is great uncertainty and a great lack of knowledge of what the system is. There is no doubt that opposition members agreed with the Minister for Industrial Relations when he moved this bill and said that there is a great need to have this regime improved.

Having agreed with the sentiments and purpose of the bill and the fact that this regime needs to be improved, opposition members believe the solution provided by the government is completely unworkable. It creates great uncertainty and it will be a disaster for children, for businesses and for all of Victoria. It is a bureaucratic nightmare, bureaucracy gone mad. It is an overregulation of the system that is not necessary; and it is a system that will prejudice children, will prejudice employers and businesses and, above all, will prejudice the whole of Victoria, because we will be the losers if it is implemented.

I will spend a few minutes talking about the regime that is being implemented and then go to the critical factors of why opposition members see the regime that is being adopted as not meeting the very criteria that we all agree on. There is agreement that children need to be

protected; nobody wants to see children back in the mines, in workhouses or in factories. It has been the law of this state for a number of years, almost since the colony of Victoria was founded, that children should be protected in some way in relation to their employment. Certainly the advent of compulsory education became a principal driver in determining that children should reach a particular age before starting work. Everybody agrees that there should be compulsory education up to a certain age, and the operation of this bill essentially limits that to or designates that to be the age of 15. Nobody disagrees with any of those purposes or the sentiments behind it. It is just how we get from point A to point B.

This agreement entirely revolves around the regime that this particular bill is adopting. It is not about just transferring the current system and doing it again and saying, 'We have made a few amendments and improved it'. What really needs to be looked at is a better system that will regulate child employment in this state, something that will enable children to go to grandma's farm, come and work in here with me, go out to a newsagency and carry on all those activities that we would expect children would have some delight in and learn the responsibility of earning money and participating in something bigger than their immediate family. Nobody disagrees with that because the regime allows that, but it is too bureaucratic, too uncertain and completely unworkable.

As I said, I propose to spend a couple of minutes on the regime that is being imported. The most important thing is the definition of 'employment', which is perhaps central to the operation of this act. Most people would see employment as being based upon some formal contract, where you are employed and you get some sort of reward or some sort of payment for doing the work. But this bill actually defines 'employment', and this is certainly a substantial difference from the current regime. The current regime does not talk about volunteer labour or merely not receiving any payment for work. This changes the nature of the current regime, and opposition members say it changes the nature of the current regime for a worse situation.

The most important thing here is the definition of employment contained in clause 4(1) which states:

> … a child is engaged in employment if the child takes part or assists in any business, trade or occupation carried on for profit —

and most importantly —

> (a) whether or not the children receives payment or other reward for his or her participation and assistance; and
>
> (b) whether the child is engaged under a contract of service, a contract for services or any other arrangement.

The most important thing is that it does not matter whether you are being paid or have a contract of employment. If you are actually taking part or assisting in a business, trade or occupation then you are caught by this definition. I will come back to this in a moment and deal with the specifics and the concerns and give a large number of examples.

The next issue of importance in the bill is clause 4(4), which sets out certain things that clearly do not constitute employment:

> (a) participating in a church service or religious program —

I understand that —

> (b) participating in an occasional project or entertainment the net proceeds of which are applied for the benefit of a church or school —

I understand that —

> (c) performing any activity for a non-profit organisation;
>
> (d) participating in a sporting activity (including coaching, refereeing or umpiring).

Everyone understands that, and that is fine. Nothing in subsection (4) limits the kinds of activities that constitute or do not constitute employment.

In the second-reading speech we have one of the most deplorable statements. The purpose is fine; everybody understands it. We have a minister who is introducing a bill that is supposed to become the legislation — the law of this state that defines people's rights and their obligations under the law as we see it. That is our job. The minister has blithely said that if you are babysitting, that is not employment; but if you have a babysitting job through an agency, that is employment. Essentially what the minister is saying is, 'I am able to regulate. I am able to announce to the world what will be incorporated or not in this definition'. Does mowing the neighbour's lawn or washing the neighbour's car or carrying out farming activity without payment get caught? We do not know.

The appalling thing about this is that the minister said, 'I can make an announcement in the second-reading speech and that will be interpreted as law in this state. I do not need to put it in an act of Parliament'. If he is right, what are we doing here? What are we actually doing here when the minister makes a statement in a second-reading speech saying, 'I can override whatever is written down here.'?

Clearly, if you are being paid for babysitting, that must be some form of employment. But no. I can understand why the minister may want to say that it is not employment when you are paying the next-door neighbour's 13 or 14-year-old daughter to babysit your children. I understand why you would not want to incorporate it, but why not put it in the definition? Why not properly define it in this particular clause?

The next most important matter I want to raise is in relation to who can conduct the employment. The regime is that every single business or arrangement that could be constituted as employment — and we do not necessarily know the exact parameters of that employment — is caught. So if you do fall within a kind of employment, whether or not there is pay, then you are caught by this very strict regime. The regime sets out a mechanism whereby you have to apply for a permit and police checks and those sorts of matters. I will go into those in a moment.

Who can employ? The exception to who can employ is the family business. I understand that is an extension of the current system which is not being enforced. But there are many groups. For example, the Victorian Farmers Federation has said that the definition of a family business, which is mum and dad conducting a business, will not be extended. We are not going to talk about grandma and grandpa. We are certainly not going to be talking about aunts and uncles, and we are certainly not talking about adult siblings. The government is limiting it solely to mum and dad. If you are being employed — with or without payment of money — or if you are participating or partaking in a profit-making venture run by mum and dad, then you are exempt. But if you are taking part in the activity of a business conducted by grandma or grandpa, you are caught by the very strict regime set out in the bill.

I move on to the particular arrangement in relation to child employment. You have the situation where essentially you have to apply to the secretary of the department. The secretary can delegate that authority — perhaps to child employment officers — but that regime has a rather turgid element in the process. One would hope it can be reasonably expedited. It has been honoured in the breach for the past 20-odd years. The government says we are now going to put in place a proper regime under which this can be done expeditiously. I do not know how expeditious it will be when you are making that application to the secretary of the department.

The parents or guardians have to make the application to enable their child to be employed. On top of that, every person who is directly supervising, including the employer, has to go through the process of obtaining some form of a police check. I understand why we are all concerned about the serious problem of sexual abuse of children. Nobody in this house is not concerned by that matter. I have heard many people, including you, Acting Speaker, talk about this matter passionately in this house. Everybody understands why police checks are necessary, but you have to apply for a police check on, for example, grandma and grandpa.

The third aspect of this is that you have to have the school principal say that the type of employment will not interfere with the particular child's activity at school. Again I understand the reasons for that, but what happens if the employment is to take place in the Christmas school holidays and the school principal, like most other Victorians, is lying on a beach somewhere else, not in vicinity of his home? How do you get the school principal to sign a document to grant that permission?

There is an inbuilt turgid process. There is this encumbrance that is great for bureaucracy. As I said, nobody disputes the sentiment behind it. It just seems to be almost unworkable, considering the employment may be with grandma or grandpa on the family farm. It could be with grandma or grandpa or an adult sibling running the local newsagency or your aunt and uncle running the local pharmacy, but you still have to go through this complicated, turgid process.

Needless to say, the expense and the delay that that would involve makes it almost inconceivable that a small business person would undertake this particular activity, and probably take it almost to the point where if you are under 15 you are unlikely to get any form of employment, whether it is with or without pay.

Can I also just mention that we have in clause 12 a definition of prohibited or heavy employment — that is, the types of employment that are prohibited. Again I understand the sentiments behind that, and I do not disagree with what is set out there. One is door-to-door selling. Clearly a child going from door to door selling could be exposed to all sorts of risks in that particular environment. I understand why you would want to prohibit that. Another is employment on a fishing boat other than a boat operating on inland waters. Again, having been a sailor before I came to this place, I know of the serious consequences of that, and the dangers at sea are quite obvious. To have a 13, 14 or 15-year-old child on such a boat is one of those matters that you would be in serious difficulties with.

I can certainly understand why employment in the building and construction industry, either commercial

or residential, would be prohibited because again you come back to the fact that we are trying to protect children against dangers they might be exposed to in one of the most dangerous industries in this state. Part of the bill reads, 'any other form of employment declared by the minister', so at least the minister has the power to make a declaration as to the other forms of heavy employment that would be prohibited.

But again I am very concerned about the arbitrary nature of that. One would hope that this would be clarified. I understand that in putting together the definition, there has been an attempt to ensure that it will not put children in any form of danger — it will not take them away from school and all those sorts of matters. The definition is so loose that it does not clarify this matter.

The provisions relating to direct supervision should concern all of us. What is meant by the term 'direct supervision'? Do you have to be directly standing over and supervising in the physical presence of the child or does the child have to be employed in accordance with the instructions given from time to time to the child carrying out a particular activity?

I am concerned about the definition of 'family business'. We are told in the definition that it is a business carried on by mum and dad. Take the instance of a farm — there are many farming businesses in this state that may seem to be carried on by mum and dad but they may actually have some form of corporate structure. This could apply not only to farms, but probably also to newsagencies, local pharmacies and even to the local milk bar. There would be many businesses that for all sorts of reasonable and lawful reasons would have a corporate structure.

I concede that this question was asked last year at the briefing on the predecessor of this bill and it was asked of the department in relation to this bill, but we were blithely told by the department in our briefing — and I do not disagree — that the motives are clear. They are saying, 'Of course mum and dad are still carrying on the business even though the business may be, for all sorts of reasons including tax or corporate law, structured as a company or some form of trust. I do not think it is good enough that a piece of legislation that has such a draconian effect on businesses does not take into account the realities of the way businesses are being conducted. I am terribly concerned that not a great deal of thought has been given to this matter.

I am also concerned about the provisions relating to the mandatory code. For all sorts of reasons the entertainment industry, which is one of the exceptions under this legislation in a number of ways, should be properly regulated by some form of acceptable code based either on some form of national or interstate standard or something that is acceptable to the community.

What I find offensive is that because the bill enables the code to contain penal provisions, the minister can make such a code that prescribes substantial fines — not a mere $150-odd traffic fine — of up to $10 000 for breaches of this particular code. The minister can make that code and dictate the type of conduct, but we would not see it at all. We would only get to see it when it is published in the *Government Gazette*.

How many people read the *Government Gazette* this morning? How many people read it last week? How many people in this chamber have read the *Government Gazette* in the last 12 months? Even if there is a person here who assiduously goes through the *Government Gazette*, the reality is that they are not going to find out the details of this bill. Yes, it will be made available at various places, but you have to know that it exists. Surely in a democracy where the paramount law-maker is the Parliament you would expect that as a minimum condition, legislation that imposes a penal condition would come back into this house as some form of disallowable instrument. But that is not happening here.

I will briefly touch on the old hoary chestnut of child employment officers with all these draconian powers. We have seen them included under the guise of information services officers in the outworkers legislation and also in the federal uniform systems legislation. One would suspect that the real reason this new piece of legislation is being introduced is to provide an opportunity for old union hacks to be given a job in their retirement, running around the countryside on a suspicion that child employment is being conducted in a particular premises, and being given unreasonable access to workplaces all around this state.

The other thing I find extraordinary about this bill is that unlike the provisions in the uniform systems legislation and the outworkers legislation, child employment officers will be able to enforce the provisions of this Child Employment Bill or any other legislation for which they are given that function. Again we may not know what is going to happen. It could be slipped through in an omnibus bill or something like that, which would give them powers to enforce occupational health and safety standards, because one would expect that — —

Mr Nardella interjected.

Mr McINTOSH — I would not listen to the advice of Don Nardella, he is not credible.

Mr Nardella interjected.

Mr McINTOSH — The honourable member for Melton is again demonstrating his complete ignorance of this particular issue.

The most important thing is that they can have access to your own home because in many farms, for example, one room will be allocated as the genuine office where the business will be conducted. It would be the hub or the nerve centre where all the records would be held — and this is something that the opposition deplores.

This bill has substantial defects. I will give you a number of examples starting with the definition of 'employment' and whether or not a child would receive payment.

I was cogitating on this, and I thought a good example would be something so bleedingly obvious that it could not be included in this bill. My son's seventh birthday is coming up, and we want to have a clown at his party.

Mr Nardella — They can have you, mate!

Mr McINTOSH — No, that's you! The member for Melton can be the clown. He would get about $250 for the day, and he would no doubt do a far better job at that than he does when he is in here. The most important thing is — —

An Honourable Member — He wouldn't have to dress up anyway!

Mr McINTOSH — Maybe he could just tone his language down a tad, but that will be right. The most important thing about that is we can get the honourable member for Melton to come in for my son's seventh birthday; we can have all my son's seven-year-old friends from school along. The magic clown, the honourable member for Melton, can get up with his funny hat, big nose and big shoes — he has got that already — and say he wants to conduct a magic show. And he can ask for volunteers. The next-door neighbour's seven-year-old kid comes across and says, 'All right, I am quite happy to take part in this process'. What he is actually doing is assisting the honourable member for Melton's business, and his business is to be the clown at my son's seventh birthday party. The most important thing is that it does not matter whether or not it involves a payment.

Mr Nardella interjected.

Mr McINTOSH — The honourable member for Melton is sitting there and saying you are supposed to apply commonsense. If you are applying commonsense, why do we actually pass such laws in this place. Why do we have a regulatory system that requires permits, police checks and things like that? I am talking about a seventh birthday party, and the honourable member for Melton is accepting that it is a form of employment. He concedes the point that if he comes along to my home as a clown and does a magic show and calls for volunteers, that seven-year-old volunteer is conducting some form of employment. He is conceding that point. That is most important.

But what about a tutor? What about a Kumon centre or some other thing where you are dealing with children in a way that is clearly not supposed to be employment? However, it falls within the definition because a child is taking part in and assisting that business, and they are not receiving any payment for it. That is the worst aspect of it. What the honourable member is actually saying is that commonsense will dictate or the minister will make an announcement in the second-reading debate. It is an absolute disgrace.

I move now to the definition of 'family business'. The family business is mum and dad — that is it. I talked to the Victorian Farmers Federation about this. The minister's response was, 'We've given you something'. Under the current regime a family business is a new thing and mum and dad conducting a farming activity will be excluded from the definition under the act. What about grandma and grandpa, what about aunts and uncles and what about adult siblings? The minister's response could easily be summed up in two words, the first word being 'Get'. That was it!

Honourable members should think about it. Working on a farm as a young child is part of the rites of passage in this country. I have done it. I would expect that while growing up most people in this house — certainly far more in this house than were in the *Government Gazette* in the last 12 months — would have at some staged worked on a farm according to this definition — that is, regardless of whether they received any money whatsoever. That means that a child who goes to the farm of his adult brother or sister and starts to feed the stock, opens the gate, helps muster the cattle, assists with the milking of the cows or even picks some fruit is considered to be working. That is employment within the definition in this bill, and it is part of what we have all done.

Think of the situation of a six or seven-year-old from Kew who goes down to his dad's parliamentary colleague's dairy property around Warrnambool. My

son has grown up in metropolitan Melbourne. We have a number of friends who have farms, and it is a big thrill for him. It is something new. He can see the cows. He does not get anywhere near the cows; he is not big enough and he cannot deal with that. I am standing there, directly supervising at all times. We do the dairy wash down, which is part of the rich tapestry of life. You get onto a big hose and you can squirt poo all over the dairy and get rid of all the stuff from it. It is all wonderful, but according to this measure you are assisting in the business.

The most important thing is that it falls within the definition of 'employment', notwithstanding the fact that I am there. That does not matter because I am not the employer, I am not the one who is directly supervising. My colleague is the one who is actually the employer, and he is committing a very, very serious offence within the meaning of this legislation.

This bill does a number of other things. As I said, the most important thing is that it prevents adult siblings, and grandma and grandpa, from participating in a range of different areas. In regard to newsagencies, there is a concession: you can employ children under the age of 13. But in newsagencies where you need people there before sunrise to do newspaper rounds you cannot employ them before 6 o'clock. Even I might sneakily say I can understand why you would pick 6 o'clock in the morning as the starting time. I can understand why you may do this, but the problem is that the structures the government is putting in place mean that if on a Sunday morning somebody else has to come in and help to supervise because the employer or owner is sick, the paperboys and papergirls cannot conduct the paper rounds.

What you will have all around Victoria, not just here in metropolitan Melbourne, is children being unable to participate in the process, but most importantly the businesses will be affected. Not only will the businesses be affected, but the whole of a particular town or a whole suburb may not get their newspapers delivered simply because of this strict regime.

In summary, nobody disagrees with the sentiment. I shall just say that quite loudly for the benefit of the honourable member for Melton: nobody disagrees with the sentiment of this bill. Nobody disagrees with the idea of protecting children, nobody disagrees with the notion that children should be protected against danger and nobody disagrees that children should be protected from exploitation. It is just this regime; it is just this bill that is silly. It is dumb and it will actually be destructive of our way of life.

I think the government should withdraw the bill. It should support my reasoned amendment, redraft the bill and then come back to the house with it.

Government amendment circulated by Mr HAERMEYER (Minister for Police and Emergency Services) pursuant to sessional orders.

Opposition amendments circulated by Mr McINTOSH (Kew) pursuant to sessional orders.

Sitting suspended 6.33 p.m. until 8.03 p.m.

Mr WALSH (Swan Hill) — In rising to speak on the Child Employment Bill I think we would all agree that no member of this house would support or want to see child labour exploitation in this state. We all support the intent of the bill: to protect children who may choose to gain work experience, get a job, make pocket money or whatever else they may want to do with their lives.

We in this place should also support the development of good public policy and enact legislation that achieves good public outcomes without undue intrusion on people's lives. It is our belief that this bill will do neither — it will not achieve good public outcomes and it will not avoid undue interference in people's lives.

Is it a good public outcome when a grandparent needs a police check to employ a grandchild during the school holidays? Was that the intent of the government when it went away and started to draft this legislation? Is it a good public outcome when a child's uncle has to get a police check before he can employ the child during the school holidays? Is it a good public outcome when an adult sibling, an older brother or sister, has to get a police check to employ a younger sibling during the school holidays? Is it right that such people should have to pay $24 to get a police check done so that a grandchild or a younger sibling can work with them?

As we all know, a lot of people, particularly older people, have a great aversion to paperwork and a mistrust of forms. They do not like seeing people in authority to get those forms filled out and seeking permission to do things. So is it a good outcome that a grandparent, who may not like to fill out forms, who has an aversion to the perceived authority of all this, will no longer take their grandchild and give them some work experience during the school holidays?

As the previous speaker said, a lot of people in this house as children would have spent time on a farm or in a small business of friends or relatives helping out in the running of that farm or business. Under the definitions in this bill those people would have had to

have a police check, they would have had to pay the $24 and, as I will talk about later, depending on what the definition of 'supervision' is, may find that they are breaking the law by not having direct supervision of those children.

I do not believe that as public policy-makers we want to interfere in people's lives to the extent where they have to go to the cost and hassle of paying $24 to get a police check to employ their grandson or granddaughter in the school holidays. If we had a family business where the grandparent had gone to the hassle of paying that $24 to get the police check and was there with their grandchild, but they had to leave that business, for whatever reason, and another family member took over supervision, if the second person had not had a police check they would then be breaking the law and open to quite substantial fines. So you would find, depending on who was coming and going in the business, that every member of the family may have to get a police check. Is that what we want to achieve with good public policy?

As you go through the bill and look at the definition of 'family', you see it only refers to direct parents or guardians. I think the way that the extended families of today work, we need to change that definition of 'family' to uncles and aunties, grandparents, older siblings, or whatever.

The bill to my mind is not clear on the definition of a family business. If it is a direct sole trader or partnership, it is probably reasonably explicit, but, as we now know, for lots of different reasons people run some quite complex business structures. Does a family trust qualify as a family business? Does a unit trust qualify as a family business? A lot of people run a company limited by guarantee now for very good reasons as a business apart from employing people. Would that qualify as a family business into the future, or would that company limited by guarantee change the rules as to how a grandparent, or a parent for that matter, could actually employ the children?

Over the years one of the great things about Australia has been the culture that we have had of people growing up, of families working together, of the bonding of families, of developing a work ethic in children as they grow up — whether it be on a farm or in a small business, or whatever — where they can get out with their parents or grandparents and be part of the day-to-day life and appreciate what their parents actually do to make a living, to raise them and to educate them. We want to be reinforcing that work ethic and the bonding of families, not detracting from it.

A lot is said about young people today sometimes having a low self-worth factor. I believe one of the greatest things in improving people's self-worth is if they can get out and do something and make some pocket money or some real money to achieve something that they want to buy or something they want to work for. It is something that is activity based.

We also hear a lot of criticism about the youth today only wanting to play computer games — that they do not want to get involved in things. As public policy-makers and legislators in this place, we need to be setting the rules where children can do those sorts of things, can increase their self-worth and can be involved in activity-based things. To my mind this legislation does not encourage that sort of thing.

When I sat down to read the legislation, I thought about a nephew of mine, Joshua, who is a mad, keen fisherman. There are people in our party who were unkind enough to say that with fishermen the emphasis is probably on the 'mad' more than the 'keen', because these days you do not always get to catch very much.

Mr Cameron interjected.

Mr WALSH — No, he barracks for Geelong.

Joshua has been out working, delivering pamphlets on his bike. He started before he was 11. Under this legislation he would not have been allowed to do that. He is getting exercise; he is involved in activity-based things; he has a feeling of self-worth. He wants to buy a second-hand tinnie to go fishing in, so he is doing all these activities which are great for his development but which under this legislation would be illegal for him to continue to do. As public policy-makers and legislators, is that the sort of thing we are setting out to achieve in this legislation? As I said, no-one in this house would at all be wanting to have any exploitation of child labour, and the intent of the bill we would all agree with. But in practice the legislation does not pass the test at the moment.

The word 'supervision' is used in the bill several times but is not defined. However, the third edition of the *Macquarie Dictionary* provides the following meaning:

> … the act or function of supervising; oversight; superintendence …

To my mind there is a very grey area in the bill as to what 'supervision' actually means. Does it mean physical attendance or does it mean giving direction and guidance to a task and checking that that task has been completed without full-time attendance?

To go back to the things I said about the issues of developing self-worth, developing activity-based interests and developing a work ethic, do we want to have someone looking over someone else's shoulder for every minute of the time they are doing a job? Or do we want a situation where their rights are protected, where they are safe but where they have the opportunity to develop as they do it?

The National Party believes that the issue of supervision in the bill should not be interpreted as direct oversight. Again, we have the issue where the intent of the bill is good but it is found lacking against the public policy test. Where is the ability for young people to learn, to grow and to get confidence to a feeling of self-worth if as part of this bill they have to have someone looking over their shoulder all the time?

The penalty provisions in the bill are quite high, and we would all agree that they should be high to protect our children. However, is it good public policy to have poor definitions in the bill that may lead to someone being fined quite significantly when that was not the intent of the bill? Does one person's definition of supervision leave them open to significant fines? Is that what the government believes is good public policy? I do not believe that it is.

Do we want to have a grandparent fined because a grandchild who was working for them in the school holidays did not have direct supervision? The *Weekly Times* this morning has a good cartoon on page 17 that sets this all out. It is basically about a grandparent being dragged away by the thought police for employing a grandchild and not providing direct supervision.

Today my office in Swan Hill and that of the member for Lowan received quite a few calls about this issue. When people read the *Weekly Times* this morning they were perturbed about what is being proposed with this legislation. The number of calls that come into an electorate office is a good barometer of what public opinion is and whether people are happy or unhappy with what is being proposed in the community.

Part 4 of the bill deals with compliance. It mentions child employment officers. If we go back to some of the other bills that we have debated in the house on similar issues we could probably better name these individuals as child enforcement officers. We have an issue, again, involving a bill where compliance and information are overlapping.

Do we want the people who are going out there working with children and working with prospective employers to also be the enforcement officers? Or should we have a clear division between the two roles so that we have people involved in providing information to and assisting children, parents and employers and helping to create employment for those children? Do we want them as enforcement officers as well, because they will actually lose the confidence of the community and lose the confidence of future employers?

One of the very valuable parts of schooling these days is work experience. It is a very important and valuable part of the education system, I believe, and gives students the ability to do work experience in an area of potential career choice for them in the future. But here we find that the cumulative results of laws and regulations are making it harder and harder all the time for teachers to actually find businesses that will take students on for work experience. I believe that this bill is another obstacle that will make it harder again for teachers, and career teachers in particular, to go out and find businesses that will actually employ students and give them the opportunity to test out what could be a potential career for them in the future.

On our reading of this bill we believe that it fails the tests we would apply to any legislation that should come into this house. As I said when I started, I believe we are here to enact good public policy that delivers good outcomes for the community of Victoria with the least possible intrusion into people's lives. If we do not do that, I believe we fail in our job as legislators for this state.

We support the intent of the bill. No-one should be condoning any sort of exploitation of child labour, but we should not take away the incentive for people to get involved in having jobs. As such, we would support the reasoned amendment moved by the Liberal Party to make sure we actually get this bill correct for the future.

Mr MILDENHALL (Footscray) — The spokespeople for the Liberal and National parties have both said they support the intent of the bill, but then they go to some imaginative lengths to create and invent hypotheticals to try to prove why the bill is not practical or useful. If these spokespeople were fair dinkum they would know that this bill is needed, and it is needed if we are to be fair dinkum about this issue.

Part of my background has been a journey through a few different shadow portfolios, one of which was industrial relations. In 1999 we discovered up around the Mildura area a scam going on with 8, 9, 10 and 11-year-old kids who were signed up by a bogus charity and employed to do door-to-door sales, particularly at night, of sweets. It was clear when we

looked at the legislative framework, the enforcement framework, that the legislation was not only inadequate but that the enforcement was non-existent. Had any successful prosecutions come forward, the maximum fine I think was $100. I think there was one part-time person responsible for the enforcement of child employment laws right across the state!

It is about time we got fair dinkum about this issue in this state, and this legislation does exactly that. The reasoned amendment purports to suggest that further consultation is either desirable or necessary. It has gone on for two years. All the organisations represented by the spokespeople who have spoken tonight have been extensively consulted. The most pertinent point in terms of the consultations is that most of the details that the member for Kew and the member for Swan Hill are looking for are in the qualitative information that will be included in the guidelines and, indeed, the mandatory code for the entertainment industry.

What we are looking for in the construction of this legislation and enforcement framework is community consensus around reasonable, practical and commonsense outcomes. No child employment officer is going to go around to somebody's farm and say, 'Look, a kid has been employed here for half a day and they are somebody's nephew and they are going to work for $20'. There is not going to be somebody at the farm gate with a government car and a clipboard trying to intimidate some farmer. Let's get reasonable and realistic about this. In the absence of any issues this week, the National Party and the Liberal Party are desperately trying to whip up an issue to give themselves a bit of media coverage.

The sorts of scenarios that have been put up by opposition spokespeople are currently illegal: grandparents now employing a grandchild need a permit. Now the government is proposing a family exemption, and the opposition parties are saying that that is going too far. The government is removing some red tape; there is a family exemption. The family farm will now be exempt, and the opposition says, 'There is more red tape'. The red tape is a police check. In this day and age the opposition is arguing against more red tape when the only new red tape in this is a police check.

The opposition is arguing about families. One of the sad but realistic characteristics of abuse of young people today is unfortunately around families and extended families. We should be thoughtful and serious about this before we start inventing, creating, manufacturing and whipping up scenarios and saying, 'You can't have these people subject to police checks'. Police checks are the new bureaucracy. Beyond that, principals are currently involved and an approval by the secretary of the department is currently involved, but the government is exempting the family farm. Let the opposition spokespeople get up here and say that police checks are not necessary or desirable in this day and age!

An honourable member interjected.

Mr MILDENHALL — More consultation? The farmers federation was very keen on the police checks. There is widespread consensus. This legislation has been the subject of two years of consultation and draft exposures. The guidelines will be subject to much greater consultation, and the mandatory code must be developed in consultation with the major stakeholders. This process goes on and on. The scenarios portrayed, invented and created by the opposition do not hold water. We can all find technical exemptions to any legislation here and say, 'What about this?', 'What about that?'. You can do that until the cows come home, but this is about the reasonable protection of young people: it is about our kids. Let us look after them. This is commonsense, reasonable legislation.

One of the finer, more hairsplitting points made by the members for Kew and Swan Hill was, 'What if the family farm or the family business is a trust or a company limited by guarantee?'. The test in this legislation is who is the supervisor, who is looking after the kids and who is running the business where the kids are supervised. If the parents are the on-site people, then it is exempt. Surely that is the intent of the legislation; surely that is commonsense; surely that is the practical outcome.

The conspiracy theories that were being put up prior to the break for dinner were just amazing. They said that there will be child employment officers who are also authorised under the occupational health and safety, workplace relations and outworkers legislation and that it is all a big conspiracy to get stuck into small rural operators.

An Honourable Member — What about gran?

Mr MILDENHALL — That's right.

Mr Mulder — Get out of Footscray and get out into the bush, and you'll realise that what you're trying to do won't work. It doesn't work!

Mr MILDENHALL — I don't need a lecture from the new strategic brains trust of the campaign committee of the Liberal Party.

Honourable members interjecting.

Mr MILDENHALL — The opposition spokespeople asked us to believe that they were committed to the intent of this legislation. They have had two years of consultation, and more years and many months of further consultation to fill in those details, but their response to this is to find the most hairsplitting, extreme examples and then invent conspiracy theories.

This legislation comes from a Labor Party commitment to be serious about child labour exploitation, to prescribe realistic penalties and renovate 1970s legislation that is completely — —

The ACTING SPEAKER (Mr Thompson) — Order! Time!

Debate adjourned on motion of Mr MULDER (Polwarth).

Debate adjourned until later this day.

CONFISCATION (AMENDMENT) BILL

Second reading

Debate resumed from 26 August; motion of Mr HULLS (Attorney-General).

Mr MILDENHALL (Footscray) — My good friend the member for Kew and the Leader of the National Party spoke last night to outline the opposition's view on this legislation, which they described as draconian. Indeed this is very tough legislation. Introducing automatic forfeiture in the case of a broader range of serious offences and a lower threshold for commercial drug trafficking across a range of illegal substances is significantly toughening up the legislation. It uses the reverse onus of proof, requiring that a person who is charged and convicted of these serious offences prove that assets, including cash, property and equipment et cetera, were not obtained through the proceeds from or as a result of illegal activities. It is very strong legislation.

In fact providing the ability to put freezing orders on the assets of an accused person, once charges have been laid, upon an approach to the court means it is tough legislation indeed. The government acknowledges that. The opposition sought some proof that criminals were arranging their affairs in ways that necessitated this legislation. The origins of this legislation were as a result of approaches and submissions by Victoria Police and the Asset Confiscation Office (ACO). The legislation comes about as a result of specific requests and requirements of both the relevant experts and responsible senior officers in the Victoria Police.

The success of the existing regime has been attested to by the recent figures that were released by the Attorney-General, which show that since 1999 more than $10 million has been raised from the sale of forfeited property and the enforcement of pecuniary penalty orders. The figure on an annual basis has risen to $2.353 million in the last financial year. So this regime, which not only involves the reverse onus of proof but also has a range of offences being caught up in these provisions, is proving effective. The result of submissions by the police and the ongoing program by the Bracks government to enforce a tough law-and-order regime which is producing such spectacular outcomes and such an unprecedented reduction in the crime rate is something that the Victorian community has embraced.

The Attorney-General was recently able to point to the strategic and potentially effective role that these new provisions would play in relation to the recent revelations about the number of illegal brothels that appear to have become more prominent in recent times. Once passed and supported by the opposition parties, this legislation can be used not only to confiscate the properties where illegal brothels are operating, particularly if it involves the relatively modest cash flow of an illegal brothel, but also where there is a sequence of offences that reach the threshold of $75 000. It would mean that not only could that property be confiscated but also where similar or equivalent types of properties were held by the proprietors or operators of the brothel, those properties could be forfeited as a substitute if the property was a rented property.

The honourable member for Kew raised the schedule details on page 74 of the bill, the prostitution offences involving a child where there are two threshold conditions for an individual offence. They relate to an offence involving $50 000 plus a prostitution offence involving a child. These provisions are draconian, the member for Kew has said on a number of occasions, and the government agrees with him. Both those conditions need to be satisfied, although there may be a highly unusual situation where an offence would involve both those conditions.

Mr Walsh interjected.

Mr MILDENHALL — I hear the call from the opposition saying that it would like to make this provision even tougher. This is extremely tough legislation. It has been brought in despite the howls of

protest from the legal profession that have thankfully left both the government and the opposition undaunted and determined to proceed. It will make our state safer. It will send a clear and tough message, particularly to organised crime. We are dealing with large sums, significant assets and people who are able and make an art form of arranging their affairs to avoid the confiscation and forfeiture provisions under existing legislation. These provisions will make it that much harder. They will make it extremely difficult, I would imagine, for expert legal defence to be engaged by some of these characters. I imagine many counsel would be even more apprehensive about defending some of these people — not that that was the intent of the legislation.

The bill contains some sensible provisions regarding the management of assets while these orders are in place, but on balance it should be an effective measure.

Debate adjourned on motion of Dr NAPTHINE (South-West Coast).

Debate adjourned until later this day.

CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL

Second reading

Debate resumed from earlier this day; motion of Ms GARBUTT (Minister for Community Services).

Dr NAPTHINE (South-West Coast) — This legislation is a small step forward in the control of noxious weeds and pest animals in Victoria. People who live, work and conduct business in regional and rural Victoria know how important the issue of noxious weeds and pest animals can be in terms of the effect they have on the amenity, environment and indeed productivity of an area. It is important that the Parliament and the government continue to work hard to ensure that we have the right legislative framework, the right administrative framework and the right amount of staffing and support to effectively deal with noxious weeds and pest animals.

Unfortunately this legislation does not address one of the major problems — that is, dealing with noxious weeds and pest animals on public land. It has been said that government, particularly this government, has not been a good neighbour to private land-holders right across Victoria. Since a former minister for this area, the Honourable Marie Tehan, had the very effective war on weeds we have seen a significant decline in effort, resources and results in terms of controlling weeds and pest animals on public land, much to the annoyance and frustration of adjoining land-holders.

I want to look at a couple of issues. The first is the fires we had in the last summer period. These fires were some of the most devastating experienced in Victoria for 20 years, since Ash Wednesday, and probably in some areas the most significant we have had since the fires of 1939, from my recollection. Some of the issues there relate very well to this legislation.

I want to refer to a paper entitled *A Case of Burning Neglect — A Report from North-east Victorians Regarding the 2003 Bushfire Crisis*, dated 30 April 2003, which was prepared as a community service by the Eureka Project. This paper looks at some of the background to why we had such significant fires and why they were so serious in that area. On page 7 under the heading 'Recent history' it says:

> In August 2002 community leaders from around Mount Beauty invited the then Minister for Environment and Conservation to meet with them and discuss concerns about the Victorian government's conservation policy. The meeting was one of a series of country forums conducted by the Eureka Project …
>
> A detailed case was made for local people to be recognised as part of the natural environment and to take heed of the deteriorating ecological, safety and financial conditions in the Alpine National Park and associated areas during the last decade.
>
> They were concerned that locking up the forest was akin to locking up a heritage mansion that the government may wish to preserve. Locking up without appropriate maintenance and investment leads to dilapidation, and unpoliced exclusion limits access to vandals and improperly motivated activities.
>
> In the case of the Alpine National Park, locking up had led to the proliferation of noxious weeds such as blackberries and briars as well as a spectacular growth in the levels of noxious pests, particularly wild dogs and cats, foxes, pigs, goats and deer.

This is what they were saying at a meeting held in August 2002 — well prior to the fire season. These people were warning the government that its lack of management of public land was causing deterioration of that public land and significantly increasing the fire risk. The paper goes on to highlight that when it says on page 13:

> Firefighting crews were unable to use access trails to reach the fires.

One of the reasons was:

> In other cases the trails had become overgrown with trees and blackberries.

On page 38 the paper says:

> This increased density and the exponential growth in combustible detritus provides a compounding volatility in the fuel load. Furthermore, the reluctance to burn off during the last decade has magnified the problem. Unbeknown to most city Greens, the fuel load is greatly increased by exotic blackberry vines, which climb up to 10 metres from the forest floor.

Months before the fires the people and farmers who live in that area were saying that the lack of management of blackberries, noxious weeds and pest animals was not only contributing to the deterioration in the environment and ecology of the Alpine National Park but was also increasing the significant risk of bushfire.

Then we had Mr Esplin's report, which confirmed what these people said, that there was not adequate fuel reduction burning and that adequate account was not taken of local knowledge — exactly what these people had been saying.

I hope those lessons do not fall on deaf ears in the government and that they are heeded. While it introduces legislation that deals with improvements in the control of pest plants and animals on private land, the government should look into its own backyard and spend the time, effort and resources to deal with pest plants and animals.

What has been done? What is said and done are two different things when it comes to the government. Immediately after the Esplin report the Premier said that additional resources will be available to deal adequately with the fuel reduction burning problem.

I refer to a letter I wrote on 17 June to the Minister for Environment in which I talked about staff in Heywood being retrenched and sacked by the Department of Sustainability and Environment. What were the staff involved working at? They were involved in the three areas of fire safety, fuel reduction burning, and fire access track maintenance. The fourth area listed by me was control of noxious weeds and pest animals. This is what I wrote, based on what I was told:

> Good forest management includes proper control of noxious weeds and pest animals. In the SW —

that is, south-west —

> there are very real problems with weeds, such as blackberries, gorse, sweet pittosporum and pest animals such as rabbits and foxes. Local farmers whose land adjoins state forests have every right to expect these pests and weeds to be controlled properly on Crown land as they are expected to do on their land.

The response from the minister was that that the staff had been sacked on 30 June. He wrote:

> These staff have been encouraged to apply for further positions when they may become available and I am sure that their skills and expertise will assist them in their applications.

The Premier, in responding to the Esplin report, said that more staff will be put on, but across country Victoria the Minister for Environment is sacking staff who carry out fuel reduction burning and who are involved in the control of pest plants and animals. That is what is happening. The government says one thing to the people of Victoria but does another. This is a sneaky government that is not acting in the interests of country Victorians.

The other area I shall address briefly is foxes — one of the major pest animals in our community. What is the government doing? In the six months leading up to the last election, when there was pressure about foxes from the Victorian Farmers Federation (VFF) and the country communities, the government introduced a fox bounty with great flourish, fanfare and publicity, but as soon as the election was over and ministerial changes took place, the fox bounty was cut. It is political cynicism at its worst. That fox bounty removed 170 000 foxes from the state — that is, 170 000 foxes that are not eating lambs or native animals; or 170 000 foxes that are not breeding and contributing to future fox populations.

But the government says, 'No, we are changing direction, we are not having a fox bounty anymore, we are going to go for a baiting program'. You can do both at the same time — you can have a fox bounty and a baiting program working together to control foxes — but we have a government that is prepared to play political games with country Victoria. It introduces a fox bounty because it is politically advantageous to do so before the election but then dumps it immediately after the election. The government says it will employ extra staff for fuel reduction burning but at the same time it is cutting DSE staff across country Victoria.

This is a government of deception for country Victoria. It is about time it was honest with the people of country Victoria who are getting sick and tired of a government that deceives, misleads and lies to them. What we need is a government that is prepared to accept its responsibility and become a good manager of Crown land.

Mr HOWARD (Ballarat East) — I am very pleased to speak on the Catchment and Land Protection (Amendment) Bill. Clearly over the last many years, partly in my role as Parliamentary Secretary for Agriculture and also in my private capacity as a country land-holder, I have had lots of opportunities and reasons to be around the state talking with many

land-holders and people, especially farmers, about their issues of concern.

An honourable member interjected.

Mr HOWARD — Gee whiz, what a pathetic statement! Haven't you dropped that one yet? You must have come up with reality by now.

Wherever you go land-holders in rural Victoria regularly say that one of their key frustrations is weeds. Yes, we do have some significant challenges with weeds across the state; it is not a new challenge for just this government because it is something that former state governments have had to deal with. Unfortunately we inherited a situation where there had been great neglect with regard to weed management and weed control as well as problems with wild animals, foxes and wild dogs. We have had to deal with those problems we inherited from previous governments.

One of the things we have found with the Catchment and Land Protection Act is that although there are some great programs out there operated by some of our Landcare groups and the good neighbourhood program — and we have supported the task forces that have been set up to focus on strategic ways of dealing with weeds, whether they be gorse in my area, serrated tussock, ragwort down in the south-east in particular and then moving across the state to a range of noxious weeds such as blackberries and others that we need to deal with — that act has been there to back up some of the actions we have taken.

While we have a number of land-holders working with the government to eradicate weeds in some areas it is a frustration if their neighbours are not dealing with those weeds so that seeds are coming back onto the properties where the weeds have been eradicated. There needs to be a partnership arrangement. As well as providing carrots for people who are looking to do the right thing, the government needs to provide a stick through a legislative backbone to ensure that people who are not doing the right thing are made responsible for not dealing with weeds on their properties.

We found that while the Catchment and Land Protection Act the government inherited was on the right track, there were many shortcomings. For example, our officers from the former Department of Natural Resources and Environment who were trying to get people to do the right thing often had to wait for some time before they could gain access to a property to serve a notice. Then it often took some time before there was a response. Many hours would go into getting to court somebody who was non-compliant and simply did not want to do anything about their weeds. When we did get them to court, on a number of occasions there would be a range of responses from the magistrates. Often the person who was not doing the right thing was not given an appropriate fine and was in fact getting off lightly. Many people around the state became frustrated because people who were not doing the right thing in supporting their neighbouring land-holders by eradicating weeds were not being dealt with appropriately.

This bill aims to bring about a number of changes to ensure that there is a more streamlined approach to serving notices on people who are doing the wrong thing. Higher penalties are needed for people who are not responding, who are not taking full responsibility and who need to be taken to court. Hopefully those cases will be rare and people will respond to notices they are served with, but the bill tightens up the act so that we will get more direct, stronger responses. In that way those people who are doing the right thing will feel that that those who are doing the wrong thing will be dealt with properly. Those deterrents will be effective following the passage of this bill.

In reviewing the Catchment and Land Protection Act we found that periodically new noxious weeds enter the state and are spread at a great rate. For example, people saw Chilean needle grass, which came here through our nursery industry, to be something great for their domestic gardens and planted it. Before we knew where we were, we had another noxious weed on the go.

The previous legislative framework meant that it took some time before these new emerging weeds could be declared noxious. The new act has brought about a speedier process whereby that can happen. Also, through the review of the act the government has managed to gain the support of nursery associations so that we can ensure when we determine that plants could become weeds we are able to talk with the nurseries and ensure that they do not get released commercially across this state unless we are confident that they are going to be safe and will not quickly add another weed problem to our state.

There is a range of terrific things in this bill that I believe will be applauded by all land-holders across the state.

The issue of public lands has been raised, and let us not pretend that it is something that has suddenly arisen under this government. We inherited from the previous government a very neglected public land system. The former Department of Natural Resources and Environment had been cut to about a third of its original

size, yet this government has managed to reinstate many staff back into our public land system since it came to government. However, we know there is a significant challenge still to be faced in terms of turning the tide and managing our huge areas of public land, and this government is not backing away from it.

The government is recognising in the strategies that are being developed that while we do need to provide some incentives for people on private land to deal with weed problems, we need to put more state funds into dealing with weed problems on Crown land. That is what we are doing in terms of our strategy, so honourable members will see more happening in terms of weed control on Crown land over the coming years and that we are making headway. This government is determined to make headway in that area.

In regard to animals, while there are not any changes in this bill that deal with the challenges of some of our pest animals such as foxes, this government is responding to the scientific evidence that is coming forward and is ensuring that the key response, whether it is to do with foxes, wild dogs or weeds, is a strategic approach. We are looking at how to ensure the best benefit for any public dollars that are put forward by ensuring we get some leverage into private funding and that we respond to the research.

Dr Napthine interjected.

Mr HOWARD — Yes, we were prepared in terms of the fox bounty to give it a go; and it was always the stated aim that once we had trialled a fox bounty we would carry out research and would respond to the research. In terms of responding to the research, we found that the fox bounty was a very hit-and-miss type of approach. As the member for South-West Coast would know, looking at the research the way to go in controlling foxes is a directed program that relates to baiting in particular. We are looking at the areas where we need to get control and we are moving on.

A hit-and-miss strategy is very wasteful of public as well as private dollars, so we need to ensure that the research done following the trial of that fox bounty is actually followed up. Working through consultation is the hallmark of this government, and this bill is a recognition that through public consultation, through sound research and through a strategic approach we will be able to cut back the weed and pest problems in this state. This bill will assist that. I am sure that as we continue on, as a sound Bracks government will do, we will be addressing the problems on private and public land of the many forms of weeds and pest animals. We will see that over time, and with a consistent approach we will receive good results.

Dr SYKES (Benalla) — I rise to talk on the Catchment and Land Protection (Amendment) Bill. I would like to support the bill in so far as it goes in providing assistance to control pests and weeds on private land. However, I express my extreme disappointment with the failure to apply the same stringent measures to Crown land management.

I have a keen interest in the control of pests and weeds in that I have quite a few kilometres of wildlife corridors on my property and some fenced-off creek frontage. Regrettably, along with growing native vegetation and providing a habitat for warm and cuddly Australian native animals, it is also a habitat for weeds, foxes and rabbits. Being an active member of the local community I am also involved in the Molyullah-Tatong Tree and Land Protection Group, the Upper Boosey Creek-Glenrowan Weed Action Group and the Moyhu, Whitfield and Greta Valley Weed Action Group.

The weeds and pests of concern and interest to us in north-eastern Victoria are, as I have mentioned, foxes, rabbits, hares and feral cats and a wide range of weeds, particularly Paterson's curse, Chilean needle grass, Bathurst burr, Noogoora burr, arrow head plant, wild ground cherry — —

Mr Nardella interjected.

Dr SYKES — And not to be forgotten, not the prickly member from Melton but the prickly blackberry.

The success of local weed control activities has hinged very much on a strategic area-based approach involving the cooperation of private land-holders and local and state governments. It requires a mix of education and regulation, and most importantly a lot of hard work and persistence.

The bill will enhance the effectiveness of the legislative component of this cooperative approach. The features of the proposed legislation have been discussed by previous speakers so I will not dwell on them. A feature of addressing these sorts of issues that I would like to comment on is the need to separate the role of extension from regulation.

I draw on the experience of the Upper Boosey Creek-Glenrowan Weed Action Group, which involved the use of keen young new graduates in a dual role of extension and regulation. It did not go well, not because the graduates did not have the desire but because they did not have the necessary mix of skills to combine

extension with regulation. In fact that is an unfair ask. There are different personality requirements and different training requirements to cope with the regulatory side of things as distinct from the extension side. Having said that, good regulatory officers always implement a lot of education and extension before they come in with regulation as the option of last choice. I also hasten to add that the graduates working on that program were very good young people, and they ended up doing an excellent job and matured into very capable professional operators.

Some of the problems we have had in other parts of the Landcare activities include the experiences of the Molyullah-Tatong Tree and Land Protection Group, particularly the people in the uppermost Hollands Creek subcatchment. There was a problem there with an attempt to have an area-wide attack on Paterson's curse and blackberries. There was good cooperation between the land-holders, the catchment management authority and local government. Unfortunately the Department of Sustainability and Environment (DSE), which was responsible for much of the Crown land that adjoined these properties, was less cooperative, not necessarily due to a lack of will on the part of local staff but due to inadequate resourcing from the government.

The issue of lack of resources also threatens the success of the recently created Moyhu, Whitfield and Greta Valley Weed Action Group. At this stage the DSE is playing very much with a dead bat and not offering any significant material support to this land-holder-initiated activity, which is an attempt to get on top of a serious weed problem.

On the issue of the management of state forests and national parks, pest and weed management can be summed up in one word — that is, disgraceful. It is pleasing to hear that $14 million has been allocated to weed control in forests and parks, but my concern is how much of that $14 million will actually go to on-ground works compared to how much is directed to administration and bureaucratic salaries.

I call upon the government to honour its commitment to having open and transparent government by providing a simple, unambiguous summary of the expenditure details of that $14 million to show us where it is actually spent.

Mr Nardella — Have a look at the budget papers.

Dr SYKES — You can talk the talk but you must walk the walk!

I also remind the government, in line with the saying 'one year's weed makes seven years' seed', that a financial commitment to weed and pest control spans decades, not three or four years.

I move on to the issue of biosecurity, which concerns the prevention of the spread of weeds and pests between properties and other areas. It is an issue near to my heart. As mentioned earlier, the issue of animal disease — for example, the spread of foot-and-mouth disease in the United Kingdom — highlights the consequences of poor biosecurity. That disease cost the UK economy billions of pounds and impacted on every person living there.

In Australia we have had less dramatic but still high-impact examples of a failure to implement biosecurity measures — for example, the spread of spotted alfalfa aphid in crops in the 1980s. That was spread by advisers, contractors and farmers going from one paddock to another without disinfecting themselves or their vehicles, thereby inadvertently spreading the disease throughout Australian lucerne crops, resulting in massive losses and necessitating the replanting of the lucerne.

In the case of the recent drought, the farmers' need for hay and fodder supplies resulted in long-distance transport of fodder, often of questionable value and contaminated by seeds. We are going to pay the price for that for a long time to come. I have certainly found Paterson's curse growing along the roadside of my property as a result, I believe, of the transport of infected hay from place to place during the drought.

This raises the problem of the management of weeds on roadsides, an issue that has been touched on by previous speakers. We have a problem with the well-intended but totally impractical regulations now being applied to roadside management that require the leaving of fallen trees and limbs. What we are going to end up with is a weed-infested habitat for rabbits, foxes and feral cats.

In conclusion, I do not oppose the bill and I support many of the principles contained in it. However, I again express my disappointment at the bill's failure to address the serious issues of Crown land management of weeds and pests.

Ms GREEN (Yan Yean) — I am very pleased to join the debate on the Catchment and Land Protection (Amendment) Bill. I am really proud to be part of a government that has nailed its environmental colours to the mast by protecting our pristine environment in so many ways, whether it be the introduction of legislation to protect our pristine green wedges, restoring flows to the Snowy River, or ensuring that our precious water is

protected in the future by introducing legislation that will enshrine stage 1 water restrictions as the baseline for consumption. As part of this government's commitment to our environment, it seeks to amend the Catchment and Land Protection Act.

Weeds and pest animals are a significant environmental problem in Victoria. They have a major impact on the long-term viability of Victoria's catchments and their productive farmlands. The Environment and Natural Resources Committee's 1998 report on weeds in Victoria found that the act was administratively cumbersome and had the potential to fail in relation to resulting prosecutions on compliance.

The proposed amendments are designed to increase penalties throughout the act to provide a greater deterrent and to ensure that penalties are commensurate with the cost of pest control; to streamline the administrative procedures of the act; to streamline the process for revoking a land management notice; and to strengthen controls to prevent the spread of weeds by vehicles. It will allow the minister to make emergency declarations of high-threat pest plants.

The bill will ensure that a person cannot make an application to the Victorian Civil and Administrative Tribunal regarding a land management notice that deals with noxious weeds and/or established pest animals. It creates a new offence of releasing a pest animal without a permit and/or allowing such a permit to be issued. A new offence has been created where a person is in breach of the conditions of a permit issued under the act to keep or sell a pest animal. The amendments will revise enforcement powers to improve the efficiency of administering the act.

The bill will ensure entry onto land and into premises, including commercial premises, shops and nurseries. It gives power to stop and search vehicles for noxious weeds and pest animals. It also includes power to seize pest animals or noxious weeds, power to collect DNA samples from pest animals and noxious weeds and power to require a person to retain a pest animal by service of a notice.

The bill also amends the Extractive Industries Development Act to provide a more transparent link to part 7 of the Catchment and Land Protection (CALP) Act, which deals with the shallow extraction of stone, sand, gravel et cetera, which is also undertaken in my electorate.

My electorate of Yan Yean is highly environmentally aware. I know the people in my electorate want the government and me, as their local member, to act on pests and noxious weeds. On any weekend many people in my electorate work hard as members of friends groups in the various catchment areas and also in Landcare. They know much better than I about addressing pests in this area. I have to say that my staff do this each weekend. I admit to the honourable member for South-West Coast that I am a bit botanically challenged: I can point out weeds to you, but I do not necessarily know their names. My dad found this out when he was teaching me about gardening. I know what is a native and what is a pest — and some of them sit on the same side as me in this house!

Dr Sykes (to Mr Lockwood) — Pete, she's saying bad words about you!

Ms GREEN — No, I was not talking about the member for Bayswater.

People in my electorate work hard because they like to protect the native environment, and I will do whatever I can to help them. I know that local farmers and nurserymen support the government's position and its work in this area. They have confidence that this bill will work to improve water quality in our local catchment of the Yarra River. They know that we have already worked cooperatively with them on stream management plans for tributaries of the Yarra in the Plenty River and Diamond Creek, and also the tributaries Arthurs Creek, Barbers Creek and Darebin Creek.

The community knows that the Bracks government cares for the environment and trusts us to look after it. I commend the amendments to the CALP act to this house.

Mr HARDMAN (Seymour) — It is a great pleasure to speak on the Catchment and Land Protection (Amendment) Bill. As has been outlined previously, the purpose of the bill is to make stronger the legislation covering the control of noxious weeds and pest animals. The bill also increases penalties for existing offences. That is a really important part of it. What we need in our weed and pest management is legislation that not only acts as a deterrent but also ensures that people know that authorities such as the Department of Sustainability and Environment and the Department of Primary Industries have powers to take them to court and prosecute them and ensure they do the right thing not only by the environment but also for the important farming and agricultural production that occurs in the area.

I know the Mitchell Shire Council will be very impressed by this bill. It has written to me on many occasions — I forwarded the letters to the minister at the time — saying that all its efforts, such as rate reductions for farmers who have weed and pest management plans, are of no use if those plans are not followed up and people who do not look after their land are not prosecuted.

One of the platforms of the state government at the last election was to increase weed and pest management on public land with funding of between $12 million and $14 million. When I spoke about that at the committee it went down very well. The government has a role in making sure that the right things are being done in weed and pest management. It is frustrating for farmers when they look after their fields and make sure their paddocks are free of weeds only to see state-owned property next to them not being managed the right way. It is frustrating for farmers that the people who own the paddocks surrounding them do not tend to their pests and weeds.

This bill will be of great benefit to my constituents, to the environment and to the farming production that will now be able to be undertaken in the area. From my point of view it is fantastic. The rivers, the public land uses and all of the rural farms in the area of the Seymour electorate will benefit greatly from this bill, and I commend it to the house.

Mr JASPER (Murray Valley) — I am pleased to support the comments made by the Deputy Leader of the National Party and the member for Benalla on this bill. I also listened with a great deal of interest to the comments that have been made by other members. When we look at the development of land protection organisations over a long period of time there is no doubt that there has been a need to make sure through the catchment and land protection authorities that we tighten the requirements for the management of land. Certainly in my electorate of Murray Valley there have been some concerns about the whole issue of weed and pest animal control.

I was interested when reading the notes to the second-reading speech given by the minister that she referred to the 1998 parliamentary investigation by the Environment and Natural Resources Committee, which recommended that the act be amended because it is 'administratively cumbersome, protracted and may ultimately fail during prosecution' — that is, so far as it deals with having controls on private land. The National Party has looked at the legislation and, in its view, while the bill is a move in the right direction it needs to go further. There needs to be a focus on having better management on Crown land generally rather than just looking at the management on private land.

In my electorate of Murray Valley most members of the farming community around the Warby Ranges in the Rural City of Wangaratta will respond to it because they are mostly environmentally friendly — they try to do the best in terms of the management of their properties. The farming community generally has been criticised by some people, particularly those in government circles, who have said that the farming community does not look after the environment as well as it should. I believe members of the farming community do respond well in the management of their own properties and certainly try to make sure that they are managed in the best way to protect the environment for the future. But there are also many small farmers and others who may be referred to as hobby farmers who do not look after the land as well as they should.

I have referred to those people who own small properties in the Warby Ranges, because I know the area very well. Larger landowners have come into my office and said, 'We have a situation where we are controlling the noxious weeds and pest animals on our properties, but there are not enough controls being implemented on these smaller properties'. I went out with a number of landowners and a representative from the department to inspect the properties and we saw clearly that there were some people who were not managing their properties effectively. The departmental people made it quite clear to me that they were not in a position to be able to enforce the appropriate management practices on these small property owners.

This legislation seeks to follow on from the 1998 parliamentary committee inquiry and looks to impose more stringent measures to ensure that these people manage their properties effectively. I support the legislation on the basis of what it is seeking to do, but I express concern that the government generally is not doing everything it should be doing on private land.

I listened to the contribution of the member for South-West Coast, particularly when he referred to the fires in north-eastern Victoria and the damage that was caused there, where generally the members of the farming community were looking after their properties but Crown land was not being managed effectively. The report which has been presented to the Parliament clearly indicates that there needs to be better management of Crown land; a lot of the difficulty we experienced was caused by inappropriate management of Crown land areas.

I want to also pay tribute to the Landcare organisations in north-eastern Victoria. They have been one of the great success stories. Most of those Landcare organisations have been very effective in implementing programs and control measures for weed and pest animals, certainly as far as the management of those properties has been concerned.

I highlight the case of Mr Sandy Campbell of Springhurst in north-eastern Victoria, who won a major Landcare award recently. He was quoted on the radio as saying that when they bought their property about 30 years ago it was infested with noxious weeds, had a range of other pest animals including rabbits, and that they had won this award through Landcare because of the changes they had implemented on their property. Most people in the farming community recognise their responsibilities and through Landcare as a combined group have been able to be very effective in that area.

I listened to the comments of the member for Benalla in relation to the Moyhu, Whitfield and Greta Valley Weed Action Group. While it is not within my electorate of Murray Valley, it is within the Rural City of Wangaratta, which I am very much aware of, and it made representations to me as well on this issue. It was concerned because of a lack of appropriate funding being provided in the area of weed control and pest animals. Its concern was precisely what this legislation is proposing to cover.

A letter the group received from the Department of Sustainability and Environment comments on the changes which are required and states that the department did not have appropriate legislation to be able to proceed against landowners who were not effectively managing their properties. In the last paragraph of the letter sent to the secretary of that weed control group, Mr Bob Falconer, it states:

> The government has also announced a new weed management program for private land, providing $10 million over four years and commencing in 2003–04. In the initial year this program will focus largely on supporting the fire-affected areas of the north-east and East Gippsland, but in subsequent years will be applied more broadly across Victoria.

The earlier part of the letter indicates that stronger action will be taken in seeing that there is compliance by landowners who do not meet what should be acceptable within the general community.

From the National Party's point of view, we agree that the legislation is a move in the right direction; and as I indicated earlier in my contribution regarding the difficulties that I have experienced where the government has not been able to effectively control landowners who have not met the appropriate requirements of the department, those landowners will be able to be brought into line. But we think it needs to go further by looking at the land under control — Crown land — and getting it more effectively managed.

It is also interesting to add that in areas along the Murray River and the Cobram Regional Park I have had representations from local people on the basis of the need for additional management controls. I acknowledge that in the budget speech there was mention of additional staff being provided to the department, and particularly to Parks Victoria, to seek to implement more appropriate management practices right along the Murray River, in the forest areas and in the regional parks.

That certainly goes into the control of the Warby Range State Park. I mention in closing that I am doing an inspection tour of the park next Tuesday with Country Fire Authority representatives and others on the basis of the lack of appropriate controls within the park. When I did a tour of the park late last year it was quite clear to me that if a fire were to start there the whole of the park would be demolished very quickly. I put out a press release earlier this year before the fires in north-eastern Victoria. I mentioned particularly that there would be problems in the Warby Range State Park because of the undergrowth and the need for more appropriate controls within that area.

No doubt there needs to be more action taken by the government in this area. The effective control of private land is certainly a move that will assist, but we also need to have better regulation and more staffing provided to Parks Victoria to monitor Crown land and forest areas in this state. The National Party supports the legislation but believes Victorians require a review of what the government practices are in total.

Mr INGRAM (Gippsland East) — I thank the house for the opportunity of speaking on the Catchment and Land Protection (Amendment) Bill. I had a good look at this bill because weeds are an extremely important issue in most rural electorates, as the member for Lowan would agree. I think this is a good quality bill. It strengthens some of the land management notices and the enforceability of orders from the government, which is a good thing. As the member for Gippsland East, and as the member for South-West Coast would know because he has relatives in my electorate, I am fully aware that weeds are a serious problem.

I had the pleasure of going through one of the areas around Swifts Creek with a local Landcare organisation

and the Department of Sustainability and Environment — known at the time as the Department of Natural Resources and Environment — and looked at some of the weed problems. There are some real concerns about where boundaries lie and who is responsible for weeds, particularly in relation to the public land areas adjacent to the private-public land interface. One of the common comments in my area is that living next to a state park or a state forest is like having a neighbour from hell in your backyard, because not only do you have large numbers of weeds and pest animals coming onto your farm, you also have an obligation nowadays to manage some of those intrusions on behalf of the government.

One of the classic examples of that is an area not far from Swifts Creek, which the member for South-West Coast knows full well. I had a tour there with a Landcare organisation. A shire road runs up into the area alongside the Tambo River. A private land-holder has the road boundary. The shire has an area between its boundary and the road which has weed infestations on it. The shire is in dispute with the land-holders about who is actually responsible for management of the weeds in that area. The East Gippsland Shire Council does not spend a lot of money on weed management.

On the other side of the road you have the verge between the road and the river. The catchment management authority obviously has some responsibility on the riparian vegetation and the riparian verge. In between that you have land that is under the control of Land Victoria — same again, no budget for weed control — and on the river side of the road the shire obviously has responsibility. The other side is private land. In one section of 50-odd metres a whole range of different organisations theoretically have a responsibility for weed control. None of them are doing anywhere near the job they need to be doing. In the end it really comes down to the private land-holder. If he wants to keep the weeds off his property and is a good farmer, he needs to put his resources into managing it.

In areas like the Tambo Valley, where you have had incredible hardship over a decade — you have had droughts; the 1998 flood was of course quite significant through there; and recently, bushfires — expecting those land-holders to put large amounts of their resources into managing what is public land without really getting any return from it other than stopping weeds coming onto their properties is a great and onerous responsibility to put on them.

Whilst this bill does not necessarily address that, it is one of the issues that does need to be addressed. We need to tidy up some of those discrepancies. The member for Murray Valley commented that a lot of the findings on this came out of the Environment and Natural Resources Committee report on weeds. I was not involved in that — I have spent some time on the committee, but that is one of the reports that was done by that committee before I was a member. It was an extremely good report. I have read it, and I think the work the committee has done is very, very good.

It must also be recognised that this bill is tidying up some of the things that were not dealt with when the catchment management legislation came into place and filling in some of the gaps in management following the transfer from the catchment and land acts to the catchment management authorities (CMAs). Obviously there are some real challenges for the CMAs with their responsibility for the river banks in my area. The fire that went through most of East Gippsland last summer highlighted some of the problems with weed management on river banks. It is good to see that the government has invested some money in managing weeds in the fire areas. It is not anywhere near enough, because most of the resources that have been allocated will only go to fire-affected areas. That will take money out of other areas of national parks and state forests.

Overall the bill deserves support, and I will be supporting it. We should not underestimate the challenge farmers face. The real farmers do a very good job in ensuring that weeds on their properties are managed well. For those farmers who do not, obviously this bill gives government more power to enforce weed control measures, which really not only increases the productivity of the neighbouring farms but also stops the risk of their being infested from the land of absentee landlords or farmers who are not doing their job properly. I commend the bill to the house.

Mr CRUTCHFIELD (South Barwon) — I rise to speak on the Catchment and Land Protection (Amendment) Bill. My theme follows that of the two previous speakers, being the very independent member for Gippsland East and the National Party member for Murray Valley. It is about enforcement and it is about the fact that there has been undue hardship and onus put on land-holders, in particular responsible land-holders. I certainly also support the fact that most land-holders are taking reasonable steps to address noxious weeds and pests. Members have cited examples in their own electorates — either themselves as responsible landowners or others' examples — and I will continue with that theme.

The amendments address the failure to achieve adequate prosecution and, as has already been mentioned, some flaws in the act that the parliamentary

committee identified back in 1998. The bill goes a long way towards addressing those failures. Some enforcement notices are indeed onerous, but in my view — and, I am sure, the view of rural communities that have continually communicated with government and opposition members about the failure of prosecutions of irresponsible landowners, irresponsible government agencies or irresponsible councils — they can be necessary.

I note the Minister for Agriculture's confession — it is not my confession. I have a number of anecdotes about the City of Greater Geelong, but I would certainly like to touch on the Minister for Agriculture's electorate, where my mother is a land-holder. She is a very responsible land-holder with a huge 5-acre property. She is a hobby farmer, and probably to the chagrin of many of the National Party members who have much larger land-holdings — —

An honourable member interjected.

Mr CRUTCHFIELD — It means 'concern' if you don't understand 'chagrin' — and I only went to a government school in Warrnambool, so I apologise! She is a responsible hobby farmer and shares the farm with my brother. She has just cleared most of her property of furze. Unfortunately there are hobby farmers around her who have not taken reasonable steps to clear their properties of those noxious weeds. For the interest of the Minister for Agriculture, who I realise has a very close relationship with municipalities in his electorate, I point out that although it is its responsibility, the municipality has elected not to clear the creek in that particular area of a substantial amount of blackberries and furze. So I share the concerns of other members about a whole myriad of responsibilities that impact on responsible landowners, particularly larger landowners who have enough cost imposts on them especially with the drought and other issues.

Some three years ago I met and had a conversation with the member for Gippsland East on the Snowy River. Our meeting was not premeditated; I was there on the river with a group of volunteers from the Country Fire Authority, and the conversation on that particular occasion, coincidentally, was about noxious weeds, particularly about the blackberry infestation along the Snowy River, which at that stage we were canoeing down.

I lend my support to the member for Gippsland East because as a result of the bushfires in recent times a window of opportunity to get access to those areas which are clearly difficult to access has been opened.

Mr Delahunty interjected.

Mr CRUTCHFIELD — I notice the member for Lowan is making comment. I certainly draw his attention to some instances in his electorate. As a National Party member he is making some inroads into a Liberal Party stronghold. He is clearly working very hard on the Liberal Party at Balmoral. He would be aware that the weed Cape tulip infests some of the properties at Balmoral. My father-in-law sprays regularly on his property there. It is fortunate that the abutting land-holders are reasonable and responsible.

A property on the other side of Balmoral has been infested with Paterson's curse, which I am sure the member for South-West Coast would be more than familiar with. Paterson's curse is found not just in Balmoral but also in South Barwon.

Geelong has a long and difficult history in dealing with serrated tussock. I use this opportunity to congratulate Cr Rob Binnie, who is still on the council of the City of Greater Geelong. He has held the environmental portfolio for some seven years. He has continually annoyed all and sundry with his concerns about pests, and in particular noxious weeds. He has been a clear advocate for increased funding from particularly the state government but also from municipalities in the fight against noxious weeds. In 1999 he was pleased with the election of the current government and its injection of a considerable amount of funding into the eradication of noxious weeds.

I note with interest that there are other councillors. The member for South-West Coast is not here, but I would also like to thank Cr Lindsay Schroeter. Cr Schroeter is a councillor for the Winchelsea ward of the Surf Coast Shire and has been a considerable annoyance not only to his own council but also to other funding bodies and the rest of us in this respect, but his heart has been in the right place. He has long been an advocate of the injection of funding into the eradication of serrated tussock in the Winchelsea area. I remember when he was pictured on the front page of the newspaper forcefully cutting the nature strip, which his own council had refused to do. Lindsay had decided to do it himself as an indication of support for his rural community. Serrated tussock is an issue that resonates not only with National Party members but also with Liberal Party members, and certainly with members of the Labor Party, who have the most seats representing rural and regional constituents.

An honourable member interjected.

Mr CRUTCHFIELD — Welcome to my side of the house, Bill!

Lastly, in closing, I support this bill. My last anecdote concerns my recent honeymoon in Italy. I only have 1 minute and 10 seconds, so I will not elaborate too much — —

An honourable member interjected.

Mr CRUTCHFIELD — You're getting a bit old too!

I visited Italy and a newly announced national park there. We have spoken about private land-holders, but this issue is also applicable to public lands whether they be in Victoria or Italy. There was a considerable number of feral cats in the national park, as well as a considerable amount of blackberries from one end of the Cinque Terre to the other. There was not any serrated tussock or prickly pear, but I can certainly endorse the flavour of the bill concerning public land. It is not only about the effects on rural constituencies in terms of economic and social issues, there is also a clear effect on environmental and enjoyment issues, as visitors to the Snowy and other national parks would understand.

Debate adjourned on motion of Mr DIXON (Nepean).

Debate adjourned until later this day.

NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL

Second reading

Debate resumed from earlier this day; motion of Mr THWAITES (Minister for Environment).

Mr DELAHUNTY (Lowan) — I am pleased to rise on behalf of the Lowan electorate to speak on the National Environment Protection Council (Victoria) (Amendment) Bill. My colleagues spoke about it earlier today, and as we said then, we will not be opposing this legislation. The purpose of the bill is threefold, and the amendments reflect the recent changes to the complementary federal legislation.

The National Party has some concerns about the bill, and I want to highlight some of those, particularly those from the Lowan electorate. I read through the five pages of the second-reading speech. It is as long as the bill itself. The minister embellished his speech with a few other things that I want to bring back to haunt him a little bit. He says that the government has made a strong commitment to protecting our environment for future generations to enjoy. It was highlighted earlier that public land beside private land is often referred to as the neighbour from hell. The government does not do anything to deal with vermin, particularly foxes. It is absolutely amazing that last week the government withdrew its support for the bounty for the eradication of foxes. About 170 000 foxes were disposed of in Victoria in the last 15 months, so how the hell can the government say it has not been effective?

We also know that a review is being done by the Road Safety Committee on obstacles on road reserves. Here again I think we are not doing enough about our environment. Roadside vegetation is getting closer to roads. Whether it be through government or councils, we are not doing enough to make sure that visibility is appropriate for people travelling on country roads. In the country we are always driving about 100 kilometres an hour, whereas in the city it is a lot less, so from a safety point of view it is important that the roadside verges allow visibility for traffic moving along the roads.

It is amazing that only yesterday we had the Esplin report come down and the government crowed about how it is going to do more work in relation to cool burns or fuel reduction burns and is putting on staff to do that. I know from the comments made here by the member for South-West Coast and the important point raised by the Deputy Leader of the National Party today that there is work going on to remove people from within the Department of Sustainability and Environment. Some of those people have a long-term understanding of fire and fire management, and it seems a real travesty to country Victorians particularly that we are going to lose the expertise of a lot of these people. The government is going the wrong way about it to crow about the strong commitment it has made to the environment for future generations to enjoy.

In the last five years the western part of Victoria has been very dry. I can inform members of the house that we have had some good rains over the last couple of weeks. We have seen water going into Lake Natimuk, and even Green Lake, the very popular lake, got a couple of inches at half past six on Monday morning. Water is going into Rocklands at a fairly steady rate, so the Balmoral community will be well looked after, at least in the short term.

But last year we saw the government step away from its commitment to protecting the environment for future generations to enjoy. It stepped away from it by handballing the responsibility to local government, which is really not the responsible authority in relation

to fairy grass and the problems that were happening in those lakes. This bill covers the Environment Protection Act of 1970, and the government claimed in the second-reading speech that it was the leader in environment protection. Again I think the bushfires have highlighted the fact that the government has not been doing a good job in that area. It has been very emotional for some of these families to have to be in front of parliamentary committees and the like to express their concerns in a very open and transparent way about the way the government and some of the government departments have dealt with looking after their parks and being neighbours to private land. In the second-reading speech the government also crows about the establishment of the Commissioner for Environmental Sustainability. My understanding is that, after all the crowing and saying it is going to happen, that position has not been filled yet. So that again highlights that the government talks loud but delivers little.

Another thing in the second-reading speech is that it talks about the control of hazardous waste. I want to highlight in this Parliament that the Horsham Rural City Council has closed its old saleyards site and established a real estate development, but part of closing down the site was that it had to remove a lot of hazardous waste. It had to get approval from the Environment Protection Authority — —

An honourable member interjected.

Mr DELAHUNTY — Never go down to Dutson Downs! It was not quite that bad. I am not sure if I said the right thing there.

The reality is that some of the contaminated soil had to be removed. The council got permission from the Environment Protection Authority (EPA), but that permission cost $27 000. Shame! It was an absolute shame! The reality is that the council moved its own soil in its own council trucks to its own council waste site and paid the EPA $27 000 for the honour of doing that. Again they are talking about controls, but unfortunately they are making the rules and someone else is paying the bill. I highlight some of the issues that are of concern to people in western Victoria.

The legislation provides for five-yearly reviews, which will be a mechanism for the Victorian community to make changes. An article in the *Weekly Times* of 27 August entitled 'Land clearing — we want flexibility' states:

> Angry farmers have demanded the Victorian government introduce greater flexibility to its native vegetation regulations.
>
> In its submission to the Productivity Commission's current inquiry into clearing controls, the Victorian Farmers Federation presented a host of examples which it claims show how unfair the state's regulations have become.

I want to highlight one of those examples in my electorate. I refer to Murray and Lorraine Davis of Dergholm, on the South Australian border, who have been prevented from undertaking selective clearing to raise their stock-carrying capacity, despite having undertaken significant conservation works on other parts of their properties.

This is typical of what is going on right across the Lowan electorate. Farmers, in trying to work with catchment authorities, departmental people and councils, are being stifled when trying to improve their productivity. They are being held down because of this legislation.

The article in the *Weekly Times* further states:

> … the government was making individual farmers bear the burden of the environmental demands of the wider community, with no consideration of the social and economic costs.

Because of the drought and for various other reasons, farming has been fairly difficult in western Victoria for the last couple of years. If members of the community want to introduce these laws, they should put their hands in their pockets and pay some of the compensation. The article goes on to state:

> 'The overzealous enforcement of these regulations and at times seemingly ad hoc and excessive … requirements are undermining landowner support for conservation and putting … important native vegetation at risk', the VFF said in its submission.

In this article the Australian Conservation Foundation denied that the controls were excessive and unfair. What's new? I did not expect anything different from it! It even called for the controls to be increased. The article states:

> ACF biodiversity campaign coordinator Charles Sherwin rejected claims …
>
> …
>
> However, he did concede farmers who suffered hardship as a result of the controls deserved compensation …
>
> …
>
> But VFF president Paul Weller said it was time farmers received direct compensation when their development opportunities were curtailed by controls.
>
> 'If the community wants these native vegetation controls, the whole community should pay, not just individual farmers'.

I highlight these issues in the Parliament today because the legislation should have some flexibility to allow for land-holders who, in the majority of cases, are very good operators because they are there for the long term. They need their public land neighbours to be rigid in the way weeds and vermin are controlled. With those few comments I indicate that the National Party will not oppose the legislation.

Mr HOWARD (Ballarat East) — I am pleased also to speak on the National Environment Protection Council (Victoria) (Amendment) Bill. It is important that we recognise the potential damage to our environment that can be caused by a range of polluting agents. It is great that Victoria has been a leader in recognising the potential problems that are out there and in acting at early stages to address them before they become too serious.

People who have travelled to other countries or who are aware through the media of what is happening will know that in many countries rivers have become severely polluted and air quality is a severe health concern. That is something we do not want to see happening in our state. We want to act at an early stage to prevent problems from happening that would otherwise severely harm the environment in terms of health for humans and to ensure that we continue to support biodiversity and that our ecosystems continue to thrive.

This state has been a leader in dealing with these issues of environmental control for a long time, but this lead has been particularly supported by the Bracks Labor government. We want to see this state continue to be at the forefront in supporting the Environment Protection Authority, which, as we are aware, was established many years ago to ensure that we keep on top of this issue, that we address the concerns that are out there, that we set standards and that, using both carrot and stick approaches, we work at ways of maintaining good quality water, air and general environment.

The EPA has been out there. The Bracks government has brought forward legislation to ensure that we have the right stick approach, the right legislation to ensure that people who do not adhere to sound principles of environmental management are able to be tackled by the EPA and taken to court if need be. That is not the approach we want to take, but it is necessary to have that approach in place. We want to see, with appropriate encouragement, potential polluters recognising the problems they could cause and their custodial responsibilities to address those problems.

It is good that we have been able to get many producers of goods to sign a compact recognising that within their own company structures they wish to address means of reducing waste and ensuring that the quality of their outputs is improved so they do not continue to cause a problem in the environment.

Great headway has been made in terms of agreements the government has come to with companies over the years. However, what has been recognised as significantly important is that the state cannot operate on its own. We need to ensure that all states in the commonwealth are working together. On a range of other occasions we have seen the federal government fail to work in conjunction with the states — we have seen it in health and education where the federal government does not want to show leadership. We have also seen that happen in some areas of the environment, but fortunately in this area the federal government and the states have worked together to develop a national environment protection policy and to establish the National Environment Protection Council.

Through the states and the commonwealth working together we are establishing standard guidelines across state boundaries to ensure that people who may have done the wrong thing in one state and are brought under control in that state are not encouraged to move into other states and continue to operate in inappropriate ways.

We need a national approach — and we have a national approach. This legislation mirrors the federal legislation in empowering the state to recognise that national approach. It is a very significant move forward. It is clearly recognised that through this legislation we are supporting the establishment of the National Environment Protection Council as an overarching national body that will set standards and bring states together to agree on the appropriate means of progressing those standards. The standards are called national environment protection measures; they have been recognised in this bill and will be supported by it.

This will see that we address a whole range of problems. We have been working through water quality issues and a range of issues relating to air quality. We are now moving to set standards for fine particles and toxic agents in the air.

We are also setting protection measures for those as well as broadening measures that need to be put in place, recognising that we must utilise the science that is available and set the controls and guidelines. I am pleased to say that through a national cooperative effort we are now able to do that and see great headway.

I also note that with waste management packaging covenants are being put in place through the incentive of the Environment Protection Authority. I am pleased to support the bill.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The ACTING SPEAKER (Ms Barker) — Order! Under sessional orders the time for the adjournment of the house has arrived.

Workcover: Haystac Public Affairs Ltd

Ms ASHER (Brighton) — The issue I have is with the Minister for Workcover. The action I am asking him to undertake is to investigate payments made to Haystac Public Affairs Ltd from the date of the company's inception in February 2001. The background to this issue is that the director of Haystac is a gentleman by the name of Anton Staindl. He is in business in a company called Social Shift with Bill Shannon who runs Labor's ad agency, Shannons Way, and also runs Progress Business, which is Labor's fundraising arm. The other element to the relationship between these two gentleman is that Anton Staindl sat on the panel which awarded Workcover's advertising agency contract to Shannons Way, which was a multimillion dollar contract. It would appear to be a very cosy relationship between these two gentlemen.

The Liberal Party put in a freedom of information request which Workcover refused to process on the basis that 1000 documents were identified. It is clear in this state that if you have large contracts with the government producing 1000-plus invoices then the opposition does not get the information. However, under sufferance I accepted a list of Haystac's work from Workcover. These documents show that from April 2001 to 1 July 2002, $475 857 was channelled to Haystac. On top of this the Transport Accident Commission also paid $394 000 to Haystac for consultancies from April 2001 to May 2002.

I want to draw to the minister's attention a number of anomalies in these payments in this income-creation scheme for people with Labor connections. In 2001–02 approximately $350 000 in consultancy fees, on my calculations from the information given to me, has been given to Haystac. Under the Financial Management Act consultancies over $100 000 must be declared in the annual reports. However, this consultancy was not declared. Even more concerning than the non-declaration of this consultancy is that Haystac was paid $27 500 to produce the 2002 Workcover annual report. What we are seeing is a payment made to Haystac to produce the annual report which concealed the consultancies of over $100 000.

Victorians who have paid stamp duty and speeding fines have good cause to ask why $900 000 has been siphoned off in a scandal to this organisation. I ask the Attorney-General to investigate this matter.

The ACTING SPEAKER (Ms Barker) — Order! The member's time has expired.

General practitioners: bulk-billing

Mr WYNNE (Richmond) — I raise a matter for the attention of the Minister for Health concerning the provision of health services in the Richmond electorate. This inner city area, which closely mirrors the City of Yarra, is experiencing a decrease in the number of bulk-billing GPs and an increase in the patient contributions, which have been forced upon them by the gap between the fees charged by the doctor and the capacity of the doctor to recoup those fees.

A recent report from St Vincent's Hospital indicated that there were 5241 presentations to the emergency department over the last five years that could have been dealt with through general GP consultation. The author of that report, Dr Andrew Dent, the director of emergency medicine at St Vincent's Hospital, indicates in the report that alternative options were potentially available to people if bulk-billing GPs were more readily accessible.

As members are aware, the City of Yarra has featured in the Victorian burden of disease study 1996 as having one of the lowest life expectancies of men and the second lowest for women in Victoria.

An honourable member interjected.

Mr WYNNE — Indeed. The 71.7 years for men is close to 4 years lower than the state average of 75.6 years and close to 7 years lower than the highest life expectancy in the City of Manningham, which is at 78.6 years, so there is quite a significant disparity between the two municipalities.

I indicated in my inaugural speech that this was a significant issue, and now, four years on, we see that these issues are emerging in terms of the provision to the community of the most basic health services.

We all know that that burden of disease falls disproportionately on poor people, and it is in that respect that I request action from the minister. I would say that one of the tests of a civilised society is how we

treat those in need. The safety net of bulk-billing and access to medical care is a fundamental right which we all enjoy.

I ask the minister to advise me on what actions she will be taking in negotiating the national health care agreement, which we know is about to run out this Sunday and under which we know the federal government has cruelly dudded the states to the tune of $1 billion. We want to ensure that bulk-billing doctors remain a viable option for all of our communities. I am absolutely certain that with the current offer on the table the direct impact on low-income people in particular will be that the provision of bulk-billing services and access to medical services, particularly in electorates like mine, will inevitably decrease, which is to the great shame of the Liberal Party and, indeed, the opposition parties.

Bridges: Cobram–Barooga

Mr JASPER (Murray Valley) — I raise a matter for the attention of the Minister for Transport, and in his absence the Minister for Gaming.

Firstly, I want to congratulate the minister on having his parliamentary secretary present for the commencement of construction of the $21.5 million Murray River bridge at Corowa some three weeks ago. The two federal members, including the member for Albury, and representatives from the New South Wales and Victorian ministries were there. However, two people who were very involved in pressing for the construction of this bridge over a period of about 10 years — the member for Murray Valley and the former member for Farrer, Tim Fischer — were not invited. That was absolutely disgusting and disappointing as far as I was concerned. However, I can assure you we made up for it in publicity that was generated after that official launch.

However, I want to bring to the attention of the minister this evening the failure of the government to commence construction of the bridge over the Murray River between Cobram and Barooga, the construction cost of which is estimated at $11 million.

The Minister for Transport visited Cobram in May 2001 and confirmed that the bridge would be constructed at a cost borne by the New South Wales and Victorian governments. He said construction would commence and the bridge would be built within two years. We are now more than two years down the track and construction of the bridge has not commenced. I have been following it up very closely, as have the local municipalities on both sides of the river, and representations have been made to both governments to have construction of that bridge commence.

There have been extensive investigations into the construction, and recently I was informed that the hold-up in calling for tenders is because responses to the environment effects statement from a range of people commented not only about the new bridge, which will be built alongside the existing one, but also on whether the existing bridge should be retained in full or in part. Because of that the construction of the new bridge will be held up for at least six months.

I want the minister to take action and make representations to his New South Wales counterpart to see that the new bridge contract is called for on the basis that it has nothing to do with the existing bridge and that the question of whether the existing bridge should be retained in full or in part does not hold up the calling of the contract for the new bridge construction. I hope the minister and his New South Wales counterpart can jointly ensure that there is a separation between the contract for the new bridge and what will happen to the existing 100-year-old bridge. I hope we can get things moving so that the bridge can be constructed as quickly as possible.

Eastern Health: magnetic resonance imaging

Ms ECKSTEIN (Ferntree Gully) — I seek action from the Minister for Health. I ask her to raise with her commonwealth counterpart the urgent need to provide a magnetic resonance imaging (MRI) machine which is eligible for the Medicare rebate for patients in the outer east. This machine is an important diagnostic tool for a whole range of conditions, which I recently had the opportunity to experience first hand. When excruciating back pain and sciatica landed me in hospital some weeks ago a subsequent MRI diagnosed a prolapsed disc. The availability of MRI technology ensured that my condition was quickly diagnosed and that appropriate treatment was instituted. At this time I would like to thank Mr Chris Thien, who treated my condition, as well as the dedicated hospital nursing staff who looked after me so well.

As I understand it, although Box Hill Hospital does have an MRI machine it is not eligible for the Medicare rebate. I understand that Eastern Health has had discussions with the commonwealth Department of Health and Ageing about having the status of this MRI machine changed to make it Medicare eligible.

There is no other Medicare-eligible machine in Eastern Health's catchment area, which has a population of over 700 000. As a result the population of the outer

east has less access to Medicare-funded MRI services than the rest of Melbourne. The closest MRI machines are located at Dandenong and Clayton in the south, or at Heidelberg in the north.

Each of the other major metropolitan health services has at least one Medicare-eligible MRI machine. The availability of this technology to the outer east community, which is serviced by Eastern Health, is a matter of equity, particularly for those people who rely on public hospital services. The people of this area deserve equal access to such technologies. Their access to quality health care services and to MRI technology should not be compromised by where they happen to live or by their ability to pay as private patients. Therefore I ask the Minister for Health to urge the federal minister to provide the necessary approvals and funding for a Medicare-eligible MRI for Eastern Health as a matter of urgency.

Disability services: autism spectrum disorder

Mr PERTON (Doncaster) — I raise a matter for the Minister for Education Services. On Tuesday, 12 August, the day of action protesting the Bracks government's welfare budget cuts in Melbourne, I attended a community summit in North Eastern Province on the issue of autism services and support for children and families affected by autism spectrum disorder (ASD).

In a packed room in Wangaratta the Honourable Wendy Lovell, the Honourable David Davis, the shadow health minister, and I were privileged to meet parents, grandparents, carers, specialists and educators who had gathered to express their views on what was missing, what government needed to do and how the world could become a better place for children, adolescents and adults with autism. Their stories bore striking similarities to each other. Members of the group were united by a bond of understanding tempered by their shared frustration, powerlessness and exhaustion.

Autism spectrum disorder is an underexposed issue in our community. As far as coordinated assistance from the state government goes, ASD is virtually unknown. Most major initiatives in Victoria have been community initiatives. We visited the Mansfield Autistic Centre, which is a testament to this do-it-yourself tradition. Its facilities are so much in demand that there are 70 families on the three-year waiting list to get into the centre. The parents told us about the absence of adequate government support and care; difficulties gaining access to service and basic information; problems with uneven standards of professional expertise, specialisation and ability in the diagnosis and management of autism and services; access; instability; a limited awareness in the community; and an historical tendency to inaccurately and wrongly blame bad parenting for the syndrome.

The reality is that ASD is not well treated by this state government, and in particular the use of IQ as a measure of whether children with ASD can get into a special school or not is inappropriate.

The ACTING SPEAKER (Ms Barker) — Order! Will the member ask for action, please?

Mr PERTON — Indeed, Madam. Senior Constable Ross Woodrow, who is a veteran member of the Victoria Police, has spent eight years fighting the bureaucracy in a bid to locate adequate support for his son, Matthew, who has a high IQ but also a high level of autism. The family has had to fund the boy's education at the Mansfield Autistic Centre.

I call upon the Minister for Education Services to acknowledge the arbitrary nature of the IQ cut-off point delimiting access and non-access to disability service funding in schools, and of IQ scores generally as a measure of the capacities of ASD-affected children. I call on her to immediately investigate and instate a more accurate and fair measure that is more reflective of these children's needs. I ask her to meet with the Woodrows and the principal of Wangaratta Special Development School so the services for the children in need will — —

The ACTING SPEAKER (Ms Barker) — Order! The member's time has expired.

General practitioners: bulk-billing

Ms D'AMBROSIO (Mill Park) — I call on the Minister for Health to raise as a matter of urgency with her federal counterpart, Senator Patterson, the federal government's procrastination over support for an after-hours GP clinic at the Northern Hospital. The northern region of Melbourne has a population of almost 800 000, and it is of course one of the fastest growing urban fringe areas in Melbourne, yet it has one of the lowest proportions of GPs to population across the metropolitan area. A lot of anecdotal information comes through my office regarding the difficulties people have in accessing in-hours GP services, enough to suggest that there is a significant regional shortage.

The Northern Hospital has 225 acute beds, and thanks to the Bracks government this is soon to increase to 257; but it has the third-busiest emergency department in Victoria in relation to the number of patient

attendances. A significant 29 per cent of the 44 000-plus presentations to the emergency department annually are classified as category 4 and 5 patients, the majority of whom, of course, could be adequately serviced by bulk-billing GPs — if you could find any!

The Northern Hospital has been waiting on the federal government to come good with funding to allow it to open the GP after-hours clinic, which is located next to the hospital. The idea is for it to be operated by contracted GPs, who could treat residents in my electorate and surrounding suburbs. A joint commonwealth-state funding model is needed for the service. That would demonstrate two levels of government combining to work with a community public hospital and the Northern Division of General Practice to provide high-quality access to after-hours primary medical services in this fast-growing urban fringe. The service would operate from 7.00 p.m. until midnight on weekends, from 2.00 p.m. until 11.00 p.m. on Saturdays and from 10.00 a.m. to 10.00 p.m. on Sundays and public holidays, 52 weeks a year — and of course patients would be bulk-billed.

The Bracks government has already given almost $700 000 in capital funds to actually build the physical facility, and there is a commitment to contribute $450 000-odd over three years to assist with recurrent costs.

The problem is that the building is complete but has been left standing closed to the public, because the federal government is dragging its feet on coming to the party and meeting its share of the funding. Of course this is a dereliction of its duty and responsibility to the public. The federal government has been requested to provide a grant of $650 000 over three years under the after-hours primary medical care service development grant program. I ask the state minister to urge the Howard government to — —

The ACTING SPEAKER (Ms Barker) — Order! The member's time has expired.

Road safety: speeding fines

Mr SAVAGE (Mildura) — I raise an issue for the attention of the Minister for Police and Emergency Services. Last week a constituent came to me and indicated that he had received four speed camera fines dating back to 2002 and that the only reason he knew about them was that a Sheriff's officer had knocked on his door. No notices or courtesy letters had been received, and he was not aware of the points that had been taken from him.

It turns out that if you live in an area where there is no mail delivery, the notices are served by mail through the post office to your residential address. In Mildura there are over 5000 people who have no mail deliveries, so often those notices are not delivered because the people at the post office are not aware of the proper postal addresses. The notices are returned to the Civic Compliance Victoria office. Courtesy letters are then sent out, which are not received, so the matters go through the PERIN court system and warrants are issued.

An honourable member interjected.

Mr SAVAGE — I am coming to that. Section 93 of the Road Safety Act requires that a notice is served:

> … by sending it by post addressed to the person at the usual or last known place of residence or business of that person.

Vicroads has a database which covers postal addresses, and that is how you receive your registration details. But the act requires the civic compliance office to send the notice to the residential address — where you cannot get it because there is no postal address. It does not use the field that relates to the post office box, because it is not required to do so by the act. This means that there are thousands of people in country Victoria who do not get mail deliveries and are being significantly disadvantaged by the process involved with the PERIN court system.

I know that Civic Compliance Victoria receives a large number of complaints from people living in regional areas who are not getting their notices. You can go back to the PERIN court and get a revocation order, but that is a very unwieldy process and it does not take into account the difficulty of trying to check after 12 months on who was driving the vehicle and who the points were allocated to. The system is very unfair.

I call upon the minister to issue some directions to Civic Compliance Victoria. I cannot ask for a legislative change, but I ask for some direction to that organisation to use all methods when it is sending out these notices and to check both fields on the Vicroads database. Then, if a residential address appears, chances are that the person does not have a mailing address for his house, as is the case with me. Telstra once cut off my phone: I did not get the bill and therefore did not pay it, so to get my attention it cut the phone off. This is what happens to citizens who receive traffic camera fines. This change in policy could be easily achieved, notwithstanding whatever the minister chooses to do in the future.

We cannot allow this situation to continue any longer. It is unfair and if people challenged it they would win because it is not a proper service by post.

Frankston: multicultural music festival

Mr HARKNESS (Frankston) — The issue I raise tonight is for the Minister for Multicultural Affairs. I ask the minister to continue to support multicultural festivals and events in Frankston, and in particular to support an upcoming festival in my electorate.

Late last year I was approached by a constituent, Mr Rohan Dixon, who has formed a not-for-profit community group called Unity in Progress. Mr Dixon and several other Frankston residents are keen to hold an inaugural multicultural music festival later this year. The event is scheduled to be held on 6 December at Beauty Park and will be a day filled with different musicians and dance events, including performances by reggae, African, blues and pop bands, other performers and a plethora of disc jockeys (DJs). The festival will also include stalls, food, refreshments and cultural information. The festival aims to promote the spirit of multiculturalism by bringing together people of different cultures and social backgrounds to celebrate and enjoy cultural harmony and diversity through performing arts and music, bands, DJs, masters of ceremonies and visual arts.

To ensure the festival's success, much-needed funds are sought from the community grants program. I understand that the aim of the community grants program is to build better and stronger communities by improving the social and economic wellbeing of emerging and disadvantaged sections of our communities. These programs will assist in strengthening Victoria's diversity and shared history through a community-based collaborative process.

It is time that Victorians moved beyond merely tolerating people of diverse cultural backgrounds to genuinely respecting them for their contribution to the shaping of our successful state. Although not many people realise it, Frankston has quite a reasonably sized multicultural population. In fact over 20 per cent of people in the local region were born overseas, resulting in a vibrant mix of people from the Netherlands, Scotland, Italy, Greece, Sri Lanka, South Africa, Poland and the Philippines, just to start with. The local culturally and linguistically diverse population is actively supported by community groups and $10 800 was recently given to Frankston's multicultural groups in the 2002–03 Victorian Multicultural Commission community grants program. This included $5000 to the Greek community for a much-needed airconditioner. I was very proud to present that cheque to the Greek community, and other grants to the Italian and Polish communities last week.

As its local member I am standing up for Frankston and for multicultural communities in Frankston. In April of this year I convened a multicultural round table that was attended by executive committee members of local multicultural groups and by the Minister for Multicultural Affairs. All the former coalition government did was to cut funding and services to multicultural communities. However, the Bracks government has a strong commitment to promoting the values of an inclusive, cohesive and tolerant Victorian community.

Victorian Government Property Group: web site

Mr HONEYWOOD (Warrandyte) — The matter I raise is for the Premier. I ask him to investigate and take action regarding his much-vaunted government web site, where he is meant to be listing all government contracts and tenders. I particularly refer to his Victorian Government Property Group web site. Unfortunately, despite the Premier's commitment to open and accountable government, I have here at least five examples of flawed contracts that do not provide information corresponding to the subject headings that are meant to marry with the pro-forma headings on his web site.

There is no better example of that than today's debacle by the Premier, where his own web site has a contract start date of 4 August 2003 and an expiry date of 3 August 2004. If the Premier is going to make us believe this is actually genuine information rather than trumped-up information, he has a lot to answer for.

Then we come to the sale of land. For example, the contract details relating to the sale of land at Power Street, South Melbourne, refer to the purchase of goods and services, but when one investigates further one finds there is an indication that that is a sale of surplus Crown land.

When we look at another Victorian Government Property Group web site contract — namely, Little Myers Street, Geelong — we see a sale price of $1.15 million. There is an indication that it was a sale of surplus Crown land — the government is doing a lot of that lately — but there is no indication of whom it was sold to, yet that is a key heading on the government's own web page.

Another example on the Premier's Victorian Government Property Group web page is a Crown allotment in Elgin Street, Myrtleford, but under the 'description' heading there is no description. Time and again we are finding that this government's rhetoric on being an open and accountable government in providing the details of contracts on the web page is an absolute sham.

It is time the Premier investigated why, whether it is by deliberate intent or otherwise, we have insufficient information being provided for people who want to know and who genuinely want to research what is going on behind closed doors in this government. This government promised the world when it came to putting contracts on the web site. Its failure to deliver and its absolute abject ignorance when it comes to providing sufficient information ensures that the secret state is alive and well in Victoria.

General practitioners: bulk-billing

Mr SEITZ (Keilor) — I raise for the attention of the Minister for Health the decline of bulk-billing in my electorate in the western suburbs. A cursory look at the figures shows about a 30 per cent decline in bulk-billing. Particularly when we consider the federal electorates of Calwell, Burke and Maribyrnong, which in part comprise my state seat of Keilor, it is an alarming situation. The 30 per cent decline in bulk-billing in this low socioeconomic area has a dramatic impact on people who cannot afford to pay the gap amount to see their GPs.

I am asking the minister to take this matter up with her federal ministerial counterpart, because Medicare is a federal government responsibility. Not only is there a decline in bulk-billing but there is also a decline in GP services for the community. My electorate is a growth area, and new people are moving in every day. Many clinics have closed their books. The patients basically have to travel back to the area from which they came, because there are no general practitioners in the new area who can take on extra patients. For example, my brother moved out to Werribee. When he needed medical treatment he had to come back to St Albans, where he used to live, to get GP treatment. As a consequence he had to sell his house in Werribee at a loss and move to Taylors Lakes so he could be close to his GP, who was his treating doctor before he moved out to Werribee.

All around the western suburbs this is a major issue. On top of that it brings the problem to the emergency and casualty departments of hospitals. As is the case in the electorate of a previous speaker, Western Health also does not have MRI facilities that are available through Medicare. The only MRI service available in that region is a private one; we do not have a public one.

The decline in bulk-billing puts enormous pressure on hospitals if people go there for coughs and flu, for which they should never go to their hospital emergency department but to their GPs. Some practices cannot attract GPs, and many that used to be open for longer hours have reduced their working hours. Many of the practices that used to be open for 24 hours are now not operating even until 8.00 p.m. The clinics close at 6.00 p.m. simply because they cannot attract GPs to work in them at any price.

In particular it is very difficult for people to pay the gap fee. I do not want to go back to the pre-1970s era when people in my electorate had to pay money up front at the door for a locum doctor to come to their house.

The ACTING SPEAKER (Ms Barker) — Order! The member's time has expired. The time for raising matters on the adjournment debate has also expired.

Responses

Ms PIKE (Minister for Health) — The member for Richmond has drawn to my attention the very significant health needs of people in his community. He has identified that people within the City of Yarra have a very low life expectancy compared to many other people in our state. We know a very high proportion of people in the Richmond electorate live in public housing and are very disadvantaged. Like all people in all communities they require health services, but the people in this area have very special needs when it comes to health because we know there is a correlation between economic disadvantage and lower health status.

We also know that people of lesser means require access to bulk-billing general practitioner services. Therefore, it has been most distressing to see a decline in access for people with illness not only to bulk-billing services but also to after-hours services. The consequence of this is that we now see many of these people attending the emergency departments of our major hospitals within the central business district area of Melbourne. Category 4 and 5 patients who have needs that could be addressed by a general practitioner are now coming to our hospitals.

Coupled with this we also know there are many people in our major public hospitals who have been assessed as eligible for nursing home placements but are not able to get them. Areas like the City of Yarra have a particular

problem in this regard because as housing costs have risen and there are greater valuations on property it has been hard to find a place in the inner city for community infrastructure. Because land values are so high in the inner city area nursing home beds have been pushed to the outer metropolitan areas. This is another issue for people in the inner city area.

These are the issues that are on the reform agenda of the states as they attempt to negotiate the Australian health care agreement. As people know, four months ago rather than addressing the substantive issues of reform for the Australian health care agreement the federal government put a bland offer of funding on the table for the states to consider. This offer not only sells Victoria short by the sum of around $350 million but it also fails to address some of the very substantial issues that are impacting on our health system, particularly in the inner city area — that is, the decline in the availability of bulk-billing GP services and the shortage of nursing home beds. Until we can have a genuine conversation about health care reform and until we can really address some of these very significant issues — —

Mr Honeywood interjected.

Ms PIKE — It is at the moment; it is a very one-way conversation, as the member for Warrandyte said. It is always hard to have a conversation when you do not have someone to talk to.

The ACTING SPEAKER (Ms Barker) — Order! The minister should ignore interjections.

Ms PIKE — Because Senator Patterson does not bother to turn up to meetings it is a very one-way conversation — the member for Warrandyte is absolutely right!

I certainly will not be letting go of this issue. I will continue to fight on behalf of Victorians for an appropriate deal for our hospital system — unlike those opposite, whose leader disgracefully signed a document with other counterparts that said, 'This is a good deal for Victoria, and you should sign'.

The Leader of the Opposition really needs a short course in accounting. Anybody who says that a 16 per cent growth rate is a good deal when we had a 28 per cent growth rate last time needs a mathematics lesson, because on my accounting there is a difference between 28 per cent and 16 per cent. One is more and the other is less, and the reality is that we are getting less this time. We are getting $350 million less this time. I think it is absolutely disgraceful that the Leader of the Opposition is, in a very cowardly way, I must say, acquiescing to the political persuasion of his counterparts in Canberra and not really sticking up for Victorians.

On the other hand, of course, I will not go down without a fight. The commonwealth has made this a very difficult negotiation, but I will continue to advocate very strongly for the needs of Victorians. I know that people within the electorate of Richmond, as in other electorates, are going to be severely disadvantaged not only by the offer that has been put on the table by the commonwealth in the Australian health care agreement but also by the absolute lack of policy direction in terms of the reform of the health care system.

The member for Ferntree Gully raised with me the matter of MRIs, which are a very important and core part of our health service diagnostic and treatment regime. Many people within the health system rely on MRIs so they can more precisely diagnose what is happening before they intervene.

As was correctly stated by the member, the commonwealth controls the funding of MRIs within public settings, and it is true that the outer eastern area of Melbourne, as with many outer suburban areas, does not have access to publicly funded MRI services. This is another area where the commonwealth has been quite stingy in its funding. What has happened is that many clinicians in the outer east have made their own arrangements about the provision of MRI services in a private context and are now charging people on a fee-for-service basis. In other words, you come in and you have an issue that needs a greater level of diagnosis. You need an MRI service, and your clinician says, 'Sorry, there is nothing publicly available in your area, but here's your choice. You can have something that is available in the private sector, but — guess what? — you have to pay'. Of course, if you are a person on a lower income, we know that that creates a specific burden for you — coupled, of course, with the issue of travel et cetera.

We know that whilst the member for Ferntree Gully may be able to afford to pay, as the member for Brighton has reminded us, many people she represents cannot afford to pay, and that is whom she is advocating on behalf of. That is why she has raised the question with me tonight. So in this instance I will continue to take up this matter with the federal health minister.

Medical resonance imaging is a very important aspect — —

Mr Honeywood — On a point of order, Acting Speaker, the Minister for Health has misled the house. 'MRI' stands for magnetic resonance imaging. It would be a good idea if she caught up with the details of her own portfolio.

The ACTING SPEAKER (Ms Barker) — Order! The member for Warrandyte! There is no point of order. That is frivolous.

Ms PIKE — Thank you. Another compelling and magnetic comment from the member for Warrandyte.

The member for Mill Park raised the issue of the after-hours general practice clinic at the Northern Hospital. The connection between medical services that are appropriate for dealing with people who have category 4 and 5 issues is very important to ensure that these people are being appropriately cared for by a general practitioner. Again this is one of the areas of reform that the commonwealth has refused to negotiate on — that is, the co-location of bulk-billing general practitioner services and emergency departments of our large hospitals.

Northern Hospital is one of the outer metropolitan hospitals that have experienced significant growth in demand by people who need a general practitioner assessment. The emergency department of Northern Hospital, as with many of our outer metropolitan hospitals, has seen people come and, in a sense, crowd emergency departments with demands that would be more appropriately dealt with by a general practitioner. Unless we genuinely tackle this area of reform the situation is not going to change. Now that we are being offered less by the commonwealth for our public hospitals, that is going to also increase the pressure.

The Victorian government contributes around 55 per cent of funding to hospital budgets. We are supposed under the Medicare agreement to contribute around 50 per cent. In this instance Victoria is well over the agreed amount of contribution between the commonwealth and the states. I remind the member for Warrandyte that rather than denigrating Victoria's contribution — making it more difficult for Victoria — he ought to be advocating more vigorously with his federal counterpart, who is only contributing 45 per cent when she ought to be contributing 50 per cent.

The member for Warrandyte is on a no-win here, and he really ought to keep his mouth shut, because our record in the provision of funding for health is quite outstanding. The figures speak very strongly for themselves. That is why we are enormously disappointed at what has been happening through this negotiation process for the Australian health care agreement.

Places like the Northern Hospital have experienced around a 6 per cent or 7 per cent increase in GP-type presentations to emergency departments. This has been further exacerbated by people in that hospital who have been assessed as eligible for aged care places but who now cannot find a place in the community.

We have two levers in the hands of the federal government — the provision of bulk-billing services and the provision of nursing home services — both of which are stalled. Until the federal government signs up to a general reform agenda, to appropriate funding under the Australian health care agreement, we are going to find that places like the Northern Hospital continue to be under enormous pressure.

We have come to the party. We have put up our share of funding, around $680 000 — —

An honourable member interjected.

Ms PIKE — That is true. Funding has been put up in the amount of $680 000 for the after-hours general practice clinic at the Northern Hospital — around $460 000 of recurrent funding. We will continue to lobby the Howard government to fulfil its obligations to contribute to this worthy project, which is absolutely essential because of the federal government's total failure to address the issue of the decline in bulk-billing and the paucity of nursing home beds.

The member for Keilor in fact added to the story, which is really something that can be replicated right across the state of Victoria. The lack of commitment from the federal government to the fundamental principles of Medicare — that is, the provision of services by a general practitioner and the access to a public hospital — has meant that our hospital system is under increasing pressure.

But of course the worst outcome from all of this is that people's lives are being affected. Ordinary people who should have access to bulk-billing services — who should be able to get to see a free general practitioner when they need one because they are genuinely sick — are now having to pay an increased co-payment and are finding that their financial circumstances are being adversely affected.

We know that what underpins Medicare is an absolute commitment to universal health within the community. If we want to be a productive society that grows and develops then we have to pay attention to the health care of all of our citizens. We have to allow all of our

citizens to have access to universal health care, which is the fundamental underpinning of a strong sustainable and cohesive community.

Mr PANDAZOPOULOS (Minister assisting the Premier on Multicultural Affairs) — The member for Frankston raised a matter in relation to supporting multiculturalism, and particularly multicultural festivals in the City of Frankston. I want to commend the member for Frankston for his great work with multicultural communities in Frankston. A few months ago I attended the forum that he referred to between the council and a range of different multicultural community organisations. One thing that was very common was that there is a strong perception that the area is not culturally diverse, but he did highlight a range of the communities, and the fact is that the 2001 — —

Mr Honeywood interjected.

Mr PANDAZOPOULOS — The former Minister assisting the Premier on Multicultural Affairs in the Kennett government is sitting there talking about how they are all Scottish or whatever. He might interested to know — —

Mr Honeywood — On a point of order, Acting Speaker, the minister wants to mislead the house. I pointed out the ethnic diversity in the full range. If he wants to pick on one particular community which he has a particular problem with, that is up to him.

The ACTING SPEAKER (Ms Barker) — Order! There is no point of order.

Mr PANDAZOPOULOS — I am disappointed in him on that.

The ACTING SPEAKER (Ms Barker) — Order! I remind the minister that he should not respond to interjections.

Mr PANDAZOPOULOS — It is a bit hard — they are very provoking.

The 2001 census figures do tell us that on the question of ethnicity — that is, how people identify their cultural background — 40 per cent of City of Frankston residents identify themselves as coming from culturally diverse backgrounds. That highlights to us that much of the community identifies itself with different cultures, and that is something to be celebrated. It is something very different to the perceptions that people might have about Frankston.

Certainly the information coming from the community groups was how more culturally diverse Frankston is becoming. The census figures from the previous period show that the area is more diverse. Frankston housing is more affordable for people, and we are seeing even Horn of Africa communities and a growing number of refugees settling in the Frankston region. This raises a whole lot of issues about service provision, but it also raises issues about how local government and the state government can support those communities.

It is pleasing that the member has been a very good advocate, has visited all of the different community organisations and has also encouraged community organisations to become incorporated so that they are then eligible for state and local government assistance. As a result of that certainly there are more groups funded in Frankston now through the community grants program of the Victorian Multicultural Commission (VMC) than has ever been the case in the past. That is simply due to the great work of the local member. He is aware that we increased funding to the VMC community grants program in the recent budget; this year the allocation was $1.2 million over four years. This year we provided $2.8 million in grants, compared to $750 000 in grants from when we were elected, and a wider variety of grants programs. Over 1500 different cheques have been presented in recent weeks to community organisations right across the state.

Ms Asher interjected.

Mr PANDAZOPOULOS — The former shadow Treasurer — no wonder she has been left out — is also interjecting saying, 'Too many grants'. That is the record of the Liberal Party, and the member for Frankston highlighted the difference: it had less and we have more.

Mr Honeywood — On a point of order, Acting Speaker, I clearly heard the member for Brighton say, 'Too many FOI, according to you'. FOI was the spirit of the message, not too many grants.

The ACTING SPEAKER (Ms Barker) — Order! There is no point of order.

Mr PANDAZOPOULOS — I thank the member for Warrandyte for his contribution. The member for Frankston has met with a group promoting the Unity in Progress Multicultural Music Festival, which is planned for December. I also met with that group — and we had a community cabinet meeting in Frankston last year — and suggested to them the need to work with the City of Frankston and also to apply to the Victorian Multicultural Commission.

A number of multicultural festivals were supported and sponsored by the VMC last year — the Frankston Susono Friendship Association, the Pacific Island Youth Alive and the Hindu Society of Victoria. But I am very pleased to announce that the Victorian Multicultural Commission has recently advised me that it will sponsor the Unity in Progress Multicultural Music Festival in Frankston for $3000.

It is a culturally diverse area. As with many other groups, many migrant groups enjoy the whole Frankston region. With the redevelopment of the foreshore we are going to see more festivals and events for migrant groups who love that area. I thank the member very much and look forward to hearing of the great success of the festival later in the year.

The member for Brighton raised a matter for the Minister for Workcover about some payments to a public affairs company, and I will raise that with the Minister for Workcover.

The member for Murray Valley raised a matter for the Minister for Transport and also commended the parliamentary secretary for visiting the commencement of a new bridge. He asked for support for a new bridge and consultation with the New South Wales transport minister about construction of a new bridge. I will raise that with the Minister for Transport. I think it is important to advise the house that the member for Murray Valley beat me in the grape treading championships at Rutherglen a few weeks ago. So I congratulate him again publicly in the house, but I will beat him next year!

The member for Doncaster raised a matter for the Minister for Education Services about the very important and serious issue of autism services in schools, which I will raise with the minister. After seven years of the previous government it is an issue the Liberals are looking to this government to fix up, like so many other things. But I will raise that important matter with the minister.

The member for Mildura raised a matter for the Minister for Police and Emergency Services about a constituent who has had a series of speeding fines going back to 2002 that he was not notified about until he heard from the Sheriff, and that is a serious issue. He has asked that the minister direct Civic Compliance Victoria to address the matters of those who have to rely on receiving their mail from the post office. I will raise that matter with the Minister for Police and Emergency Services, and I thank the member for his question.

The member for Warrandyte raised a matter for the Premier about government web sites. It sounded more like a personal explanation, but I will give him the benefit of the doubt. It is interesting to note though that while the opposition complains about what it claims to be a lack of information about contracts on government web sites, government web sites on contracts did not exist prior to October 1999, so it is a bit rich to complain about lack of information. When the Liberal Party was in government and the member for Warrandyte was a minister, it provided no information. Nonetheless, I will raise that matter with the Premier.

House adjourned 10.54 p.m.

Thursday, 28 August 2003

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.38 a.m. and read the prayer.

BUSINESS OF THE HOUSE

Photographing of proceedings

The SPEAKER — Order! I want to advise the house that I have given approval for still photographs to be taken from the public gallery before and during question time today. No additional lighting will be used. The photographs will be used by the Parliament for promotional and educational purposes — so be on your best behaviour!

Honourable members interjecting.

The SPEAKER — That's right. You will all be very good members of Parliament!

Ministerial statements: notification

Mr Ryan — On a point of order, Speaker, I might be pre-empting impending events, but as the bells rang this morning I was handed a ministerial statement. I do not know the intent of the government in terms of the delivery of this, but sessional order 18 prescribes that the minister must — not 'may' — give not less than 2 hours notice. I would like an indication from the government as to what the program is intended to be in this regard.

The SPEAKER — Order! On the point of order, that information is correct. I am quite happy for the Leader of the House to confirm that, if he would.

Mr Batchelor — On the point of order, there will be a ministerial statement. It will be delivered by the Premier and will be on the issue of health. Copies have been provided to the Leader of the National Party, the Leader of the Opposition and the Independents. We expect to bring that on between 11.30 a.m. and 12 noon today.

The SPEAKER — Order! When the ministerial statement is introduced, the government is required to say how many speakers will be involved in the debate as well.

Mr Batchelor — There will be three speakers from each side. That information has been made available to the member for Doncaster; I am not sure of others, but I understand there has been agreement reached on that. There might have been a slippage of information — I was not able to be here last night — but all the requirements of the sessional orders have been met. The normal requirement is for 2 hours notice, and more than 2 hours notice has been given with respect to both the number of speakers and the text of the ministerial statement. I do not understand what the issue is.

The SPEAKER — Order! I call the Leader of the Opposition on the point of order. I should have called the Leader of the Opposition before I called the Leader of the House. I apologise.

Mr Doyle — On the point of order, Speaker, of course the government can do this and obviously will do this. I think the point that the Leader the National Party made that it is a fairly churlish way to treat the Parliament still stands. Nevertheless it is — —

Ms Beattie interjected.

The SPEAKER — Order! The member for Yuroke will not intervene during a point of order.

Honourable members interjecting.

The SPEAKER — Order! Members know better than to behave in such a manner during a point of order. It is a serious business, and I ask members to take it seriously.

Mr Doyle — I think that the Labor backbench underscores my general point about the complacency — —

An honourable member interjected.

Mr Doyle — Sorry, I am wounded to the heart!

The government can and obviously will do this. I take the point made by the Leader of the House that there will be three speakers, but of course the sessional orders provide that that should be by negotiation. I do not think he could claim that the 10 minutes between when it was handed to us and the statement that he made was really a courteous period of negotiation. But again the government can do this.

I underline what the Leader of the National Party said, and I raise one further point. In the time that I have had to scan through about seven pages of this statement I saw that it says there is to be a chart circulated with it. Again the normal courtesies of the house, and the courtesies accorded to Hansard, would require that that be cleared with the opposition and, indeed, with the National Party.

Mr Bracks interjected.

Mr Doyle — 'Absolutely' says the Premier, but given this morning's behaviour why would we have any guarantees that he would observe that courtesy as well? I would simply request — —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition, to conclude his statement. The member for Melton will be quiet.

Mr Doyle — I doubt that very much, but we can only live in hope.

As I said, I underline and support what the Leader of the National Party said. The government can and obviously will do this, but if it wants a serious debate on a very serious issue I make the point that this is not the way to go about it.

Mr Perton — On the point of order, Speaker, as you know, this ministerial statement was handed to us at about 9.32 a.m. I put it to you, Speaker, that the chart referred to in the ministerial statement is a part of that statement and that the 2 hours ought not to run until that document is handed over. I am sure that document will be handed over speedily, but it is, as the Leader of the Opposition said, a real lack of courtesy. I know that the Leader of the House has tried his best in the past, but this is not the appropriate way to handle it.

I ask you, Speaker, to rule that, given that there is a chart referred to in the document, that ought to constitute part of the statement and the 2 hours does not run until that chart is handed over.

The SPEAKER — Quite a lot of issues were raised in the point of order. In some cases there was more than one point of order. We will treat them separately.

In relation to the point of order that was first raised by the Leader of the National Party, he was correct in saying that parties are required to give the minimum of 2 hours notice and are required to give the number of speakers who are going to be involved in the debate.

In relation to the ministerial statement itself, it has not been read in the house yet so it is a little difficult to rule in relation to it, but the general rule as I understand it is that if a member wants a chart or any other document to appear in *Hansard* they must clear that, as the Leader of the Opposition said, with all the parties and the Independents, as well as with Hansard, prior to seeking leave in the house.

At this stage I really cannot rule on that because, as I said, the statement has not been read. A decision on whether or not the Premier wishes to incorporate a document in *Hansard* will have to wait, I presume, until the ministerial statement is read.

Dr Napthine — On a point of order on your ruling, Speaker, it is my understanding that the whole ministerial statement should be circulated 2 hours before any debate. I think that is the issue, and not whether the chart is eligible or allowable to be printed in *Hansard* — that is a different issue. The sessional orders require that the statement be circulated in full 2 hours before the debate. The question being raised is whether the ministerial statement has been provided in full so that the opposition, the National Party and the Independents are able to consider the statement and make an effective response. That is the issue being raised.

While I am on my feet, Speaker, with respect to courtesy to the house, in my years in the Parliament, which are now a number, I have never been in a situation where the ministerial statement has been dealt with in this way. The normal courtesy to the house, irrespective of sessional orders — —

Mr Batchelor interjected.

Dr Napthine — The Leader of the House interjects. Ministerial statements were made by the Labor government from 1988 to 1992, by the Kennett government from 1992 to 1999 and by the first Bracks government — all governments have given ministerial statements — —

Mr Batchelor interjected.

The SPEAKER — Order! The Minister for Transport will have the opportunity to make a contribution in a moment, if he wishes to. I ask the member for South-West Coast to continue with his comments and address his point of order.

Dr Napthine — The point I make is that the normal courtesy, despite the sessional orders, is that the opposition and the National Party are notified the evening before that a ministerial statement is to be made and the ministerial statement document is handed to them 2 hours before the opening of the Parliament. Opposition members then have the opportunity to look at the statement when Parliament is not actually sitting and when they are not involved in day-to-day debate. There may be divisions or other things going on in the 2 hours leading up to the commencement of debate on the ministerial statement. I think this has been a gross discourtesy to the house and to the importance of this issue.

The point I raise concerns whether the ministerial statement that has been circulated is, indeed, complete and whether that means that 2-hour period should not commence until the complete document is provided.

The SPEAKER — Order! Before calling the Leader of the House on the point of order, in relation to the latter comments made by the member for South-West Coast, the Speaker can only do what the sessional orders say. I have no discretion in the matter, so that it is not an issue I can enter into.

Mr Batchelor — Speaker, on the point of order, the issue raised by the member for South-West Coast has two elements to it. Firstly, he says in regard to the timing of the ministerial statement that he would have preferred to have been given 2 hours notice during non-parliamentary sitting time. I take that point, but the sessional orders have been in place for a long time; they require a minimum of 2 hours notice to be provided.

Secondly, the member raised the point about the foreshadowed inclusion in *Hansard* of a table. Speaker, you have ruled on that and have restated the longstanding procedures of this house, and we accept that. To assist the debate we will make the table available to the opposition, the National Party and the Independents so they have sufficient time to scrutinise it before we seek the permission of the house at the appropriate time to have it incorporated in *Hansard*.

Mr Ryan — On the point of order on the totality of what is being circulated for the purpose of debate, Speaker, the fact is that the documentation that is to be the subject of the debate should be circulated in full. It has not been. I have part of it; I do not know what constitutes the rest. I therefore give notice that I will exercise the right I understand I have to refuse to allow the incorporation of any documentation until such time as I have had the opportunity of seeing it. I further give notice that I will not consent to the incorporation of any such material until a period of at least 2 hours has passed after I have had the opportunity of examining it.

The SPEAKER — Order! I uphold the point of order. If the government wishes to seek inclusion of that material in *Hansard*, not only must it provide the material to the parties involved but it must clear it with Hansard to ensure it is material that Hansard can incorporate. I ask the government to undertake that action. The debate will be allowed 2 hours after those provisions are met but not earlier.

PETITIONS

Following petitions presented to house:

Mitcham–Frankston freeway: tolls

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

The humble petition of the undersigned citizens of the state of Victoria sheweth the Parliament that the Victorian government has decided to break its 2002 pre-election pledge by introducing tolls on the Mitcham–Frankston (Eastern and Scoresby) freeway.

Your petitioners therefore pray that the Parliament undertake to ensure that the government:

1. Honours its pre-election commitment and policy as pledged to the citizens of Victoria not to introduce tolls on the Mitcham–Frankston (Eastern and Scoresby) freeway; and

2. Immediately reverses its decision to impose tolls on vehicles on the Mitcham–Frankston (Eastern and Scoresby) freeway and thereby honours its commitment to the citizens of Victoria.

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

By Mr DOYLE (Malvern) (19 504 signatures)

Devilbend Reservoir: parkland

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

The humble petition of the residents of the Mornington Peninsula and its surrounding neighbours sheweth fear of the potential loss of a site of environmental significance being Devilbend Reservoir in the heart of the Mornington Peninsula.

Your petitioners therefore pray that the Parliament can retain the entire land and water of Devilbend Reservoir in public ownership in perpetuity as a community nature reserve and recreation park, and initiate listing the reserve as a national or state park.

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

By Ms BUCHANAN (Hastings) (1544 signatures)

Community services: funding

To the Legislative Assembly of Victoria:

The petition of staff, supporters and clients of community and disability service agencies draws to the attention of the house the detrimental impact of cuts proposed for disability and community services 2003–06 through productivity savings.

The petitioners therefore request that the Bracks government abandon these harmful cuts and work cooperatively with the sector to improve services.

By Mr THOMPSON (Sandringham) (55 signatures)

Laid on table.

Ordered that petition presented by honourable member for Malvern be considered next day on motion of Mr DOYLE (Malvern).

Ordered that petition presented by honourable member for Hastings be considered next day on motion of Mr DIXON (Nepean).

Ordered that petition presented by honourable member for Sandringham be considered next day on motion of Mr THOMPSON (Sandringham).

BUSINESS OF THE HOUSE

Adjournment

Mr BATCHELOR (Minister for Transport) — I move:

> That the house, at its rising, adjourn until Tuesday, 16 September 2003.

Motion agreed to.

MEMBERS STATEMENTS

Buses: Bellarine Peninsula

Ms NEVILLE (Bellarine) — Recently I was pleased to announce one of the biggest increases in public transport services on the Bellarine Peninsula. This resulted from extensive community consultation that I undertook last year with local residents who identified the need to improve and increase services from the Bellarine Peninsula into Geelong, to provide a bus service that would travel across the peninsula and to ensure better coordination of bus services with the train services.

The announcement I made included for the first time a cross-peninsula bus service enabling residents on the north side of the peninsula to access towns and services on the south side and vice versa. This is the first time this service has been introduced. In addition I was able to announce a new timetable that ensures timetables for all bus services on the peninsula are coordinated with the train services.

The announced changes also fill other service gaps, with additional bus services now being provided from Queenscliff and Ocean Grove to Geelong, from St Leonards and Drysdale to Geelong and from Leopold to Geelong. These operate on both weekdays and weekends.

It was with pleasure that I presented to the house a petition from local residents calling for the services. This petition was collected over the weekend prior to my announcement, which has been overwhelmingly supported by local communities including those who signed the petition. Once again we have listened to the needs of the community and delivered better services.

Child protection services: report

Mrs SHARDEY (Caulfield) — The Minister for Community Services should put Victoria's children first, show she cares and release her sanitised version of the child protection outcomes report immediately. In February 2003 a version of the report was finished. It was extremely critical of the Bracks government's performance and identified numerous problems in the child protection system including the need to reduce demand for child protection services by ensuring that families get appropriate assistance before children are harmed or further harmed.

In short the report describes a child protection system that did not protect children and called for comprehensive reform. The government's response was to disband the Department of Human Services policy and strategic projects division team that wrote the report and send the document away to Allen Consulting to be sanitised at a cost of around $80 000. Subsequently the report was leaked. Now the sanitised version is complete and has been returned to the minister.

Earlier this year — on 22 May — the minister promised to make the report public. That time has now come, particularly in light of the Premier's new-found concern as to the capacity of his government to respond to child deaths, and for the sake of whatever is left of the Bracks government's pledge of openness and accountability. The minister must release this sanitised version so it can be given the attention it deserves.

Canterbury Community Bank

Mr STENSHOLT (Burwood) — On Friday, 8 August, I had the privilege and pleasure to be part of the opening by the Premier of the Canterbury Community Bank in Maling Road. This was the culmination of over two years hard work by many local people. Hundreds attended the opening, including the Strathcona girls choir and the chairman of the Bendigo Bank, Richard Guy.

I remember collecting over 3500 signatures for a petition against the closure of the bank that was there, and I conducted a funeral for that bank when it closed.

However, the community did not just mourn the closure because it acted to get a bank back there. I commend the 1000 shareholders and local people, the community bank chairman, Dick Menting, and my fellow board members Gary Dowel, Ann Price, Catherine Charles, Heather Brown, Bruce Chisholm, Andy McKay, Damien Hudson, David Orford, John Andricciola and Colin Fulton.

I also commend my mate Kenn Buckley, head of the Maling Road Traders Association, for his support and hard work both for the community bank and for the new murals in the walk between Maling Road and Canterbury station.

The new bank will be a great benefit to the community. I point out to my colleagues opposite that it is a great example of social capital, but the difference is that we do it and do not just talk about it. Those interested can see photographs and some short videos of the bank's opening on my web site shortly.

Lake Mulwala: management plan

Mr JASPER (Murray Valley) — I wish to bring to the attention of the house concerns of residents and local groups at Yarrawonga about proposals contained in the draft Lake Mulwala on-water management plan.

As members would be aware, Lake Mulwala is retained at full or near full capacity during the summer period, supplying water for irrigation on both sides of the Murray River. Importantly there is a huge tourist influx into the Yarrawonga area which takes advantage of the excellent weather conditions and utilises Lake Mulwala for extensive water sports.

The implications of the draft management plan that may affect the operations of Lake Mulwala have caused consternation among the local community. Representations from a range of people, organisations, local municipalities and me have resulted in an extension of time for the closure of submissions on the draft plan to 1 October 2003.

Additionally, I have organised public meetings to be held at the Mulwala Services Club and the Cobram Civic Centre on Monday, 15 September, at which the chief executive officer of the Murray-Darling Basin Commission, Mr Don Blackmore, will be the keynote speaker on the *Living Murray* document. Critically, a representative of the Lake Mulwala management plan consultants and a former employee of Goulburn-Murray Water, Mr Stuart Gemmil, will address the draft plan issues and respond to local concerns that will be raised.

This is an important matter for the local Yarrawonga community, which has some ownership of the outcomes of the proposal for Lake Mulwala. The Victorian government must also be fully informed, and if necessary must assist to ensure a satisfactory outcome.

Frankston Blues Booster Club

Mr HARKNESS (Frankston) — The evening of Saturday, 12 July, was both cold and windy, but I was filled with a feeling of great expectation because I was to attend the annual Frankston Blues Booster Club auction night.

Convened at the Frankston and District Basketball Association's stadium in Bardia Avenue, this annual event seeks to raise much-needed funds for the association and Frankston's magnificent basketball teams.

As guests began to arrive there was a stampede-like march to seats near the heaters. As I looked around the room I saw the wonderful display of goods and services which had been generously donated by many organisations. I was proud to donate two items to the auction night, and left at the end of the evening with several new toys.

The master of ceremonies took the microphone, and the buying and selling began in earnest. By night's end the club had raised over $15 000. I am sure the funds will be put to excellent use to ensure that the Cambur Blues men's team, the Aspect Packaging women's team and the other 700 teams which use the facilities each and every week excel just that little bit more.

The association's marketing and administration manager, Mark Lanagan, was on hand to ensure that the evening was a success. He informed me that this money will be used to further enhance the development and improvement of the Frankston Basketball Centre and the soon-to-be opened Langwarrin basketball centre.

Finally, congratulations to the Frankston Cambur Blues head coach, Bill Runchey, who will be honoured at the east conference men's grand final in Canberra on Saturday night.

Gunnamatta: sewage outfall

Mr DIXON (Nepean) — The Eastern Treatment Plant Community Liaison Committee was established to advise Melbourne Water regarding the Eastern Treatment Plant at Carrum and the Gunnamatta outfall. The group is made up of local residents representing the Port Phillip and Western Port Coastal Watch

Association, Gunnamatta Surf Life Saving Club, Carrum Residents Action Group, Surfrider Foundation, Birds Australia, Eastern Irrigation and the Carrum Carrum Wetlands Forum.

Members of the community group have advised Melbourne Water that the group is totally opposed to the 2-kilometre extension of the outfall into Bass Strait. They believe this is just moving the problem and that much more can be done to increase recycling rather than discharging the effluent into the sea. They also said that increasing the recycling of the effluent is a far better option, and I totally agree. The Liberal Party went into the last election totally opposing the 2-kilometre extension of the sewage outfall into Bass Strait.

The members also said that this government's so-called solution in extending the outfall 2 kilometres out to sea is just an out-of-sight-and-out-of-mind solution and a waste of money. It is not good planning for the future, nor is it warranted because no-one knows how much water will eventually be recycled. I therefore call on this government to stop the extension to the outfall.

Burma: human rights

Mr LANGUILLER (Derrimut) — Today I rise to call on all members of this house to renew their campaigns on and efforts for human rights and democracy in Burma. There are approximately 1 million migrant workers and half a million refugees on foreign soil. Landmines affect 10 of the 14 states and divisions, and the regime uses civilians as human mine sweepers according to landmine monitor reports.

In Burma nearly 1 million people are currently subject to forced labour according to the International Confederation of Free Trade Unions. Only 11 per cent of children complete fifth year of primary school, civilian universities have been outlawed since 1998 and student unions have been outlawed, according to the All Burma Federation of Students Union.

Most people are without access to basic health care, including over 450 000 infected with HIV/AIDS, according to the World Health Organisation reports. All media is state controlled. Music, literature, videos and emails are subject to severe censorship. It is illegal to possess a modem, a mobile phone, a fax machine or a printing press without a permit, according to the Myanmar Printers and Publishers Registration Law 1962, the Television and Video Act 1996, and the Computer Science Development Law 1996. It is illegal to speak against the government, and there is a seven-year minimum prison term for violations, according to the 1950 Emergency Provisions Act.

Police: Hawthorn station

Mr BAILLIEU (Hawthorn) — The election has come and gone, the promises are no more and all we seem to be left with is the political fraud. Labor's claims on police stations have evaporated. The Hawthorn police station has been closed. It is gone, it is kaput, it has been abandoned. This has been done against the strongly expressed wishes of the Hawthorn community.

Sadly Hawthorn is in the top five most-burgled suburbs in Melbourne. Police resources on the ground are essential, but now the station has gone altogether, whittled away over the last 12 months as hours and staffing were progressively reduced. All that time the minister denied the station would be closed. Desperate to maintain his deception through the election, the minister knowingly misled the people of Hawthorn and undermined his own officers, demanding that they too maintain the pretence.

The government has reduced resources in Hawthorn, spent less on capital upgrades than promised and presumed that it can get away with it. The impact has already been felt. Only a few weeks after the closure a series of smash-and-grab crimes against properties in the area of the old station have rocked local businesses. On-the-ground police are now clearly inadequate. Two cars for the area is inadequate. Having insufficient numbers of police on the ground is simply inadequate. The minister's response? Silence! No response, no change, and for the people of Hawthorn no joy, but probably no surprise.

Crime: incidence

Mr TREZISE (Geelong) — I take this opportunity to commend the Bracks government, the Minister for Police and Emergency Services and the Victoria Police. Recently released figures highlight a 7 per cent drop in crime across the state, the most significant decrease in more than a decade.

Since coming into government in 1999 this government has without apology focused much of its energies on community safety. Since September 1999 we have employed more than 800 police, and now we have begun work on recruiting another 600 in the term of this government. Therefore it is rewarding to know that Victoria is the safest state in this nation in which to live.

In Geelong and its wider region the results of the government focus on law and order are also

highlighted. Overall the number of crimes committed against property and the person in the Geelong region have decreased by a significant 12 per cent, with serious offences such as murder down 40 per cent, non-rape sexual assault down 25 per cent, and rape down 16 per cent.

Given these very pleasing figures, I take the opportunity to congratulate regional superintendent Peter Macievic and all Victoria Police members in region 2 for their ongoing work and efforts. It is very encouraging to see that programs such as neighbourhood watch under the management of police officer Andrew King are flourishing in Geelong. Of course there is more to be done, and I look forward as a member of the Bracks government to working with Victoria Police in making Victoria, and Geelong in particular, a safer place in which to live.

Emergency services: access tracks

Mr DELAHUNTY (Lowan) — I want again to highlight this hypocritical Labor government, when it says one thing and does another. Government members said after the release of the Esplin inquiry report this week that they would put on more fire management people, while they are at the moment sacking current staff who have a good history of working in fire management. Another example of their hypocritical position is the closing of access tracks and the filling in of waterholes in the Little Desert National Park. Adjoining councils and land-holders and local Country Fire Authority and State Emergency Service people have contacted my office. They are very concerned with this government's approach. An example of this is a letter I received from the South Lillimur Rural Fire Brigade. It states:

> … stop these track closures, as we feel there are many reasons why they should stay open.
>
> …
>
> The tracks allow access to contain smaller outbreaks before they escalate into uncontrollable infernos.
>
> The tracks act as very efficient firebreaks when conditions moderate and may also be good sources of back-burning operations.

The letter further states that the tracks provide good access for firefighting vehicles and also allow escape routes for crews and members of the public assisting in fire control and that the tracks have some historical significance.

The letter continues:

> While we realise Parks Victoria may have had some valid reasons for the proposed closures, we believe the protection of people and properties from both fire and possible accidents far outweighs these concerns.

I again call on the minister to take some action in relation to this. As a matter of public safety I also believe these tracks should remain open for the protection of people and property in case of both fire and possible accidents.

Roads: funding

Mr MERLINO (Monbulk) — I note with interest the report in this week's *Knox Leader* that the mayors of Knox, Maroondah, Manningham and Yarra Ranges councils have requested a meeting with the Prime Minister to discuss the Mitcham–Frankston freeway.

Rather than the grandstanding that we have witnessed on this issue by some councils, particularly Knox and Maroondah, what the residents of the outer east need is real advocacy. Rather than the publicity stunts with postcards deemed illegal by the Victorian Electoral Commission, our mayoral representatives should be tackling the real issues of injustice in relation to roads.

I would like our mayors to ask the Prime Minister: why is it that Victorians pay 25 per cent of the commonwealth's fuel taxes compared to 30 per cent in New South Wales, yet in return Victoria gets 15 per cent of federal road funding compared to 42 per cent in NSW? Why is only one major road with a federal contribution being constructed in Victoria this year, compared to 10 in New South Wales and 16 in Queensland? Why has the federal government put $345 million towards the Western Sydney Orbital, a tollway in NSW, and nothing towards the Mitcham–Frankston freeway? Why has the federal government refused to commit $100 million to the Mitcham–Frankston freeway to help minimise tolls? Why did the federal government walk away from the Scoresby memorandum of understanding in which it agreed to pay 50 per cent of the cost and then cap its contribution at $445 million, less than a quarter of the actual cost of the Mitcham–Frankston freeway?

After slugging residents with a 17.3 per cent and 9.8 per cent rate increase respectively, Knox and Maroondah councils are trying to hide their own mismanagement behind their publicity campaign on tolls. If their aim was really about advocating for the outer east, they should be demanding that the Prime Minister allocate immediately to Victoria the road funding of $445 million, including $100 million for the Mitcham–Frankston freeway.

Disability services: autism spectrum disorder

Mr PERTON (Doncaster) — It is a sick government that cuts therapy services to the disabled — and that is what the Bracks government is doing. What is the point of a state government that does not give its kids the best shot in life?

Like Big Brother in George Orwell's *1984*, the Minister for Education Services says of special needs kids, 'We've got to manage the issue of the growth of students on the program for the levels 1 and 2 area'. What, manage? Minister, you cannot manage these kids out of existence. Premier, the needs of these kids will not go away. These kids do not get adequate services now. The stories of the parents and carers at last week's autism summit proved that. Better diagnosis would mean that we could better understand the conditions that inhibit learning. Kids who used to be considered bad or uncontrollable can now have treatments that give them a productive life. Money spent on education and early intervention for these kids is money saved in the dole queues, courts and prisons in a decade.

The Bracks government's financial mismanagement means that the most deserving will suffer first. The daily experience of parents and students with special needs demonstrates that we have a Bracks Labor government that is not providing the care these special needs students deserve. There is inadequate funding for most special needs students. There are shortages of services and pressure on bureaucrats to reduce the funding for students with a range of special physical and intellectual needs.

I have visited classrooms and seen this with my own eyes: children with autism losing their learning opportunities and reducing the opportunities for their classmates as well, while teachers have to pay more attention to the children with greatest needs. Several times a week I speak to parents at their wits' end with the application — —

The ACTING SPEAKER (Mr Savage) — Order! The honourable member's time has expired.

Victorian certificate of applied learning: Mulgrave electorate

Mr ANDREWS (Mulgrave) — Last Monday I had the pleasure of visiting Wellington Secondary College in my electorate, to meet with years 11 and 12 students undertaking the Victorian certificate of applied learning, or VCAL as it is known. I arranged the visit because I wanted to hear first hand from the students involved their thoughts and views on the program.

In speaking to the students taking the VCAL at Wellington, it soon became clear that this program has very significant support. Students told me that, in some cases, VCAL was the difference between dropping out of school and going on to complete a year 12 equivalent. Students made it very clear that VCAL, with its practical and workplace focus on learning, is a great opportunity for them to discover and explore trades and professions that suit their skills and abilities.

VCAL has allowed the 13 students at Wellington to explore many different areas of endeavour — for instance, students have undertaken on-the-job units at TAFE and in the work force as carpenters, plumbers, motor mechanics, hospitality workers, hairdressers, photographers, and sound engineers. The program has allowed these students to explore and, in some cases, discover the areas in which they have skills and abilities and for which they have an aptitude. Of course their performance in these fields is boosted by their level of interest, enjoyment and satisfaction.

I commend the Minister for Education and Training and the government for the $47.7 million investment in VCAL following the successful pilot program last year. I also commend Wellington Secondary College for offering the program and in so doing catering for the diverse needs of its students. I wish the 13 VCAL students and their coordinator, Ms Jan Mann, all the very best for the rest of their studies and the future.

I also note that Mazenod and Nazareth Catholic colleges in my electorate operate the program as well. I congratulate them also.

Mitcham–Frankston freeway: tolls

Mr WELLS (Scoresby) — This statement recognises the Scoresby freeway no-tolls petition that was tabled in Parliament today by the Leader of the Liberal Party.

The petition, coordinated with the able leadership of the federal member for Aston, Chris Pearce, MP, is one of the largest petitions ever tabled in the Victorian Parliament and reflects the outrage of people in the outer east and south-east who wish to send a clear message to the Bracks government that its lies will not be tolerated and never be forgiven.

When the election was called in November 2002 the single largest issue concerning residents in the outer east was clearly the Scoresby freeway. Residents were letterboxed constantly by the Labor Party, reassuring them that there would be no tolls on the freeway.

The Premier reiterated this promise in his televised state election debate with the Leader of the Liberal Party, all the time knowing that this was nothing but a straight-out lie — an outright smoke-and-mirrors con job of the Victorian public and particularly of the people living in the outer east and south-east who have once again been kicked in the teeth by a Labor government.

A number of public meetings that have been held in recent months concerning the tollway have highlighted two very important issues that are on the minds of people in the outer east: firstly, the increased costs of travel because of a toll payment; and secondly, despite repeated assurances about the toll Labor simply cannot be trusted and the Premier lies.

The petition tabled today puts all outer eastern, eastern and south-eastern Labor members of Parliament on notice that they have an obligation to put pressure on the Premier to reverse his decision to toll the Scoresby freeway. Until this happens the credibility of the Premier and his government will remain a joke.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member's time has expired.

Securing Our Water Future green paper

Mr LUPTON (Prahran) — Ensuring a sustainable environment is one of the most important responsibilities facing every government and I applaud the release of the Bracks government discussion paper entitled *Securing our Water Future*. I want to mention three elements of that discussion paper: water for urban use; recycling and re-use, and restoring environmental flows to our rivers.

In respect to water for urban use, the government has set a target to reduce per capita drinking water consumption by 15 per cent and to recycle 20 per cent of Melbourne's waste water by 2010. This will be achieved by better urban design, the use of more efficient appliances and through an increased understanding of how to match water quality to water use. This is linked to reuse and recycling of rainwater, grey water and stormwater. We currently use over 50 per cent of our high-quality drinking water for toilet flushing, gardening and other non-drinking water uses.

Environmental flows are essential for healthy rivers. This is not only essential for our environmental future but also our economic future. It is clear that a sustainable environment is an essential part of a sound economy.

I commend the government on the release of this discussion paper, and I look forward to having a full and informed discussion with the residents of the Prahran electorate about securing our water future.

Eltham High School: Principal for a Day

Mr HERBERT (Eltham) — Last Wednesday, 20 August, I had the opportunity of participating in the statewide Principal for a Day program at Eltham High School. My day as principal involved an introduction to student programs and facilities, meetings with members of staff and interaction with students.

Acting Speaker, it would be an enlightening experience for you to visit Eltham High School as I am sure members of Parliament could learn from the exemplary behaviour, positive outlook and courtesy to others shown by the students.

A highlight of the day was the opportunity to talk to student leaders about their experiences and initiatives. I was impressed by the variety of opportunities available to them and by their ideas for future action for both Eltham High School and the broader public school system. It was evident that Eltham High School is dedicated to providing its students with a wide-ranging and stimulating curriculum.

The school is well known for its impressive overall academic results, for its strong debating and public speaking performance, and for its artistic achievements in photography, media, performing arts and performance music. Importantly, the school's commitment to a well-balanced and diverse curricula is reflected in the mathematical and science domain, with 10 per cent of postgraduate physics enrolments at the University of Melbourne coming from former Eltham High School students.

I look forward to a continuing relationship with Eltham High School, and I acknowledge and encourage the enthusiasm shown by the regular school principal, Paul Rose, and the teachers and students to education as a platform for life-long learning.

Friends of Frog Hollow

Mr DONNELLAN (Narre Warren North) — I rise today to congratulate the volunteers of the Friends of Frog Hollow group in Endeavour Hills, and specifically their president, Stephen Hallett.

The volunteers' hard work and dedication is marvellous, as is the organisational capacity of Stephen Hallett. His family contributes enormously to the local community and to Auskick, and the Frog Hollow

reserve stands as a physical testament to their organisational capacity.

Frog Hollow reserve is a magnificent park today due to the efforts of volunteers and the Friends of Frog Hollow. They have planted thousands of shrubs and trees, and the community shows its appreciation by walking in and enjoying the reserve.

I recently attended a working bee and was overjoyed to see both young and old contributing to the planting process. It is volunteer groups like these that make the world a better place in which to live. What would have been just an attractive place will in the future be a treasured jewel and one that all City of Casey residents can be proud of. Well done, Friends of Frog Hollow!

Bukker Tilibul

Ms McTAGGART (Evelyn) — On 11 July I was delighted to launch, globally, an online journal called *Bukker Tilibul* for the postgraduate writing course at Swinburne University, Lilydale campus.

This university is one of the few universities to have introduced new arts courses in the 21st century. This marriage of an arts course with cutting-edge technology is an excellent model, which puts Swinburne at the forefront of global communication. The provision of a global audience means that writing can be accessed anywhere in the world at any time. It provides writers with access to a global market and a following. It offers a graduate certificate, a graduate diploma and a master arts (writing), all completely online and asynchronous.

The magazine has four main areas in which submissions for publication may be made. They are creative writing, professional writing, curriculum writing and research writing. There are also areas for reviews and letters. An editorial committee has been established to ensure the quality of work published is of the highest standard. Publication in the magazine is available to all students from the postgraduate courses and to Swinburne community members.

I commend Dr Josie Arnold, the course convenor; Dr Barbara Kompay; Kitty Veego; and Cathy Farrell, the e-coach, for their efforts in making this publication possible. Special thanks to deputy divisional vice-chancellor Dr Barbara van Ernst for the positive contribution that Swinburne makes to the Lilydale and surrounding community. It has certainly formed strong partnerships with the Shire of Yarra Ranges, and I look forward to a strong association with Swinburne in the future. It is very important for engaging local communities with the university.

Eric Young

Mr CRUTCHFIELD (South Barwon) — Eric Young died on 2 August this year. I had the honour of giving the eulogy at his funeral; I was given the privilege of putting the pieces of the jigsaw together. The jigsaw was Eric Young's life, and more particularly his community service life.

Many members of this place would be aware of Eric Young and his work capacity at Worksafe. He worked diligently for workplace safety, and I was again privileged to be present recently at the Worksafe conference in Colac. At that conference a number of people reflected on Eric's contribution to Worksafe, including, among others, members of the Victorian Farmers Federation (VFF).

Eric had been a long-term member of the ALP at the Belmont branch, but his funeral was an indication of the way he transcended politics, because among those attending was a former member of the Legislative Council for the National Party, Roger Hallam; a former member of this place from the Liberal Party, Harley Dickinson; and members of the VFF, including president Peter Walsh, who also indicated what a quality person Eric was.

Eric made no fuss about himself. He was a premiership player at the Barwon Football Club, and he went to Papua and New Guinea as a patrol officer from 1969 to 1976. He went to Belmont High School, and he was a member of the East Geelong Golf Club.

I have mentioned Eric's contribution to the ALP, and he was also on the Geelong Hospital board from 1983 to 1997. He was a long-term councillor and past president of Gordon Institute of TAFE; and he was a councillor of the City of South Barwon. He was an inspiration to us all to have a go.

Vale Eric Young.

Laurimar community awards

Ms GREEN (Yan Yean) — I offer my congratulations to the Laurimar award winners for 2003. The awards were made and voted on by local residents and attendees at the second annual Laurimar Ball.

The winners for the most outstanding landscape were Peter Stewart and Melanie Angus, and the winners for the most outstanding house were Mirelle and Jeffrey Boyd. The Laurimar award, which recognises residents for their ongoing commitment to Laurimar's principles and philosophy and their engagement with the

development of the town went to Blair Fraser and Martin Stiles. The community award, which goes to a person or couple who have had the greatest contribution and community spirit at Laurimar, went to Mark and Leanne Daynes.

I commend the local residents and the developers, Drapac Property, for not simply building a housing estate but, indeed, a community. Recently, together the government, the developer and the community opened a new Country Fire Authority station, and I look forward to the imminent opening of the community centre in the Laurimar town centre.

Laurimar has received national awards for its five-star energy rating for all its houses and its innovative use of recycled water. It provides a model for all modern communities and demonstrates what an environmentally sustainable and sensitive estate can be.

CHILD EMPLOYMENT BILL

Second reading

Debate resumed from 27 August; motion of Mr HULLS (Minister for Industrial Relations); and Mr McINTOSH's amendment:

> That all the words after 'That' be omitted with the view of inserting in place thereof the words 'this house refuses to read this bill a second time until key stakeholders are consulted on options to address the needs of the community and ways to properly protect children'.

Mr MULDER (Polwarth) — In opening my contribution I would like to refer to the contribution made by the member for Footscray yesterday in this place when he stated:

> No child employment officer is going to go around to somebody's farm and say, 'Look, a kid has been employed here for half a day and they are somebody's nephew and they are going to work for $20'. There is not going to be somebody at the farm gate with a government car and a clipboard trying to intimidate some farmer. Let's get reasonable and be realistic about this.

The message the member for Footscray is clearly sending to the community with this statement is, 'We are not going to police this legislation. This does not work. We know it does not work, so therefore we are not going to send people out to the farm gate to police this legislation'. He was admitting with the statement he made in this house yesterday that it is not going to work and that the government will not be sending employment officers out to farms.

I would also like to pick up from the contribution made by the member for Footscray the statement:

> One of the sad but realistic characteristics of abuse of young people today is unfortunately around families and extended families.

In saying this the member for Footscray was referring to the issue of extended families having to undergo police checks. Acting Speaker, you as a member of a rural community would understand perhaps more than any other member of the government what this will do in rural communities. Can you imagine what would happen with some of the Italian families of Mildura or other extended families that have many members and own properties? What will happen when a 14 or 15-year-old child is asked by one member of the family to go over and work at the grandfather's property or a brother's property? The child will not be able to do so without a police check being carried out on his extended family. Acting Speaker, you would have a huge amount of difficulty selling that concept in your rural community. That is what the opposition finds so absolutely wrong with this legislation. It simply will not work in country Victoria.

I note that something in the order of 37 submissions on the formation of this legislation were made to the Bracks Labor government travelling road show. The question I ask is: who in the parliamentary party did not put in a submission? Quite clearly this has not gone through rural Victoria. This would never have got to the stage it is at today if the rural communities had been consulted properly on the formation of this particular piece of legislation.

What this legislation fails to recognise is the relationship between adjoining property owners and the different families in rural Victoria. I think of the farming families in and around Cororooke, Warrion and Birregurra in my electorate who settled those areas many years ago. The grandfathers built up the properties, and the sons and daughters as they grew up moved onto adjoining properties or other farms in the area. This bill will mean that they will not be able to send a child from one farm to another farm to assist in a time of need unless the uncles and aunties have police checks each year. But it is not just that issue that concerns me. It will affect the great support that exists between families in rural communities.

What will happen under this piece of legislation if a farmer down the road is injured after falling off his tractor and his wife rings the neighbours and says, 'Look, Pat has fallen off his tractor and will be out of action for a week. Can someone come up and help?'. It will be a case of, 'Just a moment. Have you had your police check done?'. What are we supposed to do with this legislation? Perhaps the situation should be that everybody should have a police check every 12 months

and have it sitting there just in case you need to call in some assistance and help from an adjoining property!

That is where this legislation is absolutely, totally and utterly flawed. I take it that the Minister for Industrial Relations has made quite a bit about the record of injury on farms. What he is indicating here is that an adjoining property owner or another family member is going to deliberately put a child at risk by asking them to undertake some basic chores on a farming property. That is just not going to happen. That is saying to people in country Victoria that they are totally and utterly irresponsible and saying that family members are not going to look after the best interests of the children who are sent onto their properties.

This legislation even gets to the point of being ridiculous — for instance, in the country one farmer might milk 500 cows, one down the road might milk 300, and others might milk 200. On Saturday mornings during the winter someone might say, 'Let's whip up and help Jimmy get through his cows a bit earlier so he can get out and play football'. It will no longer be possible for young people to do that. They will have to say, 'Sorry, his Dad hasn't had a police check', or 'The family hasn't had a police check, so you cannot go and help'.

As to the issue about protecting children, I note the reference to 'children under 15 years of age'. Has the Minister for Industrial Relations been to the country and seen the kids now who are 12, 13 and 14? They are towering over the top of us. I am not sure whether it is the great lifestyle or what they are getting fed, but they are big, strong, strapping kids, more than capable of taking care of themselves, and more than capable of doing a day's work, and they love it. They absolutely love doing it. But this is going to create a situation of fear about children moving from one property to another and doing what they do on a day-to-day basis. This bill totally ignores what actually happens in country Victoria. People in country Victoria rally when someone is in trouble. This bill will prevent this happening. It prevents someone sending a child over to assist farmers on an adjoining property.

But there is an issue that concerns me more than anything else, and I go back to my own experiences of having been in child employment, from the very early days, when I was around six years old. In my area you would think nothing of going around knocking on doors, collecting newspapers, rolling them up and take then down and selling them to Eric Hurst's butcher shop or to Polgeist's fish shop and getting paid across the counter. You would then do the rounds of the houses in the neighbourhood, collect the bottles and take them to the shops. In those days you would get refunds. We used to also go to the adjoining stables or other stables in the area and collect bags and take them to a bag merchant in the town. I believe that type of experience very early in life is a very positive experience for younger people which enables them to, firstly, develop a work ethic and, secondly, develop some skills that will take you on in years to come.

From those early days, my experiences were then to go on to a newspaper sales round in the streets and on the pub corners in Colac, in front of the Austral, the Union, the Commercial and the Victoria hotels. They were fairly tough environments in those days because the older paper boys held precedence and actually claimed they owned the customers in the town. It was a pretty tough environment to grow up in when you were trying to muscle your way into a paper round and scraps were on nearly every night of the week. Even when the older boys moved from their paper round on to other employment, they attempted to sell those jobs on to other people. So it was very tough, but once again very enlightening.

I went from there to work on a farm at Birregurra when I was 12 years old. These are the types of issues that I will concentrate on now. I was working at the Birregurra farm of the late Margaret Darcy. Under the provisions before us now, she as an elderly spinster would have had to undergo a police check to have me working on her farm. Yet as a 12-year-old working on that farm, within a year I was crutching sheep, I was paring back feet and I was fixing fences, and that particular lady even put off the shearing time to coincide with my school holidays. They were absolutely great experiences for younger people.

What this legislation says is that in order for that type of practice to continue in rural Victoria we are going to have to ensure that every farmer has a police check every 12 months just in case he wishes to invite a younger person onto his property to work.

This is absolute crap! That is the only way you could describe it. The Minister for Industrial Relations knows that it is absolute crap, he knows it will not work. He knows that the work has not been done in rural Victoria and obviously he would be very, very embarrassed to find out the implications.

This legislation has been never tested on the ground. They never knew that this was going to be the result of this absolutely, utterly ridiculous and flawed legislation. It should be pulled back and amended so that it actually works — and that it works in the best interests of people in rural Victoria.

You would know, Acting Speaker, the implications that this is going to have in your particular area. You would know, just like I know, that I could not sell this to people in country Victoria. They think this is absolute rubbish and absolutely ridiculous. I cannot bring the young boy from down the road to come and wash my car unless I have a police check — for heaven's sake! How absolutely ridiculous is that?

Mr TREZISE (Geelong) — It is with great pride and pleasure that I stand today to speak in support of the Child Employment Bill not only because the purpose of this bill is to protect children in their part-time or casual work but also because it delivers on another Bracks government commitment to the people of Victoria — to those who so resoundingly returned us to office in the 2002 state election.

The bill formed part of the Labor Party platform for the 2002 election. It was subjected to and is the result of extensive and thorough public consultation, which is the hallmark of the Bracks government. Consultation took place with various employer and employee organisations and Victoria-wide communities, including in regional and rural Victoria where child employment is of significant importance. As I said from the outset, I am pleased to be supporting this bill, in part because I know that it has gone through a rigorous public consultation process and in part because there is support for its contents and purposes throughout the state, including rural Victoria.

The community at large accepts that there is an advantage in allowing children aged under 15 to work, but it also believes that such work needs to be regulated and closely monitored, which this bill sets out to do — and does do.

There are significant advantages for children who experience life at work, who hold down a job and accept all the responsibility that goes along with that work. I fondly recall my life as a 14-year-old working in my father's sports store in Malop Street, Geelong, on Friday nights and Saturday mornings. At the time I just thought that the purpose of work was going along and ensuring that I received a wage, most of which, I must admit, I lost at the TAB around the corner! What I did not realise at the time was that it provided me with far more than just a small wage in my pocket; it equipped me with other life skills.

The job in the sports store, for example, equipped me with a work ethic. It developed my skill to communicate with people. It provided me with the ability to work as part of a team. It provided self-esteem and insight into how a small business operates. Working in the sports store also taught me how to string a racquet, oil a cricket bat, fit a proper pair of running shoes and things like that. There are numerous advantages in allowing children aged under 15 to work.

I support the bill as I am a great supporter of ensuring that children in their early teens are given the opportunity to experience life at work. While I support that notion I also realise that not all children are in the fortunate position of working in a safe work environment, as I experienced while working in my family's business.

In the early 1980s I also had the opportunity or the pleasure of working with the former Department of Labour and Industry as a wage and industry inspector in the south-west region of Victoria. In part this work required me to complete work permits under the community services legislation for children under 15 years of age and also to inspect workplaces for their compliance with health and safety regulations.

Through this work I think I could accurately say that 9 out of 10 employers thought they were doing the right thing. But of those I reckon probably only 6 or 7 out of 10 at very best were in fact complying with their legal responsibilities. In some instances the work that was required that I witnessed you would not expect a horse to do let alone an adult, or even worse a child under 15.

I applaud and support the requirements of this legislation, and especially the appointment of qualified child employment officers. Although I note a primary responsibility of the officers is to provide to employers advice and information about the legislation, I urge the responsible authority to ensure that those officers are out in the field and ensuring compliance with this legislation is occurring.

As I said, in a previous life I was employed as an inspector with the former Department of Labour and Industry, and I was involved with issuing child permits. This system, that I understand is still essentially in place, did to a degree regulate child working conditions, but there were some gaping holes that left children very vulnerable in the workplace. I am pleased therefore to see that this legislation addresses this issue and not only tightens current requirements but also adds further important requirements that employers must meet.

The most significant of these is of course a requirement for police checks for prospective employers and, importantly, supervisors. The key person to me in this equation is not the employer but the supervisor, because it is the supervisor who will have the direct day-to-day contact with the child being employed. Therefore I am

pleased that this act recognises that and puts in place requirements for the employer to ensure that all supervisors have received a declaration of suitability. This covers instances where there has been a change in supervisor which can occur on a pretty regular basis in some industries or jobs.

A major step forward as far as I am concerned is the police check requirement not only for employers but as I said, importantly, supervisors, because it is the supervisor who really holds the control over a child in a workplace and in many instances is working alone with a child. In my experience this is so in a large percentage of cases that occur in a rural setting, whether they be in small retail outlets; in, significantly from my experience, racehorse stables or equine properties, where young girls choose to work; or in the local hospitality sector.

There are other significant initiatives in this legislation. To my mind the important ones are those determining the type of work that can be performed by a child under 15 and stipulating the hours that can be worked.

I fully endorse and support limiting the type of work to be carried out to that defined as light work. As I said, before I visited some of the premises as a field officer and viewed work that was so heavy you would not expect a horse to carry it out let alone a child under 15. So light work is defined in the legislation with the bottom line being that it must not in any way place the health, safety or welfare of the child at risk.

I also support the hours of work a child can work as stipulated in the act. The bill limits children working up to 9.00 p.m. and provides for a 30-minute break every 3 hours and a 12-hour break between shifts.

In conclusion, I once again reiterate my support for this legislation. It does effectively address the issues as they relate to the employment of children under the age of 15 by putting in place requirements that will protect their physical, mental and moral wellbeing, and as such it is with great pleasure I support this bill and wish it a speedy passage.

Mrs POWELL (Shepparton) — I am pleased to rise to speak on the Child Employment Bill 2003 and to say that the National Party supports the amendment put forward by the member for Kew. I am speaking on this bill on behalf of people in country Victoria because I think most country Victorians think, as I do, that this bill has gone too far. It is bureaucracy gone mad!

It is about absolutely undue interference in people's lives, particularly in country Victoria. We all agree that children need to be protected; nobody wants to see children exploited. In country Victoria in particular there would not be many cases of child labour or children being exploited. No-one wants to go back to the days of slave labour. But laws are already in place to protect our children who are working and school-age children.

We need to make sure that if there are any serious breaches of the laws people are identified and the law is enforced to ensure that they do not do it again. When people are prosecuted we need to advertise that fact so that we can deter others.

The member for Polwarth talked about community consultation, and I understand there were six round tables — some in rural Victoria and some in metropolitan Victoria — and 37 written submissions. It is interesting that we are not made aware of what those consultations said. Did they support the legislation or not? The consultation process came out with a number of issues, and the second-reading speech states:

> Consultation indicated that, whilst the employment of children under 15 is acceptable, it is acceptable only to the extent that work does not interfere with a child's education and development opportunities and does not expose children to physical or moral dangers.

National Party members all agree with that. We are not saying that there is disagreement with anything that the community consultation found, but we do not believe that this legislation reflects the concerns of the community or addresses the concerns raised by the community. We would also have liked to have known about some of the comments from the round tables.

As the member for Polwarth stated in his presentation, in rural Victoria the work is unique: the work ethic is unique. People help each other out, they help each other's children with jobs. If a child is looking to buy a new bike, maybe your friend has a business and your child asks if they could come in and clean floors or sweep or dust or stock shelves, and that person would be only too delighted to give that young person a hand and give them a job after school. That is the way people work in country Victoria.

The member for Polwarth also revealed that during the consultation process there was a lack of community awareness about child employment laws and a lack of compliance. Again I say that those laws are in place. What the community consultations brought out was the fact that nobody knows those laws are in place, so there is no compliance. The government should have started to advertise and make the community aware that those laws are there and help employers to bring about compliance. But changing the law is not going to fix the

problem. If there is a problem in some workplaces, let us fix that. Let us not bring in new laws so that people do not understand the new act as well.

The consultation process actually found that the legislation interferes with children's employment opportunities. Let us not interfere with children's employment opportunities. People will not get permits for employing children under 15, particularly if they know that they are going to have police checks and employment officers coming into their businesses. If you have a business that wants to employ a child after school and you are aware that you will have police checks and may have employment officers coming into your business, of course you are not going to employ that child. So that young person has lost an opportunity to work in a safe environment.

Employment is very important for children. We have heard a number of members speak about their experiences working after school on farms and in businesses. Being able to work teaches children all sorts of things. It teaches them confidence, self-esteem and independence. It teaches them the value of work and a work ethic. It also teaches them to have initiative and to understand that if they want something it is just not going to be handed to them; they have to work for it. We are now limiting the opportunities for young people to work on farms, to work on neighbouring farms, to work in businesses of friends and so forth, because people will not employ children if they know they have to have a police check. Does that also mean that all of the people who work in that business also have to be checked by police? There are so many variables that this bill does not address.

The member for Richmond said that people already have to get a permit, and that is true. So it is true that people are already breaking the law. But as I said earlier, we need to advertise what we are doing about those laws, what those laws are about and have some public awareness campaigns. But do not bring in more draconian measures so that people will not employ young people. He also said that the only new bureaucracy is the police checks. That is not true. The new law will introduce child employment officers.

So we are bringing another level of bureaucratic enforcement into businesses which are already sick of union people going into them. We are saying, 'Here is another layer of bureaucracy'.

My sons earned extra pocket money by working. They did not get a permit, and we did not get a permit to say they could work, so I guess we were breaking the law as well. They mowed lawns for us — which means they did not have to get a permit — but they also mowed the lawns of their grandparents. While they did not do the mowing for money, their grandparents always gave them $10 or $15. Does the legislation mean that grandparents will have to have a police check because they are employers?

Dr Napthine — Yes.

Mr Hulls — No.

Mrs POWELL — Well, this law does not say that. If an employer is not a family member, they must get a permit.

Children also work in babysitting or as paperboys — and my sons did work as paperboys. This bill means that a newsagency employing paperboys will have to have a permit. Paperboys will not be directly supervised, so there are a number of issues in the bill which are not quite clear — whether paperboys, for example, or children working in other areas will have to be supervised.

The other issue is cubs and scouts. I know they probably do not have to get a permit because they are not-for-profit groups, but the scouts and cubs used to go into businesses and work on fundraising for people who get a profit. That is another issue — do those businesses have to get a permit?

In our auto-electrical business, as I said, we employed school-age boys to sweep our workshop. The boys would come in after school and ask us all the time, 'Have you got any work?'. Of course, if we did have work, we would give them work. We put through many young people doing work experience. Maybe we should have got a permit, but we did not because we were not aware of that requirement. Maybe businesses should be made aware — before we bring in all these draconian measures — of how they should be complying with the legislation as it is now.

If this bill is passed, people will not employ school-age children because they do not want child employment officers — who do have broader powers — in their businesses. The member for Richmond said that they would be there just to look after the interests of the child — —

Mr Wynne — No, not me!

Mrs POWELL — Sorry, it was the member for Footscray. I apologise.

Clause 37 (2) of the Child Employment Bill says :

> Child employment officers also have the function of investigating applications for permits, ensuring compliance with this Act and the regulations and any other functions conferred by or under this or any other Act.

That means child employment officers can go into a business having been delegated to enforce occupational health and safety and Environment Protection Authority requirements. A number of businesses are greatly concerned about the sorts of requirements they will need to comply with in order to have a child working in the business.

The Workcover statistics said that approximately one child aged under 15 was seriously injured in the workplace every two weeks. That is a staggering figure and needs to be addressed. We need to address those figures, to make sure the businesses that young people are working in are safe and that our children are safe. But we already have workplace officers; we already have people who can go into businesses and make sure that whoever works there is safe. The government should identify those workplaces and work with them, to give them warnings and to show them how they can avoid the risks.

The government also said there is an exemption in this bill for children working in family farms and businesses, but the second-reading speech says the government believes that parents have the responsibility for, and the ability to protect, their own children when employing them, which is why there is an exemption for family farms and businesses. But that is rubbish as well, because the exemption is there purely because there was a huge public outcry with the original bill. That has been changed now because it is commonsense to exempt family farms and businesses.

The other thing that the member for — —

The ACTING SPEAKER (Mr Savage) — Order! The honourable member's time has expired.

Mr WYNNE (Richmond) — I rise to support the Child Employment Bill. I have listened to the contributions of a number of members of the other side, and I will seek in my brief contribution to indicate to them that some of the propositions that have been put here today, particularly in relation to the family farm, are perhaps an over-manifestation — at least in the minds of the opposition — of the intent of the bill in relation to how it will be implemented on a practical basis.

The briefing I received on child employment from the Department of Innovation, Industry and Regional Development indicated that the vast bulk of child employment — with employers who carry permits — is in the entertainment industry, where most young — —

Dr Napthine — Most don't have a permit.

Mr WYNNE — The member for South-West Coast, with his interjections, will not allow me to finish my point. The point is that where we do have a permit process, which is the only way that we can bring any logic to what is happening, it is the entertainment industry where most young people are employed.

It is quite clear from the contributions that have been made from both sides that the broad scope of what the Child Employment Bill is seeking to do is supported across the Parliament. As I understand the proposition from the opposition, its concern is about the bill's implementation. The government is exempting the family farm from these provisions, which is absolutely clear in the bill. The type of contribution that the member for Polwarth indicated he made in his formative years to farm life and the prosperity of his family was quite appropriate. Children lending support to the working of the farm are exempt. It is worth noting that under the previous legislation, this was not the case.

In the past a permit was required to work on the family farm. That of course has been rescinded by this legislation, and now the proposition is quite clear and unambiguous in relation to the family farm. In this legislation and in its practical applications we are not talking about situations such as those portrayed by the member for Polwarth, where a neighbouring farmer or members of the family may have been injured and in a neighbourly way a young person is asked to go over for a couple of days to help out in a particular circumstance. This is not be intent at all.

An honourable member interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for South-West Coast will refrain from interjecting across the table.

Mr WYNNE — This is not the intent and never was the intent. It is where, for instance, children would go off for a period over the Christmas break, over the summer holidays, and they would undertake employment — for example, when there is cropping and so forth to be done on somebody else's farm. We all know of circumstances where that occurs. That is where the bill is intended to apply. Where there is a casual situation and a young person goes over to help the neighbouring farmer in a particular crisis situation, nobody intends that that would be the impact of this

bill's practical application. Nobody intends that to be the case. The situation is I think quite clear in this bill.

There are echoes here of a previous piece of legislation that we debated in this house — the industrial manslaughter legislation — where the same tactic was undertaken by the opposition, where members of the opposition sought to pervert the very intent of that piece of legislation and dragged up the most bizarre and extreme examples — —

Dr Napthine — Bring it back!

Mr WYNNE — You didn't support it last time!

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for South-West Coast will refrain from interjecting. The honourable member for Richmond will refrain from responding to injections. The honourable member for South-West Coast!

Mr Plowman — You could bring it back!

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Benambra!

Mr WYNNE — So they sought to drag up the most bizarre and extreme circumstances to try to sink that piece of legislation. That was a shameful day. There are echoes of that here in the strategy being pursued by the opposition to on one hand say, 'We absolutely support the principles of this. We think this is a fine piece of legislation. We should protect our young people from exploitation, and of course we would all support those principles absolutely', but when it comes to its practical application the members of the opposition seek to find some really extreme example of where they believe, wrongly, that this legislation would seek to destroy the way rural communities operate. That is not the intent of this piece of legislation, nor when this bill goes through the Parliament will it be its outcome.

The member for South-West Coast knows that to be the case, but he has got to get up, as he will in a moment, and strut around trying to make out these extreme examples about a piece of legislation which is fundamentally right and correct. He knows it, and we know it. Why is it that members of the opposition broadly agree with the principles of the bill but go to extremes seeking examples to try to condemn this piece of legislation? As has been indicated, there will be a mandatory police check on employers and any person who will directly supervise a child employee.

The member for Shepparton in her contribution talked about what happens when a young person goes over to mow their relatives' lawn or a neighbour's lawn and so forth. Will they be subject to this legislation? Well, I think the Minister for Industrial Relations in his retort to the member for South-West Coast indicated quite clearly the answer to that question. We are not talking about casual arrangements that are made on the basis of longstanding situations that we have all over the years been involved in. This legislation would be triggered where that young person was mowing the lawn for a mowing company, not for the neighbour or for the grandparents for a small amount of pocket money. We should not go through this charade of trying to dream up these bizarre and extreme circumstances to try to bolster the case of the opposition. These are simply not the circumstances this piece of legislation is about. It is about putting appropriate checks and balances in place so that, as we all agree should be the case, young people are not exploited or put into potentially dangerous situations — in some circumstances tragic situations where they are killed.

I just want to indicate by way of my final contribution to this debate that children are exposed to occupational health and safety danger today, now, currently. One child under 15 is seriously injured in the workplace every two weeks. Those are Workcover statistics. That is a shameful proposition. That is something Parliament cannot and should not support. I urge the opposition parties to support this decent piece of legislation to protect our young people from the dangers of workplace exploitation, from injury and in some circumstances, tragically, from death.

Dr NAPTHINE (South-West Coast) — This bill is a classic case of good intentions but absolutely appalling drafting. There has been a lack of proper ministerial supervision of the drafting of this bill. There is a lack of commonsense and understanding of how communities, neighbourhoods and families operate, especially in country Victoria.

Parliament should always be reminded that unworkable legislation is bad legislation, irrespective of the intent. This is unworkable legislation; this is impractical legislation. All speakers agree with the intent of the bill — to modernise child employment legislation. The current legislation is not good enough. We do need to modernise; we do need to prevent exploitation of children in the work force; and we do need to ensure that where children participate in the work force it is a safe workplace with proper supervision. We do need to emphasise that the highest priority for children is to be engaged in education and developmental processes so that they can enjoy their childhood. Yes, we need to modernise the legislation, but this draft is wrong.

The member for Richmond says, 'We will not prosecute when these instances occur'. People want to act within the law. People have the right to be able to conduct their business reasonably within the law when they are doing commonsense things. The member for Richmond and the government is saying, 'You will be acting illegally but trust us, we will not prosecute you or take it further'. These things happen on a day-to-day basis. The challenge for government is to draft legislation that meets the good intentions and does not have these adverse consequences. This bill fails to deliver on those laudable aims in a workable commonsense way. That is the point we make.

I go to the example of car washing. We can take the point and split hairs, if you want to, as to whether a 12 or 13-year-old who washes cars regularly on Saturday morning is conducting a business or whether they are involved in assisting in another business. If you want to split hairs you can say if they are washing their neighbour's car it is okay, but if they are washing the utility of the neighbour who is an electrician, that is part of his business — —

Mr Wynne interjected.

Dr NAPTHINE — That is the law; that is what the law says.

Mr Wynne — That is not the intent.

Dr NAPTHINE — I understand that is not the intent, but I am saying that you should get the drafting right. If they are washing the utility of the neighbouring electrician, firstly, they should be over 13 years of age or there is a $6000 penalty. Then they need a permit or there will be a $1000 penalty. We do not know whether there is a fee for the permit. Is there a fee for the permit?

Mr Wynne — No.

Dr NAPTHINE — No fee for the permit, excellent. The permit must be signed by the parent or guardian, the prospective employer and the school, be approved by the department secretary and have complete details of the work situation; and the person supervising must have a police check, which costs $24. This is so a 13 or 14-year-old child can wash the utility of the neighbour electrician. That is what must happen. The same thing applies to mowing lawns. If you want to split hairs, what the government is now saying is that if you mow the lawn of the neighbour that is okay, but if he conducts his business from his house that is illegal! That is what this legislation is saying.

I refer to example no. 2. I have friends of mine who are plumbers. My son, who is 12 years old so he is under 13 years of age, is a great friend of their son, and they often go out with Greg the plumber and help him carry spouting and tools. Unfortunately under this legislation that will be illegal because my son would be assisting in the business of the plumber. Under clause 4 it does not matter whether he gets paid or not, the plumber will be acting illegally. That is horribly wrong. If the legislation needs to be redrafted to get that right, let us do it.

I move now to the farming environment. The member for Footscray said that the Victorian Farmers Federation (VFF) was happy with the change in the definition of farming business. That is not what it tells me. In a letter to me the federation states:

> In the definitions section of the bill 'family business', in relation to a child, means a business, trade or occupation carried on by a parent or guardian of the child; the VFF believes that this definition needs to be expanded to include immediate family members such as grandparents, aunts, uncles and adult siblings.

I could not agree more. We have situations time and again where we have extended farming families and I think that definition needs to be changed.

The VFF is concerned about the issue of supervision. What does it mean to supervise? For example, on a farming property will it be illegal for a 13 or 14-year-old child to be sent down the back paddock to bring the sheep up at shearing time without supervision, will the farmer have to go with him to provide direct supervision, or is being able to direct them adequately supervising? The VFF need clarification on that issue.

I understand the minister said in his second-reading speech that babysitting is exempt. There is nothing in the legislation that says babysitting is exempt. Page 7 of the bill specifies certain activities that do not constitute employment and babysitting is not included. I ask the minister to clarify that. How can he say that normal babysitting is exempt yet it is not included in the list of exemptions in the bill. We need to recognise that the bill will become the legislation. With due respect to the comments of government members and the second-reading speech, they can be used to assist courts in the interpretation of the legislation, but the legislation must be right in itself. That is the issue we raise. It is very important that we get the legislation right.

Clause 21 refers to the hours of work. The newspaper industry and newsagencies have concerns about a child starting work before 6.00 a.m. I have contacted a number of newsagencies in my electorate and they tell me that they have to have the child start earlier than 6.00 a.m. to get the rounds out in time. They raise the

issue of police checks. It is a real issue in terms of cost. We understand the intent, but in terms of a simple newsagent business, the one in Portland tells me that with the various changes in organising the paperboys or papergirls in the morning they would have to get police checks on at least six people each year, which is not an insubstantial cost.

It may be the thing that tips them over from using paperboys and papergirls to employing other deliverers. Many people could go in that direction, which would result in an enormous loss of opportunity for those young children.

We understand that child employment is an important part of growing up. It builds a child's self-esteem and self-confidence and teaches them the value of work. It is a positive experience and is usually handled in a way that means the child is pleased to be able to participate. It gives them a boost and an opportunity to develop their own spending power through their pocket money.

The intention of this legislation is right. There is a need to modernise the laws because the current laws are not adequate, but this bill has become too rigid and too black letter. We are suggesting through the reasoned amendment that it needs to be reconsidered.

The final thing I wish to say concerns this government's propensity to create new bureaucracies. Under this legislation we will have another bevy of public servants — a bevy of child employment officers. They will be peering into backyards to see if young Danny is being paid $10 for weeding grandma's back garden, and checking whether Stephanie is mustering the sheep on grandpa's or uncle's farm. These child employment officers will have power of entry to residences where business is conducted in a residence. Whether that be the local plumber, the local electrician or a farming family, the child employment officers will have unprecedented powers of entry into the residences of those people. These are the sorts of things that will put people off employing young people.

What the opposition is saying is that the intent of this legislation is sound but the work has not been done to get it right. It is no good members of the government standing up and saying that, 'In practical terms we will not do that, we will not implement it'. People want to act within the law; they want to comply with the law and the law has to be written right. Bad drafting means bad legislation. It is not worth supporting in this place.

Mr SAVAGE (Mildura) — I rise to make a brief contribution on this bill. As other members have indicated, there are some very good elements to the Child Employment Bill 2003, but I have some reservations about some issues, especially as I come from a rural electorate. I guess you could say that legislation is only as good as its weakest point. It is similar to an anchor chain — it does not matter how good the chain is supposed to be, if there is a weak link the chain is of no value.

The element that restricts child employment by extended families will cause some very significant problems in my electorate, and I would imagine in many others where you have families with significant links to other families on fruit blocks or wheat farms or with that sort of agricultural background. Restricting the employment of young persons without permits and police checks when it is about not so much employment as seeking to assist neighbours or relatives will be a very poor outcome.

I note that the definition of employment refers to 'carried on for profit'. You could probably say that some farms are not carried on for profit, but many are. To restrict a child from riding in a header or driving a tractor during the peak harvest season because the employer or relative has not been subject to a police check will be a very difficult thing for many people to overcome. I guess most people will ignore it, and in the unfortunate circumstance that something happens the child employment inspector will be knocking on the door, and it will be a very unpleasant experience for all.

Parents are usually very responsible in the way they manage their children. They are probably more careful with their children than they are with other employees. I recall my life on a farm. I know that at 11 years of age I was driving a car — not on the road but on the farm — and agricultural implements. I was employed at well under the age of 12 picking up sticks after bulldozers had been through for about 5 shillings an hour. I do not know that it does young people any harm to be employed under those circumstances. It is pretty tedious, but it has a character-building component. I try to tell my own children about the sort of lifestyle we had. Their response is, 'It is time to move on, Dad', but there are still opportunities in agricultural areas.

Mr Dixon — Get over it!

Mr SAVAGE — I am trying to — it is taking me a long time. I do not want to labour it, but the point I am trying to make is we need to have some indication in relation to extended families. Some of the Italian families in Mildura are huge. They have great links with each other over large areas, and to say that you cannot move those young people around during a peak harvest season or at any other time will bring some very

bad outcomes. I ask that when he sums up the second-reading debate the Minister for Industrial Relations give some indication that this will be looked at. The bill has great intentions to protect children and restrict employment in areas where they should not be, but when it comes to an agricultural application with family farms and extended families we are heading for a significant problem.

Mr PERERA (Cranbourne) — I would like to speak in favour of the Child Employment Bill 2003. According to the number of permit applications to the Victorian government, Australian Bureau of Statistics figures and figures from western countries, employment of children under 15 who are attending school increased dramatically between 1986 and 2001. Australian and international research shows that children who work during school terms generally achieve lower grades and are more likely to be absent from school.

Children are children, and at that age they should be in full-time education. However, if children choose to be employed it is the responsibility of the government to create a safe work environment. Children will be in employment for two reasons. The first is involvement in a family business or to support a low-budget family income.

The other area is the rise of consumerist values. Kidflation — the rise of consumerist values and identities among young children — has resulted in the desire for items such as designer clothes, mobile telephones, computers and electronic games. They are considered to be peer group necessities which parents are often disinclined or unable to afford.

The need for children to work in some families has become a fact of life. Therefore the challenge for the government is to regulate child employment to ensure the health and safety of children and to minimise the effects of employment on their education. Children have less life experiences compared with adults. This can mean that children are exposed to greater occupational health and safety dangers when they work. Every two weeks one child under 15 years is seriously injured according to Workcover statistics.

The Bracks government believes the bill will protect the children, create a more favourable environment for children to continue employment and reach their full potential. The bill makes modifications to the current system in four areas: the permit system, police checks, minimum age of employment, and the type of work. As currently applies, permits are free of charge and parents are responsible for applying for a permit. However, the bill requires that the child's prospective employer and school sign a permit, together with the parents. This will enable the school to share the responsibility, employers to take greater responsibilities and avoid some irresponsible parents overlooking some aspects of undesirable employment conditions. Furthermore, the employer will be required to provide details on the application form regarding the child's intended duties and hours of work and the nature of the work environment.

History reveals instances where children have been subjected to intimidation and harsh and unsavoury conditions by some not-so-benign-and-gentle supervisors. Police checks on potential supervisors are designed to ensure that the child's moral welfare is protected. This check is valid only for 12 months for every child supervisor and must be conducted prior to the issuing of a permit.

In practice child employment officers would not adopt stringent procedures to call on police checks in family business situations. It is commonsense that people would not go after children employed in their family business. However, every parent would appreciate that safeguards should be in place because they do not want any unsavoury characters such as paedophiles supervising their children.

Hours of work is another component of this great legislation. Members of this house will no doubt agree with me that working long hours from 9.30 a.m. to 11.00 p.m. is not the most pleasant thing in their routine of work. I do not think anybody with a sound mind in this chamber could support a child working long hours until 11.00 p.m. after a day's hard work in school.

The Child Employment Bill admirably amends the provision to limit children to working up to 9.00 p.m. It is common knowledge that the Bracks government has invested an enormous amount of money in public safety. Crime rates have come down. However, there is still no guarantee that our streets are safe 24 hours a day, 7 days a week. There is a long way to reach that target.

The bill introduces a new provision restricting street trading to daylight hours considering the health and safety of our children. The nature of children is to get bored on anything sooner than adults, and children cannot work safely for the same unbroken period as adults. The bill provides for a 30 minute rest break after every 3 hours work.

Children must have at least a 12-hour break between finishing one shift and commencing the next. That is a

great part of the bill. All parents have both a responsibility for and an ability to protect children from health and safety risks, and to ensure their child's education is not adversely affected. Therefore the bill also exempts parents from the general conditions relating to hours of work.

In conclusion, the child is the future adult who would contribute to the wellbeing of society. It is a vital role of the government to put regulations in place to make our children's work an opportunity rather than a threat to their wellbeing, education and personal development. This bill is a step in the right direction. I commend the bill to the house.

Mr KOTSIRAS (Bulleen) — It is a pleasure to speak on the Child Employment Bill, and I do so due to the large number of telephone calls my office has received both within and outside my electorate from small business owners since the bill was introduced, especially those who come from a non-English-speaking background. Their concern was that the consultation process was a farce. No advertisements were placed in any of the ethnic newspapers. In fact not one Victorian Multicultural Commission commissioner took it upon themselves to ascertain what the community had to say about the legislation.

I would have thought that the role of the VMC is to consult with the ethnic groups. It is all very well for the VMC under George Lekakis to criticise the federal government on political points, but when it comes to legislation in this state the VMC is very quiet. In three years the commission has not once criticised the government, but on many occasions it has criticised the federal government.

All members, regardless of what the honourable member for Richmond says, will agree that the health and wellbeing of all children is paramount, but they should not use that as the reason that we should support such poorly written legislation. Children under no circumstances should be exposed to physical or moral dangers. They should be given every opportunity to receive the best education they can and nothing should stand in their way. However, this is not always the case. In other parts of the world the situation is worse.

I shall quote what the UNICEF web page said about child protection and child labour.

It states:

> An estimated 246 million children are engaged in child labour. Of those, almost three-quarters (171 million) work in hazardous situations or conditions, such as working in mines, working with chemicals and pesticides in agriculture or working with dangerous machinery …
>
> They may be trafficked (1.2 million), forced into debt bondage or other forms of slavery (5.7 million), into prostitution and pornography (1.8 million), into participating in armed conflict (0.3 million) or other illicit activities (0.6 million).

While we in Victoria do not have the same severe problem, it is important that we are not complacent. Again, the legislation does not reflect that. It fails because it is poorly written.

I urge all government members to support the opposition's amendment to ensure that this bill is rewritten. As I said, the bill makes no allowance for the extended family that is very much part of the norm in many families, including those of Greek, Italian and Asian background. My wife's father had a small milk bar, where as a child my wife worked, as did her sister; and at times when they needed extra help they also got the nephew and the niece to work.

Mr Nardella interjected.

Mr KOTSIRAS — The honourable member for Melton is very vocal because the one brain cell that he has is fighting for dominance, so it is appropriate for the honourable member for Melton to come in here and yell. He does not have the courage or the spine to say to the Minister for Industrial Relations and the honourable member for Richmond, 'Okay, you have attempted to do something that is good but the legislation is poorly written'. For example, if a small business is owned by the grandparents then they have to undergo a police check and have a permit. Inspectors will be lining up to go into the residences to inspect. What concerns me is that this has been done very quietly, and that is my criticism of the Victorian Multicultural Commission. Instead of being open and accountable and consulting with the communities — —

Ms Beattie — On a point of order, Acting Speaker, this is the Child Employment Bill, and it has nothing to do whatsoever with the Victorian Multicultural Commission. I ask you to call the member back to the bill.

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member for Yuroke has raised a point of order. I ask the honourable member to revert to the bill.

Mr KOTSIRAS — Acting Speaker, this is on the bill. It is about consultation, which the government members are eager to say they have undertaken. I am saying they have not consulted with the community;

they have failed in the consultation process. It has been a farce; it has not worked. They are trying to rush this legislation through the chamber. They know it is poorly drafted, but they are trying to hide this fact. All I can say is that I urge all members on the other side to have a good look at this legislation, to withdraw it, redraft it and to reintroduce it; and to also go out and consult with the wider community.

Ms ECKSTEIN (Ferntree Gully) — I am very pleased to rise in support of the Child Employment Bill, which provides important protection for children under 15 who work. I think we all agree that children under 15 should be in full-time compulsory education. However, we do recognise that some children work, and that this can be an important part of their overall development.

Through work children learn important skills — work skills, taking responsibility, confidence, self-esteem and so forth — as well as how to work towards achieving something such as a goal, something they are looking towards purchasing perhaps, and how to save money and manage the money they earn. These are really important things for young people to learn, and some part-time work gives them an opportunity to do that, which is valuable.

However, we need to ensure that our children are protected when they are at work. They should not be exploited, and they should not be exposed to physical or moral danger.

The bill seeks to address the important issue of occupational health and safety. As the member for Richmond indicated earlier, it is extremely alarming that Workcover statistics show one child under 15 is injured in the workplace every two weeks. That is a deplorable state of affairs, and we should all be concerned about that. I am sure this bill will bring about protections which go towards addressing that issue.

The bill puts into place a revised system of employment permits, which are an important mechanism for protecting our children. Parents will not be required to obtain a permit for children who work in a family business, including on family farms, because the government acknowledges that all parents have a responsibility to look after, care for and protect their children from whatever risks there might be such as health and safety and so forth, and to ensure that their children's education is protected and that work does not interfere with that. It is therefore important that parents who have that responsibility are not required to obtain a permit.

There are separate provisions, as we have heard from other speakers, about the employment of children in family businesses, including family farms. As the honourable member for Richmond also pointed out, parents of children employed on family farms are not currently exempt from obtaining a permit, but they will be under this legislation.

I understand the current provisions go back to the Bolte government, which is quite some time ago. It is high time that this matter was addressed, and it is addressed in this bill. The opposition has made much about the need of grandparents and other family members to obtain a permit to employ children in their businesses, but it should be remembered that the need for such a permit is already a requirement, so that really does not change matters at all.

The additional requirement for police checks for employers and others who will directly supervise the child employee are a really important provision of this bill. This will ensure that child employees are protected from being supervised by persons who are unsuitable to be doing that for children. It is unfortunate that these sorts of measures are necessary to protect our children in this day and age, but that is the case. Our children are our most valuable resource and we need to do everything in our power to ensure that they have the best possible protection from people who might harm them. Therefore I strongly support the need for police checks for people who are employing or supervising children. It is an absolutely fundamental aspect of this bill.

The bill also provides for age limits so that children must be at least 11 years old if they are going to be delivering newspapers, pamphlets and packages et cetera from places such as pharmacies. They will need to be at least 13 years old for other forms of permitted employment. But there are no minimum age limits for the employment of children in family businesses and the entertainment industry. That is because there is a recognition that children of all ages may work in the family business, including on the family farm. Similarly the nature of the work in the entertainment industry is such that age restrictions are not appropriate given that it needs to be able to employ children of all ages and given the nature of the television production, play or whatever it might be.

The bill also places important restrictions on the conditions under which children can work, including the number and span of hours and the provision of rest breaks, and so forth. Again these are important provisions to ensure our children are protected and are not exploited in that employment. The tasks they can be

asked to perform are restricted to light work, and some forms of work are proscribed completely — for example, door-to-door sales are clearly not an appropriate form of work for children to be engaged in, nor is the building and construction industry. So that is highly appropriate. The provision for the Governor in Council to declare a particular type of work or industry prohibited to children is also an important provision and will enable changes to be made to that list of proscribed forms of employment as required or as necessary.

The number of hours children can work is regulated by the bill. This comes down to the fact that essentially children should be at school and should not be expected to work long hours after a day at school. The current provisions preventing children from being employed during school hours have been retained by the bill, and that includes parents not being able to employ their children in the family business during school hours. Again that is highly appropriate.

In summing up, I believe this is an important and necessary bill to protect our children. It has important safeguards for protecting our children, particularly in the area of police checks which are an essential and necessary element of the bill for protecting our children. I commend the bill to the house and wish it a speedy passage.

Mr PLOWMAN (Benambra) — There is no doubt that the intent of this bill is totally acceptable to the opposition. There is no doubt about the justification for it. There is no doubt that all members of this house would like to see the intent of this bill carried out, but it is a case of either extremely sloppy and poor drafting or just lack of understanding. I would not like to blame the people drafting this bill; I would be more inclined to say there is a lack of understanding by those people who put this bill together of how this will apply, particularly to family businesses, farming situations and to neighbours. I think that is the important issue. When you look at — —

Mr Nardella interjected.

Mr PLOWMAN — I hear the member for Melton droning on about neighbours — —

Mr Nardella — I am singing.

Mr PLOWMAN — Oh my God, that is even worse!

Honourable members interjecting.

Mr PLOWMAN — There are bad interjections, but when the member for Melton starts singing I think we have just about got to the bottom of the barrel.

To get back to neighbours, often in city areas people in the street do not know their neighbours, but in country areas neighbours form very important relationships. As a consequence the opportunity for people to assist their neighbours occurs on a regular basis. I would suggest that this whole concept of the bill needs to be redrafted in order to ensure that those children are able to assist neighbours, to help them out, and to do it not just once but on a regular basis. They should not be drawn into this bill inadvertently. Therefore, as I said, either the bill has been poorly drafted or there is just not that level of understanding as to how often this circumstance will apply.

There is no doubt that children do need to be protected from unscrupulous employers. There is also no doubt that we need to ensure that children do have compulsory education to the age of 15. If there is a case where a child up to the age of 15 is being employed and that takes that the child away from school, that should be stopped. The opposition has no argument with that. There are other aspects of the bill, particularly the aspects relating to country circumstances, that the opposition has a problem with.

Other members, including the member for South-West Coast, talked earlier about the Victorian Farmers Federation. Many members of the VFF are outraged by the suggestion that children cannot work on a farm owned by an aunt or uncle or grandparents or older siblings. It is just crazy stuff, because in so many cases that is the way the farm is owned. I can remember at the ripe old age of 10 spending my whole holidays at my uncle's property at Balmoral picking dead wool. It does not sound terribly attractive, but in those days dead wool was worth a bit of money. It was the thing that gave me the stimulus to think that farming was not such a bad occupation. That actually led me to a lifetime of farming. You do not want to discourage children of any age from contributing to a farming operation. You do not want to discourage them from being involved by way of assisting neighbours.

The concern of the VFF is that we definitely need to amend the definition of what is a family farm. The other thing that definitely needs changing is the definition of the level of supervision required, which needs to be better defined. You cannot have the same level of supervision on a farm as you would have in an industrial workplace. You cannot expect someone to be supervising a child in all circumstances when the

day-to-day work on the farm is being done, because it is just totally impractical.

Mr Nardella — It should be.

Mr PLOWMAN — Again I take up the interjection from the member for Melton, who said it should be. That shows the level of lack of understanding of how a farming operation works. It is an impossibility to have a supervisor with a child mustering livestock or something well away from the main family home and the main farming assets. It is just a lack of understanding that has led to the bill being presented as it is. I suggest that because of that members need to support the reasoned amendment. The bill needs to be amended to meet its requirements.

The member for Richmond talked about the statistic that every two months a child suffers a major injury while being employed. I concur with him: that is a dreadful state of affairs. We do have the occupational health and safety legislation, which is there to ensure that any circumstance like that is absolutely minimised. I would ask whether this bill is going to reduce that statistic. Certainly I do not think it will from a farming point of view. One of the things I have most concern about is that very many children are injured in a farming situation. It is not necessarily because they are working on that farm; it is because they are in close proximity to things that are going to put their lives at risk or in danger.

I suggest members need to look at this again, support the reasoned amendment and demand that many of the provisions of the bill are changed to get away from people inadvertently breaking the law by taking on children in a capacity that none of us would like to see stopped.

Mr HARDMAN (Seymour) — It is a pleasure to speak on the Child Employment Bill 2003. The bill reforms the laws relating to children under the age of 15. It endeavours to ensure that children are not exploited by employers or put at risk or in danger of injury or death while in the workplace.

Today's debate has been interesting. It has concentrated maybe on a few hypotheticals, but I want to talk about what is expected as reasonable and decent in our society today, in 2003. Our society expects that governments will ensure that children are kept safe. It wants laws that protect children from physical and moral dangers. The legislation will raise awareness in the community about what is the correct way to ensure that young children are treated properly in the workplace. That has to be only good for our future as a society.

We have heard from the other side some hypotheticals about what is going to happen in the future, and my hypothetical is that there will be a reduction in deaths and injuries to children in the workplace, and that is a wonderful thing that we as a government are doing in Victoria.

My own experience of working on farms as a young person, mostly unpaid, was when I was at an agricultural boarding school, St Gregory's College, Campbelltown, near Sydney. I was milking cows, bringing in hay and picking up sticks. I can remember an occasion when I was out picking up hay, loading it up and taking it to the hay sheds. The trailer was empty, going out to get the next load of hay. There was a young fellow sitting on the wheel guard and many of us probably hanging on the back of the hay tractor or riding on the tow bar and that sort of thing. We went over a cattle ramp, and with the bump he slipped down beside the hub. As luck had it, he fell backwards and the back wheel of the tractor — probably an old Massey Ferguson — just scraped him on the way past.

That kind of situation and many others occur regularly on farms. We have to ensure that we are providing people with knowledge about what is safe. I am sure that at the time a number of practices were improved and that the supervision of students — I think we were about 14 at the time — doing tasks would have been ramped up quite a bit, because many of us were quite shocked after seeing that happen to this young fellow.

Awareness raising is obviously about dealing with the consequences that go with what you do or do not do. I had a discussion with the Minister for Industrial Relations prior to speaking in the house today, because I think some of the arguments about unintended consequences are very reasonable. He gave me an assurance — and he said he had spoken about this on the radio yesterday — that there will be guidelines for this legislation so that unintended consequences do not occur. Obviously opposition members would be aware of that statement, so some of the debate on that issue has probably been unnecessary.

I heard a criticism of police checks from the opposition. I know it is a hassle; I had to go through police checks as a schoolteacher and principal. But the fact is that there are people in the community who prey on children. An employer has a great deal of power over an employee, as does, for example, a teacher or a scout leader. They have the power that goes with being an adult. Paedophiles are very manipulative, desperate and

deranged people who will go to any lengths. Police checks are necessary to ensure our children's safety, and society expects them to be performed. The *Herald Sun*, for example, seems to run article after article on this issue. I do not agree with a lot of what is written in the *Herald Sun*, but by the same token it probably reflects what society thinks.

I do not think child employment officers will do some of the things that the scaremongers from the opposition have said they will do. They will make sure that an employer who wants to cut corners, save some money or take a lax attitude to safety will think twice. We know — and it was expressed eloquently on the radio the other morning by a transit police officer — that if people think they will be caught they are less likely to break the law. That is what child employment officers will do. I commend the bill to the house.

Mr THOMPSON (Sandringham) — Victoria stands as the multicultural capital of the world. Many people have made their way to Australia: Italians, Greeks, and Turks, and in more recent times people of Vietnamese and Chinese backgrounds. Shortly after they arrive in this country many of these migrants establish small mixed businesses. Many of these businesses have fluctuating levels of demand, resulting in peak periods of trading. They can be located in coastal resorts or country towns.

A flawed element of the bill before the house relates to the role of families in the running of businesses during peak periods. An example of this could occur at, say, 3 o'clock in a coastal town when a Lebanese family might be running the local ice-cream parlour and milk bar and their first cousins visit them to join in activities at the beach. In order for the visiting family members to help the owners in running the business they must first undergo a police check and obtain a permit. This is quite clearly an absurd situation. I am quite sure that government members would not deem this to be the intent or ambit of the law. The definition of 'family business' is construed far too narrowly, and the legislation needs to be re-thought and redrafted to cover these types of circumstances.

I am sure the Minister for Industrial Relations has not consulted with members of the ethnic community in relation to this legislation or derived a clear understanding of its impact on many businesses.

Another example might occur at night in a country hamburger shop, where the people running the business might have a first cousin staying with them in order to enjoy the amenity of the country town or coastal resort. If their 14-year-old first cousin wants to work in the family business, a permit will be required. Again, that is an absurd proposition. I believe the Minister for Industrial Relations needs to rework the legislation to cover this particular deficiency in the bill.

I am also not sure about the ambit or application of part 3, clause 35, as it restricts a range of activities. Who will be the people making those relative judgments? In broad terms it is important that the welfare of children be fully protected. But the narrow definitions of 'family' and what comprises a family business are such that the legislation is unworkable in a number of cases. It could result in one of the government-appointed bureaucrats or inspectors interrupting the flow of a family business when a 14-year-old cousin is serving ice-creams at a peak time!

Mr HULLS (Minister for Industrial Relations) — I thank all the members who have contributed to the debate on this very important bill. Can I say at the outset, and I think this figure has already been quoted, that approximately one child under 15 is seriously injured in the workplace every two weeks.

Mr Thompson — Serving ice-creams in a family business?

Mr Wynne — Don't be silly about this, Murray; it is an important piece of legislation.

Mr Thompson interjected.

The ACTING SPEAKER (Mr Seitz) — Order! The minister, without assistance.

Mr HULLS — If the honourable member for Sandringham does not understand that figure and how serious it is, I will repeat it for him: one child under 15 is seriously injured in the workplace every two weeks. We as a government take that fact seriously. We believe that the child employment laws introduced under the Bolte government need to be brought into the 21st century. That is what this bill is all about.

You cannot continue to operate in an environment where you are employing children under legislation that is outdated, outmoded and irrelevant. This government has made a commitment to the people of Victoria to update our child employment laws. In implementing that we understand the nature of family businesses. I simply say that under the current so-called Bolte laws, working in a family business requires a permit. That is the reality. At the moment if you are working on a family farm you actually require a permit, and if you are working in most family businesses you require a permit.

What we are saying is that that is too much red tape. Under this bill family businesses should not require a permit. We understand the nature of family businesses and are therefore removing the requirement to have a permit, not adding an extra piece of red tape. But nonetheless, if you are employing a child outside a family business you need a permit. Along with that permit should be the added responsibility of a police check. We believe that is appropriate because children are vulnerable.

We have shown an abundance of caution in relation to the bill and we have done that deliberately, because we are dealing with vulnerable kids under 15 years of age who are outside the supervision of their parents. If a child under the age of 15 is outside the supervision of their parents and working in a business for profit, a permit should be required to employ that person, and along with that permit should be a police check.

There has been enormous support from a broad range of stakeholders within the community in relation to this matter, not the least of it from the church groups, which are very firmly committed to ensuring that vulnerable children working outside the family environment have appropriate protections.

A number of issues have been raised specifically, and it appears that the only sticking point, if I can bring it down to the arguments presented, relates to the nature of the family farm. In many cases in rural Victoria we are talking about extended families.

An Honourable Member — And neighbours!

Mr HULLS — In relation to the interjection, the fact is that we are going to draw a barrier around this because we are dealing with vulnerable kids. I have the greatest respect for people who work on the land, for people who toil hard and operate farms, on the one hand; but on the other hand I will do everything in my power to protect kids. If you look at some of the horrific statistics in relation to kids you see that we are fooling ourselves if we think that extended family members should not be overseen appropriately in relation to the supervision of children. As all of us would know, children are vulnerable not just to people outside the family unit but also to some members inside the family. So it is always a balancing act with these things.

The next phase of the legislation is to develop guidelines and information about how the legislation will operate, about the definition of work and a whole range of activities we know take place on farms. We do not want any unintended consequences. We are not in the business of introducing legislation with a whole range of unintended consequences simply to give us a warm inner glow.

Everyone agrees that the thrust of the legislation is good and that it is appropriate legislation designed to serve a particular purpose — to bring our child employment laws into the 21st century — and some issues have been raised during the debate, and they will be examined when guidelines are developed.

I would simply say that the legislation is appropriate. We believe it gets the balance right. Certainly it shows an abundance of caution, but so it should, because we are dealing with vulnerable kids.

Let us not forget that the laws now require a permit for businesses that are employing kids, and most family businesses now require a permit. We are removing that red tape. Family businesses will not require one, but other businesses will; and along with that permit goes a police check, which is appropriate.

I thank all people who contributed to this very important debate. We believe we have the balance right, and I wish the bill a speedy passage.

The ACTING SPEAKER (Mr Seitz) — Order! I will put the question on the amendment.

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

Ayes, 58

Allan, Ms	Jenkins, Mr (*Teller*)
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr (*Teller*)
Batchelor, Mr	Languiller, Mr
Beattie, Ms	Leighton, Mr
Bracks, Mr	Lim, Mr
Brumby, Mr	Lindell, Ms
Buchanan, Ms	Lockwood, Mr
Cameron, Mr	Loney, Mr
Campbell, Ms	Lupton, Mr
Carli, Mr	McTaggart, Ms
Crutchfield, Mr	Merlino, Mr
D'Ambrosio, Ms (*Teller*)	Mildenhall, Mr
Delahunty, Ms	Morand, Ms
Donnellan, Mr	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Haermeyer, Mr	Pike, Ms
Hardman, Mr	Robinson, Mr
Harkness, Mr	Savage, Mr
Helper, Mr	Seitz, Mr
Herbert, Mr	Stensholt, Mr
Holding, Mr	Thwaites, Mr
Howard, Mr	Trezise, Mr

Hudson, Mr
Hulls, Mr
Wilson, Mr
Wynne, Mr

Noes, 22

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr
Dixon, Mr (*Teller*)
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Maughan, Mr (*Teller*)
Napthine, Dr
Perton, Mr
Plowman, Mr (*Teller*)
Powell, Mrs
Ryan, Mr
Shardey, Mrs
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

Motion agreed to.

Read second time.

Ordered to be committed later this day.

MINISTERIAL STATEMENT

Hospitals: funding

The SPEAKER — Order! In accordance with sessional orders, I have received advice that the Premier wishes to make a ministerial statement and that five members will speak in response.

Mr BRACKS (Premier) — Speaker, this week, Victoria, along with the other states and territories, is working to get the commonwealth to improve its inadequate funding offer for the next Australian health care agreement.

If the funding offer is not increased, Victoria will feel the consequences for the next five years. These consequences will include 80 000 Victorians missing out on hospital treatment and 200 000 outpatients forced to pay for private medical insurance.

Commonwealth public hospital funding for Victoria is falling. Victoria committed $2.4 billion of its own funds to hospitals in 2002–03 compared to the commonwealth grants of just $1.9 billion. Furthermore, since 1999 our rate of growth in state funding has been higher. The commonwealth is simply not pulling its weight.

Victoria and the other states will argue that the current agreement should be extended by 12 months to enable serious discussions to occur on fundamental health reform. The current agreement is a better agreement, and it delivers more funding.

The commonwealth is relying on threats of further funding cuts of up to $830 million over five years to force Victoria to sign by 31 August. This use of threats indicates we have reached a new low point in commonwealth-state relations.

In recent years there have been successful joint actions by the states and the commonwealth together to tackle major national issues like handgun control, research involving cloning, terrorism and salinity — and they have been done in the spirit of cooperation

Yet we now find the Prime Minister refuses to talk about cooperative action on probably the most important national issue — the state of our health system.

The principles of Medicare

Let us remember that Medicare has provided Australians with a universal health care system that is the envy of the world and that has been for almost two decades. In 1984 the commonwealth and states agreed that under Medicare there would be:

> universal access to medical and hospital care for all Australians;
>
> funding for public hospital services shared between state and commonwealth governments; and
>
> medical care in general practice funded by the commonwealth with the states providing free services at public hospital emergency departments.

Funding for medical and pharmacy services was the responsibility of the commonwealth — and funding for public hospitals was to be shared between the commonwealth and the states. Originally this was a fifty-fifty split, but now the commonwealth has slipped behind and provides just under 45 per cent of government funding for Victoria's public hospitals.

Victoria's achievements

It is true that the previous Liberal state government pulled a lot of money out of the hospital system in the mid-1990s, and it speaks volumes also that the Howard government did not publicly raise its voice in protest against those cuts when it had the chance.

But our record in the last four years has been impeccable, and the federal government has no basis to claim Victoria has not pulled its weight. Of particular note are that Victoria has:

implemented an $890 million hospital demand management strategy, to improve patient treatment through various innovations;

coped with 1 million patients in emergency departments within clinically recommended time lines;

recruited more than 3300 nurses into public hospitals;

invested $138.5 million in a health information and communication technology strategy; and

undertaken the largest hospital capital works program in Victoria's history including the landmark redevelopment of the Mercy and the Austin and Repatriation Medical Centre.

The commonwealth offer

The commonwealth offer is for a maximum of $42 billion over five years nationally, including Victoria's share of $10.1 billion. However, until the cuts made in this year's federal budget, the commonwealth forward estimates provided $43 billion, which was the amount needed to continue the indexation under the old arrangements.

The core of this dispute is that $1 billion cut, taken from the states just four months ago; a cut that the commonwealth tries to sweep under the carpet and ignore, but it is there on page 179 of its 2003–04 budget paper no. 2.

The commonwealth describes its offer as a real increase of 17 per cent, which is about 3 per cent a year compound. What this fails to take into account is that funding has to cover the annual impact of population growth (1 per cent), ageing (1 per cent) and utilisation growth (2 per cent). As well, the cost indexation in the offer is far less than actual hospital cost inflation which is occurring.

A critical comparison is that the equivalent real increase was 27 per cent between the 1998–2003 AHCA and the previous Medicare agreement. So the existing agreement already has 27 per cent growth in it.

The $350 million cut that Victoria alone would suffer is equivalent to the loss of funding for an entire public hospital such as Maroondah Hospital, which costs about $70 million per annum to run, over a five-year period. That is the extent of the commonwealth cuts that we are envisaging in the next five years.

Speaker, the shortfall means Victoria will be unable to treat some 80 000 inpatients and over 200 000 outpatients. This is a big funding gap and one that the commonwealth must be held responsible for. We cannot reverse the last five years squeeze on commonwealth funding that our public hospitals have already endured — but we can fight to give them a fair deal for the future.

An inadequate offer

The commonwealth has tied its contribution to a cost index that rises at less than the CPI whilst health costs have soared well in excess of inflation. At the same time public hospitals are facing growing demands due to an ageing population, new technology and increased consumer expectations.

Increasing problems with community access to general practice mean that public hospitals are treating large numbers of patients in emergency departments who should be treated by GPs in their community.

Inadequate provision of nursing home places by the commonwealth means that people who would be best cared for in nursing homes have to stay in acute hospital beds preventing those beds from being used to treat people waiting for acute care. All these factors are adding to the pressures on public hospitals.

This is the context in which the federal government has given states a 'take it or leave it' funding offer — one that gives less funding growth than under the current agreement and offers no way forward on the key areas of health reform, which is fundamental to the system.

Victoria has met the commonwealth requirements

Victoria has already met the commonwealth's preconditions for funding. It has provided the requested detailed figures on its past and future funding levels along with a commitment to increase its funding at a similar rate to the commonwealth. The main argument advanced by the Prime Minister has been that the states have not put in as much funding as the commonwealth.

Speaker, that is an easy argument in Victoria's case for me to refute. In Victoria the state's share of government funding is now over 55 per cent and the commonwealth's share is just under 45 per cent. Under the last agreement, Victoria's share of funding rose steadily year by year, and will stay at this high proportion over the next five years.

As members can see from the chart circulated with my statement [*see page 233*], it shows the historical record from figures independently verified by

Pricewaterhousecoopers and supplied to the commonwealth. Victoria also has no difficulty with the principle of regular financial and performance reporting, because we already provide extensive data through our quarterly *Hospital Services Report*. Victoria has objected to some of the specifics of the commonwealth's proposals, which are one-sided, prescriptive and in various respects impractical. However, these problems could be fixed if there was a willingness to negotiate.

Victoria certainly has no difficulty committing to the Medicare principles. However, it is very revealing that the commonwealth has made no such commitment to those same Medicare principles. It continues to undermine Medicare and it refuses to match future state funding increases.

The negotiations on the new hospital funding agreement have been a one-way street because the commonwealth has made a fixed, inadequate offer and will not share the cost of future cost increases.

Private health insurance

The Prime Minister has made much of the argument that his policy of pouring money into subsidising private health insurance was paying off, because private hospital admissions have been growing faster than public hospital admissions, and that this has taken the pressure off public hospitals. But his argument is based on a faulty analysis of Australian Institute of Health and Welfare (AIHW) data.

The public hospital system operates at full capacity and treats the most urgent, the most complex and the most acute patients. This results in longer stays and higher cost treatments. A large component of the increase in activity in private hospitals has been concentrated in diagnostic procedures, dialysis and chemotherapy, which tend to be same-day procedures — in other words, short stays and generally lower cost treatments.

A simple calculation of weighted separations using AIHW data shows that weighted public separations increased by 5.4 per cent between 1999–2000 and 2001–02 whereas weighted private separations increased by just 4.7 per cent. This demonstrates that public hospitals have not been relieved of pressure — a fact that any nurse, any doctor or any patient in a public hospital could absolutely verify.

GST and the state's ability to pay

Speaker, I turn now to a final argument used by the federal government to justify its effective cuts in funding under the new agreement — that is, access to the revenue from the goods and services tax (GST).

Victoria will receive no benefits compared to the pre-GST regime until 2007–08, the last year of the new hospital funding agreement. Any growth in GST goes straight to the commonwealth in reduced budget-balancing payments. So it is not true to say that the GST provides Victoria with any capacity to increase its share of hospital funding in this agreement period.

I might also add that Victoria suffers significantly from the impacts of fiscal equalisation. Because health care grants are subject to redistribution by the Commonwealth Grants Commission we lose a substantial part of our funding to other states. Victoria will be required to match the rate of increase in commonwealth normal funding, but will only actually be given 88 cents of the nominal commonwealth grant — with the other 12 cents being redistributed to other states.

This is a serious injustice to Victoria. The commonwealth needs to fix the problem by quarantining every dollar of the health care grants from the Commonwealth Grants Commission redistribution process.

Reporting on the commonwealth

But as I said, Speaker, this is a 'take it or leave it' offer, and the commonwealth is not interested in making commitments of its own, or having its track record subject to public scrutiny over the next five years.

So Victoria proposes to turn the tables and regularly report on the funding provided by the commonwealth and the impact on services in conjunction with our quarterly *Hospital Services Report*. The evidence about who is pulling their weight with a commitment to hospital services will be put on the public record on a regular basis.

We will also report regularly on demand for public hospital services, the nature of presentations at emergency departments and the shortage of aged care beds. The causes of these trends will be analysed. The lack of commitment by the commonwealth to health services and Medicare will stand in stark contrast to the state's record.

Bulk-billing

There are enormous pressures on the public hospital system because of the failings of the commonwealth's policies in its own areas of responsibility for primary health care and residential aged care.

Public hospitals continue to provide universal access but a declining proportion of people can access GPs. There are too few doctors in outer suburban and rural regions; there has been a decrease in bulk-billing and after-hours availability, and this is putting public hospital emergency departments under increasing pressure. At 8 per cent per annum growth, emergency departments are facing the fastest growing demand for hospital services.

The number and rate of bulk-billed GP services is dropping — there were 2 million fewer bulk-billed GP services in Victoria in the last two years, and after-hours GP access is getting increasingly hard to find. The proposed commonwealth changes to Medicare are expected to further erode access to general practice and bulk-billing will shrink further until it is a welfare safety net for pensioners alone.

Aged care

In Victoria, the latest data show that 621 older people were occupying beds in public hospitals in March 2003 while waiting for residential care. They would be more appropriately cared for in residential aged care, and if they could be accommodated that would free up acute beds to provide acute care.

On aged care, the commonwealth continues to fail to meet its own planning benchmarks in Victoria for access to residential aged care. The proposed Pathways Home program is not new funding, and it is not indexed. It is one-off and relies on the state picking up the ongoing recurrent costs. It will replace a broad-based program for health reform and focuses solely on state responsibilities for rehabilitation and step-down care, with no acknowledgement of commonwealth responsibilities for adequate funding for aged care.

Health reform

Victoria wants the commonwealth to change direction and enter into a partnership for real health reform. Last week 250 health professionals met in Canberra at a national health summit which produced a detailed communiqué setting out a path forward to improve Australia's health system.

On 17 August I joined with other premiers and chief ministers to write to the Prime Minister proposing seven key areas where health reform should be considered. Sadly the Prime Minister has responded by refusing to broaden the draft agreement and has refused to consider any reforms involving funding.

It is time for the commonwealth to recognise the benefits of a partnership to achieve win-win reforms. The precedent has been set by Victoria's leading role in pharmaceutical reform in public hospitals. Public hospitals can now supply one month's supply of prescription drugs to admitted patients on discharge and non-admitted patients and bill the pharmaceuticals benefits scheme (PBS).

This shows what can happen when governments work together. The commonwealth saves on the Medicare benefits scheme (MBS) because the patient does not have to visit a GP to get a prescription; the state saves on not having to supply the medicines out of the hospital budget.

For Victoria, the top reform priorities are:

relaxing the commonwealth's longstanding opposition to bulk-billing GP clinics co-located with public hospital emergency departments, to enable referrals of GP-type patients;

providing flexible care options for older people moving from the public hospital system to the aged care system;

providing better coordination of care for patients in the care they receive as inpatients or in the community;

developing an elective surgery strategy focusing on those waiting a long time for procedures such as hip replacements;

improving quality of care by implementing new information and communication technology;

implementing work force strategies to obtain a better distribution of all categories of health workers; and

improving service delivery in remote areas, particularly for indigenous Australians.

Victoria remains determined to keep the pressure on the commonwealth to progress these key areas of health reform.

Victoria shares this determination with other states and territories. Cooperation, not confrontation, is the key to effective national health reform.

I note that yesterday the commonwealth made something of a U-turn and gave the Australian Capital Territory additional benefits amounting to some $15 million in order to obtain its agreement to the proposed deal.

Well, Victoria's health budget is 20 times the size of the ACT health budget and we would welcome a similar backflip to give us the equivalent benefits. This is what we have been saying all along.

This morning the Prime Minister said on the ABC AM program that similar deals would be available to other states, and I therefore hope that tomorrow he agrees to have a serious discussion and delivers up for Victoria the equivalent of $350 million for funding health reforms.

Conclusion

It is disappointing that the Liberal and National parties are not supporting the Victorian government's campaign. They should join us in standing up for Victoria, by arguing for a real partnership between governments on health reform.

If this offer is not improved it will be clear where the Liberal and National parties stand. They would have opposed increased funding for the health system in Victoria. Further complaints from the Liberal or National parties about waiting lists and hospital services will ring hollow because they were on the wrong side of the argument when Victoria needed them. It is a choice they have made and all Victorians will suffer the consequences.

Tomorrow I will again join with other premiers and chief ministers to raise the health reform agenda at the Council of Australian Governments (COAG) with a view to obtaining a change of heart from the commonwealth.

The states and territories will press for a 12-month extension of the current agreement.

Victoria has an excellent public hospital system, and that will not change. The government will not compromise on this. But it will be a system under increasing strain if the commonwealth does not give ground.

If the Prime Minister refuses to see the reasonableness of our argument, Victorian public hospitals will not cease operating. They will go on providing quality care. But over the next five years it will become increasingly hard to maintain those services as the real level of the commonwealth's financial commitment declines, and demand on hospital services increases.

All members of this house share a common concern about ensuring that our public hospitals, and the health system of which they are a part, meet the needs of Victorians. I can assure honourable members that we will do all in our power to improve the Australian health care agreement outcomes for Victorians.

It is time the Prime Minister made a commitment to public hospitals by returning this budget cut so tens of thousands of extra hospital patients can be treated over the coming years.

But even more importantly the commonwealth must work with the states and territories — not against us — to implement health reforms to guarantee future Australians the quality of care that is their right.

Mrs Shardey interjected.

The SPEAKER — Order! The member for Caulfield!

Mr DOYLE (Leader of the Opposition) — Thank you, Speaker. This is a very unusual ministerial statement.

Honourable members interjecting.

Mr DOYLE — Well, it was his — I would not be laughing just yet. I have been in this house and listened to members from the other side giving ministerial statements. I remember the Treasurer doing one on innovation; I remember the Deputy Premier doing one on water, and a former minister doing one on child protection — an issue that is topical today. While I did not necessarily agree with all of the sentiments in those ministerial statements, I would have to concede they were a game plan to try to map out a blueprint for a future in that area — and that is reasonable for a ministerial statement.

So when I first read this one at a little after 9.30 this morning I asked myself, 'What is the point of this ministerial statement?'.

Honourable members interjecting.

The SPEAKER — Order!

Mr DOYLE — I think I have just answered my second question. I asked myself, 'What is the audience for this ministerial statement?'. Then I thought — —

Honourable members interjecting.

Mr DOYLE — I will come back to the Prime Minister. The third thing I asked was — and this is the most important thing about a ministerial statement — 'What outcomes are you hoping for as a result of this ministerial statement?'.

Honourable members interjecting.

Mr DOYLE — I think you — —

The SPEAKER — Order! I ask the Leader of the Opposition to halt for a moment. The Premier's delivery of his paper was mainly heard in silence. There is a time limit for the Leader of the Opposition, and members must allow him to be treated fairly by this house. I do not want to hear constant interjections that prevent the Leader of the Opposition from delivering his speech.

Mr DOYLE — Thank you, Speaker. So I thought, 'What is the actual outcome that you hope for from this ministerial statement?'. During his contribution the Premier said that it is about cooperation, not confrontation, and yet when you look at the daily newspapers today they show Victorian taxpayers have apparently paid tens and tens of thousands of dollars for a rather facile, open letter to the Prime Minister. I wonder whether the letter has actually been sent? I wonder how many patients the money would have treated? I wonder how many procedures it would have provided? But today's ministerial statement is not about patients — it is about grandstanding. It is not about the reality — it is just about politics.

There is one question at the bottom of this: is the Premier going to sign the agreement or not? That is the question before him and it has been before him for the last four months. Is he going to sign it or not? If yes, he should get on with it like the Australian Capital Territory has.

Let me talk about the Australian Capital Territory. The Premier talks about cooperation; that is what Simon Corbell, the ACT health minister, has done. The ACT has signed up for $553 million, which is exactly what was offered. There was not one extra dollar in that signing. But it showed what can be done if you cooperate with the commonwealth because it said that there is a shortage of doctors and the ACT is eligible — —

An honourable member interjected.

Mr DOYLE — Well, it is your colleague that you are laughing at — they signed it, not us! Doctors working in some areas of the ACT will now be eligible for funding under an existing program. The aged care places that have been allocated but which are not yet operational will be used to provide transitional care, an arrangement that happens in other states. So these are existing programs. There is not one extra dollar but the ACT has signed. So the question before the government is this: is this all just hot air? What does it actually want?

The other thing that the Premier says is that tomorrow — and this is the big action the government is asking for — he is going to the Council of Australian Governments meeting to ask for a one-year extension.

Mr Bracks interjected.

Mr DOYLE — One chief minister will not be because one chief minister has signed. Watch them cave in now in a row, because the reality is that that is all this statement asks for — an extension of time. What has the government been doing for four years, and in particular what has it been doing for the last four months? It is remarkable that this government just cannot deliver anything on time.

An honourable member interjected.

Mr DOYLE — The coalition government renegotiated the last health care agreement and got it done. It is an agreement that this government has said is very good; it can continue to work with it for a year. If the government would like us to help again, we are happy to do it. I am sorry that the government cannot manage it, but we could.

The reality is that there was $7.7 billion in the last Australian health care agreement and this one has $10.1 billion between 2003 and 2008; and quite rightly, if Victoria does not sign by the deadline of 31 August, it will lose over $830 million worth of health care funding. That is what the Premier and the health minister are putting at risk and what the ACT was not prepared to put at risk.

It is astonishing, is it not? That is the simple question before the government: is it going to sign or is it not going to sign?

Honourable members interjecting.

The SPEAKER — Order! The Minister for Police and Emergency Services!

Mr DOYLE — During the course of this ministerial statement, as I said, the Premier said the current agreement is a better one. It seems remarkable. The ministerial statement states:

> The current agreement is a better agreement and it delivers more funding.

And the government is prepared to live with it for a year, apparently. But further on in the Premier's statement, in an internal contradiction, he says the real increase in the last health care agreement was 27 per cent — which is very complimentary to the people who negotiated that, and thank you — but despite the fact

that he is praising the last agreement, on the same page he goes on to make one of his unfounded statements:

> We cannot reverse the last five years squeeze on commonwealth funding that our public hospitals have already endured …

So within one page he is praising the agreement and, in the next breath, criticising it — the very same agreement! Even internal consistencies in the government's argument are not there.

What did the Premier say? Let us have a look at the stunning statements in this ministerial statement; let us have a look at the eloquent and sophisticated arguments made by the Premier on behalf of the Labor Party. Here is what it boils down to: he agrees with Medicare; the Kennett years were bad, but apparently not too bad; the commonwealth is bad; he wants more money from the commonwealth; he does not like private health insurance; if there are problems in the health system then they are all the fault of the previous government, or of the federal government, or maybe both; and what he would like to do about all that is keep on talking for another year. What a spectacular suggestion to help the health system in Victoria!

The commonwealth does not agree with the Victorian government's basic claim that all figures have been provided. In speaking to a chief of staff this morning I was assured that the government had not provided those figures officially for the last two years.

Honourable members interjecting.

Mr DOYLE — I will come to the $350 million in a moment, because before the Senate estimates committee, the Victorian government's own minister agreed that she was wasting $350 million. I am happy to come to that in a moment, but I do not want to get ahead of myself.

The Premier said in this statement that all preconditions had been met and that he is happy to offer to commit to a 'similar' level of funding. In this instance, near enough is not good enough. There are specific requirements that have been set down. If the government does not meet those specific requirements it will, quite rightly, lose the $350 million that it claims.

One of the claims I really enjoyed in this statement is that there has been no benefit to the state from the GST. I cannot wait for the Treasurer to send back the $17 billion cheque that has arrived in this state as a result of the GST — —

Honourable members interjecting.

Mr DOYLE — It is a matter of budget record, I am sorry. It is actually there. Just remarkable!

Then the government says, 'Don't worry, trust us, because we will hold the commonwealth to account; we have the *Hospital Services Report* and we can report on the commonwealth in that'. The only problem with that is that I recall the last *Hospital Services Report*, where the health minister claimed that 12 000 patients had been cut from the waiting list and then was forced back out within the week to say, 'We just got that wrong by about 100 per cent. The real figure is somewhere about half of that, but don't you worry about our figures, they are absolutely accurate'. And she says they can hold the federal government to account! The government's record on accuracy is not exactly one in which you would have any confidence.

That is what the government is going to do. It is a remarkable argument from the government that what we should do is trust it. In what way should we trust it? If we could say, 'You have met the preconditions, you are clear and transparent, you can track your funding, you can demonstrate — and that is what the Premier's chart purports to do — exactly where the state's money is going', and if we could accept that the government is open, honest and transparent, well and good. This is what the Auditor-General said about the government's budget figures and about funding in Victoria: it is now impossible — —

Honourable members interjecting.

Mr DOYLE — Do government members want to criticise the Auditor-General? Is that what they want to do?

The Auditor-General said that you cannot track funding from this government in any of the budget papers. So what the government is saying is that it is prepared to be transparent, but listen to what the Auditor-General says about it and the way it cooks the books.

Honourable members interjecting.

The SPEAKER — Order! The member for Burwood!

Mr DOYLE — The Auditor-General recently said:

> The budget papers do not include a reconciliation of the aggregate expenditure detailed in these papers with the value of appropriations subject to parliamentary consideration. As a result, when voting on the annual appropriation acts, members of Parliament are not in a position to readily ascertain the extent to which budget expenditure (as disclosed in the budget papers) is subject to parliamentary control through the appropriation process.

The Auditor-General says, 'You can't even follow a Labor budget; you can't even follow their figures in the budget papers themselves'. Yet here the government is, promising that in some way it is going to be open, it is going to be honest, it is going to be transparent, and we are going to be able to follow their figures. 'Trust us!', it says. Yet in the government's own *Hospital Services Report* it got facts fundamentally wrong, and the Auditor-General says that its budget papers are now such that no member of Parliament can actually track where the money goes. And that is the way this government likes it. So government members should not come in here and tell the opposition that they are suddenly open and transparent and that it is the federal government that is at fault. What is the problem then with the Australian Capital Territory? Has it suddenly decided to do something that is out of court for the rest of the premiers?

I remember during the last rounds of the Australian health care agreement the coalition government got — as members of the government will recall, and it was in its own ministerial statement — a very good financial result. The Labor government says that it delivers better funding than the new agreement and is actually prepared to stay under the present agreement for the next year. But what was said last time by none other than the Deputy Premier when he was the shadow health minister? On 23 March 1998 he said:

> … Mr Kennett should stop bickering with the commonwealth government over Medicare and urgently resolve the next Medicare agreement —

which we subsequently did. I regret that the Deputy Premier is not here to offer the same advice to his own colleagues and his own Premier, because it seemed to me to be good advice at the time. We took his advice; why don't you? That's the simple truth. We understand the game you are playing, but the ACT does not think so.

The best irony is the government comes into this place, has this thin-as-paper ministerial statement, embarrassingly short on any game plan, and is still going to sign, and government members know it. You are going to cave in.

Mr Nardella interjected.

The SPEAKER — Order! The honourable member for Melton! And I ask the Leader of the Opposition to address the house through the Chair, please.

Mr DOYLE — I beg your pardon, Speaker. They are actually going to cave in, and they know it. They know that they have now got three days to sign this agreement or they will lose funding for Victoria. They will not do that, so all this stuff about standing up for your state is just hot air. In the end they are going to cave in. There is no doubt about that.

I was asked before by interjection from the other side — which I know is disorderly — what we are going to do about the $350 million cut. I have a suggestion for you, and it comes from your own health minister. The health minister admitted to the Senate select committee on a fairer Medicare that the $350 million that you are going to spend on your new Department of Human Services headquarters at 50 Lonsdale Street were, in the immortal words of the health minister on 24 July of this year, 'a waste'. That is what the minister said about the $350 million that you are going to spend on your new headquarters for the department. So if your question was, 'Where do we want $350 million to come from?', there is a good answer for you. Why do you not use the $350 million that your minister described as 'a waste' to a Senate select committee? It seems straightforward to me.

This is actually a very serious debate, because this debate is really about health care — —

Honourable members interjecting.

Mr DOYLE — I love it when I get under your skin.

The SPEAKER — Order! The member for Burwood!

Mr DOYLE — Well, listen to them! They cannot help themselves.

The SPEAKER — Order! I am trying to protect the Leader of the Opposition and to allow him to continue, but I must insist he addresses his comments through the Chair.

Mr DOYLE — Thank you, Speaker. I assure you: kind, but unnecessary.

I come back to my original point. Is this a serious debate about health funding? Is this a serious debate about cooperation with the commonwealth? Because that is what the Premier asked for.

Let me tell you, this is just a purely political statement. Listen to this; this is from the statement itself. Just let me quote your own statement back to you. This is what you say; what you really want to do because you are not serious about this. You are not serious people. You are not serious about this debate; you are not really serious about getting extra funding for Victoria; you are really not serious about cooperating with the federal

government. This is what you say in your own statement:

> Victoria also has no difficulty with the principle of regular financial and performance reporting —

actually I have already told you what the Auditor-General says about that —

> because we already provide extensive data through our quarterly *Hospital Services Report*.

And we have seen your performance there. Now remember, you are the people who are asking for an extra year to discuss things. This is what you say before you even ask for a year to further discuss these matters.

> Victoria has objected to some of the specifics of the commonwealth's proposals, which are one-sided, prescriptive and in various respects impractical. However, these problems could be fixed if there was a willingness to negotiate.

I might actually have to explain the word 'negotiate' to you. What you are really saying here is that the commonwealth is wrong, that Victorian Labor is right and the sooner those feds stop this stubborn insistence on not letting you have exactly what you want, the better. But what you are actually saying here is — remember, I asked what this was all about, and your request was that you wanted a year to negotiate with the commonwealth and to cooperate with the commonwealth — that the commonwealth's view is one sided and impractical. You do not mean 'negotiate'. What you mean is: 'Please change your mind'. Now if the commonwealth says no, that does not mean it has not listened to you. It may well have. I do not know what you have been — —

The SPEAKER — Order! Through the Chair!

Mr DOYLE — I do not know what the government has been doing for four months. I have got no idea. The point is that in arguing for extra funding it is not serious.

Honourable members interjecting.

Mr DOYLE — When I see what you mean by 'negotiate', is it any wonder?

Let us be honest. We know the game: you watched us go through this last time, and it happens every single time. Every single time, the states kick and scream and they say, 'The feds are not giving us enough money' and they do it throughout, whether they are Liberal states or Labor states. Then they cave in! That is what you are going to do.

But do you know something? I remember last time. I want to take you back to last time. I am sure you will recall that the Premier at the time, Premier Kennett, actually led a walkout of state premiers and chief ministers at one of these Council of Australian Governments (COAG) meetings. It was all great theatre, and there was a lot of froth and bubble. You know, they negotiated further, and in the end, they signed. The point is that that is what you always do. But at least there was a bit of theatre about that. At least the former Premier understood a little about the theatre of commonwealth-state argy-bargy.

Do you know what we have got today? What we have got here is this Premier, with all of his flair, bringing in — this is what this ministerial statement is — a note from home asking for an extension on your homework because you have not got around to doing it over the last four months. That is what this is all about. What you are really saying is you just want another year. Well you have had four months. This is just a stunt as you come into the Parliament with three days to go before you actually have to sign.

The SPEAKER — Order! Through the Chair!

Mr DOYLE — Do you really imagine that you can go to COAG tomorrow, pull some sort of stunt and get away with it and get a better deal for Victoria? You are kidding yourselves. The answer lies in the very first question I posed. Are you going to sign or not? If you do not — —

The SPEAKER — Order! Through the Chair, please!

Mr DOYLE — If you do not, you put $830 million of federal funding at risk. If Labor does that by playing these games with the Australian health care agreement, then the Victorian public will understand that you are not about patients, you are not about better care, you are just about political grandstanding. That is what today's exercise is all about. That is what you had in that shabby, amateurish attempt to bring in a statement at 9.30 a.m. It is not a ministerial statement at all, it is a simple plea for an extra year to go on mucking around as you have for the first four months.

If I were the commonwealth government I would treat this statement with exactly the contempt it deserves. I say to the government: get on with it; sign the agreement; take your medicine and start focusing on patients in Victoria and not Labor Party politics!

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition has had his opportunity to speak. I ask members of the government to cease interjecting and allow the Leader of the National Party to speak.

Mr RYAN (Leader of the National Party) — I suppose the scene was set this morning in relation to this debate, having regard to the way in which it was proposed. What it has done, of course, is to diminish the issue — an issue which in this so-called ministerial statement the Premier describes as the most important issue facing the nation at the moment; and it also demeans the Parliament.

We are normally able to work through the arrangements for a discussion of this significance. Even in an adversarial environment, even though the arrangements are pretty fragile, we are able to strike arrangements so that the debate can happen, but what has happened here today runs completely in the face of that. The record needs to reflect that because there will be times when the contribution of all parties is necessary.

Honourable members interjecting.

The SPEAKER — Order! I ask members to be silent so that the Leader of the National Party does not have to yell.

Mr RYAN — I want to deal with some general principles in relation to this because a raft of figures are being tossed around. With the Premier about to get on the plane we need to look at some general principles as to how we can help him to deal with this conundrum that he says is before us.

The first general principle is this: it is the footy season and the posturing is on. It is Malthouse versus Matthews; it is Colless versus Eddie McGuire — it is the posturing that goes with the football season. I understand why we have this document before us today — it is the season of posturing. We understand that — it is the first general principle.

The second general principle is this: the state governments have made a fatal mistake in the way they have tried to negotiate because they tried to do it by collective bargaining. If this were private enterprise the Australian Competition and Consumer Commission would have something to say about the way Labor governments have tried to do this. They have tried to deal with it by collective bargaining. They got together as state jurisdictions — they are all Labor-held jurisdictions — to get an agreement between themselves to hold the line on a collective bargaining process, to go and put the acid on the federal government to see if they can get a deal that is better for each of them respectively.

The fatal flaw was to rely on collective bargaining. They should not have done that. They should have done it in their own right. Why is it the fatal flaw? That leads me to principle no. 3: it is the fatal flaw because the Premier has been dudded and he knows he has been dudded. He has been dudded by the Australian Capital Territory. The ACT, acting in its own right, did a deal. The collective bargaining approach has fallen over. I bet the ministerial statement that has been presented today was written before the government knew that the ACT had pulled the plug. They have egg all over their faces. It is no good shaking their heads; they have been dudded by the ACT.

There is a way around this — and there still is. The Labor government has got to negotiate in its own right. It is no good the Premier going up to Canberra on the coat-tails of New South Wales and Queensland. The Premier has to go up to Canberra representing this great state, Victoria. He has to go up in his own right and on behalf of all Victorians to fight for us collectively. We do not care what happens to Queenslanders and the New South Welshmen. We don't worry about them.

The Premier's job in the next 24 hours is to look after Victorians — that is what he should do. I am a qualified mediator. I am here to help him. If it is too tough, I can manage it. I will also tell him that I will do it pro bono. I will not even charge him a fee because the issues here are not huge.

The Premier can do it, I know he can, but he has to do it on behalf of Victoria — on Victoria's own right and not because of some collective bargaining arrangement that has come unstuck in relation to the other states. I hear and read all the whingeing that is set out in the ministerial statement about how Victoria has apparently been done. The Premier should get up to Canberra and show the maturity of the government that he leads. He should represent us as Victorians in his own right. If he needs a hand, I am only too happy to give him a hand.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Child protection services: Geelong family

Mr DOYLE (Leader of the Opposition) — My question is to the Minister for Community Services. I refer to the tragic deaths of four children in a Geelong

family and ask: when did the minister first learn of this and what did she do?

Ms GARBUTT (Minister for Community Services) — This is a tragic case. The death of any child is a tragedy, and four in one family is devastating. The matter is subject to investigation by the police and the coroner, and it is inappropriate for me to comment on any of the details of this case.

However, let us be very clear about the involvement of the Child Protection Service in this case. I am advised that these children were not clients of the child protection system. I am advised that there were no reports to the child protection system of any protective concerns until April of this year. Following that notification child protection authorities commenced an investigation and have since brought the matter before the Children's Court. I was advised in May that a child protection investigation had commenced into the case. I cannot go into any further details.

This government understands that children are the most vulnerable and dependent members of our community, and it is determined to protect them.

Australian health care agreement: funding

Mr ANDREWS (Mulgrave) — My question is directed to the Premier. Can the Premier outline why the government has not accepted the commonwealth government's proposed health care agreement? Has the government received proposals to accept Canberra's deal?

Mr BRACKS (Premier) — I thank the member for Mulgrave for his question, and I congratulate him on the job he is doing as Parliamentary Secretary for Health. As we have heard in the house today, health is one of the biggest issues facing the nation. With an ageing population, with the cost of medical procedures rising and with the population itself increasing, the cost of medical care will increase faster than the consumer price index. Therefore, it was disturbing when the government learnt that the commonwealth government's forward estimates of $43 billion for health had been cut by $1 billion from budget paper 2. That was of concern to Victoria and every state and territory government in Australia. That cut was made to protect the commonwealth government's budget position at the expense of patient care.

I would like to use a quote which I think is apt and relevant on the matter of the commonwealth cutting its budget and thus affecting the care of the patients in the future:

> … we cannot help the commonwealth meet its budgetary and bottom-line problems at the expense of our hospital waiting lists or patient care or the delivery of the most up-to-date technology for the benefit of the people of Victoria.

I agree. Was that statement made by the Minister for Health? It could have been. Was it made by the Treasurer? No, it was made by the then health parliamentary secretary and now Leader of the Opposition, who is sitting across from me. It was a good quote. That comment was apt then and it is apt now. This is about the bottom line of the commonwealth budget at the expense of the health care of Australians and Victorians. Therefore you wonder why today the opposition leader has changed his tune from that accurate position he took some years ago when the previous health care agreement was struck. Today he has changed his position significantly and has thrown in the towel on negotiating for a better deal.

We know that Liberal Party leaders from around the country signed an agreement in Melbourne saying that they would sign up straightaway, that they would give up straightaway. That was taken further today when we heard the opposition leader, counter to his original statement, say to the government over signing the agreement, 'Stop sooking and take your medicine!'. That is what the opposition leader said. I predict that these words will haunt the opposition leader for a long time to come.

Securing Our Water Future green paper

Mr WALSH (Swan Hill) — My question is to the Minister for Water. I refer the minister to his predecessor's — —

Mr Doyle interjected.

The SPEAKER — Order! I ask the Leader of the Opposition to be silent while the member for Swan Hill asks his question.

Mr WALSH — I refer the minister to his predecessor's media release of 23 October last year, in which she stated:

> The Bracks government has absolutely no intention of buying irrigation water to increase environmental flows to the Murray and Snowy rivers …

And further:

> … the Bracks government would under no circumstances purchase water entitlements on the water market …

Given that the minister's green paper on water specifically advocates buying water on the market, are

we now to assume that 'under no circumstances' actually meant 'at least until after the last election'?

Mr THWAITES (Minister for Water) — I thank the member for his question. He referred to the green paper we released yesterday, which is a discussion paper but which has received widespread support already for the direction it indicates for water reform in this state. It builds on policies this government has introduced to better use water right around the state, and highlighted among all those is our $320 million water trust.

Water reform is a national issue with which other states are grappling, as are we. One thing we all know is that we have to do better than we are now. We have to be more productive in how we use water. If we are going to get better environmental flows, we have to get the most value out of the money we spend. The green paper indicates a range of ways to do that.

The first is infrastructure: this government has led the way with its commitment to the Wimmera–Mallee pipeline. I say to the member, rather than just trying to take pot shots from the side, why not do something positive and get his colleagues in Canberra to back the Wimmera–Mallee pipeline? Why continue to be negative when it is entirely in his hands to do that?

Mr Walsh — On a point of order, Speaker, on relevance, the question was that the government — —

The SPEAKER — Order! It is not necessary to repeat the question.

Mr Walsh — The question was about the commitment not to purchase water on the water market.

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

Mr THWAITES — The green paper indicates a range of ways, including system modification, possible purchasing on the market and infrastructure developments, and we will do whatever is in the best interests of Victorians.

If the member has views on the green paper proposals, he should put them. He will have the opportunity to do that. We do not resile from getting the best value for the dollar for the Victorian taxpayer while at the same time restoring flows throughout the state.

Australian health care agreement: funding

Mr HERBERT (Eltham) — My question is to the Minister for Health. Can the minister outline the effects the commonwealth's proposed funding offer for the next Australian health care agreement will have on the delivery of health services in Victoria?

Ms PIKE (Minister for Health) — I thank the member for Eltham for his question. Unlike the Leader of the Opposition I will not tell Victorians to stop sooking and take their medicine when it comes to such an important matter as health, because the Bracks government is fighting as hard as it possibly can to restore the shameful loss of $350 million from the Australian health care agreement, and not only that, but to also address the serious neglect by the commonwealth of the much-needed reform that will really transform our health system.

Its take-it-or-leave-it offer means we will continue to see rises in the presentations to emergency departments. We will see more GP-type patients. We already know we have around a 6.5 per cent increase in GP-type patients presenting to emergency departments, which are already straining, and that will continue to rise because the commonwealth is just not interested in reform.

We also know that we will continue to see hundreds of older people who have been assessed as eligible for nursing home beds remain in acute beds in hospitals because there just are not enough places and because the commonwealth is really not interested in reform. We will also be robbed of the opportunity to address the serious imbalance in funding for our hospitals.

It really is a fifty-fifty agreement under the Medicare agreement — 50 per cent, of course, by the states and 50 per cent by the commonwealth. Instead Victoria's share has now risen to around 55.7 per cent. Of course we will now have to continue to bear the risk of all of that growth, and that growth is real — 55 000 additional patients in the last year alone. If the commonwealth offer is not increased, then Victorians will suffer. Eighty thousand will miss out on hospital treatment and around 200 000 outpatients will have to pay for private care.

The opposition knows this is a bad deal. We can be reminded that the Leader of the Opposition knew it was a bad deal when he contributed to the debate on the previous health care agreement and said:

> Health cost figures have always been and will always be well above measures such as CPI …

He knew then that growth outstripped the consumer price index. He knew that health costs were rising then. Now he has selective amnesia. He is a Liberal first and a Victorian second. He wants us to shut up and sign. He

wants us to fall in line with his Liberal counterparts in Canberra. He really does not care about Victorians. He knows — he knows — that this is a bad deal. He said it in the past; he has confessed it today by saying that it is bad medicine. It is a hypocritical position, and it is certainly one that the Bracks government will not support.

Child protection services: report

Mrs SHARDEY (Caulfield) — I address my question to the Minister for Community Services. I refer to the child protection outcomes report that the minister has refused to release since February, and I ask: will she now immediately release the full and original report and not a sanitised version, as preferred by the Department of Human Services?

Ms GARBUTT (Minister for Community Services) — This government has a very strong commitment to rebuilding our child protection system. The document the member for Caulfield is referring to was a draft document. It was leaked from the Department of Human Services to the media in May this year. Since then I have released two research reports and a ministerial statement outlining a suite of reforms that are intended to shift the focus of the system to early intervention and prevention.

The statement outlined the creation of a new system, a new position of an advocate for children in care. It contained a number of initiatives to better support our network of foster carers. It talked about our family support innovation projects, and I am very pleased to have the public endorsement of the member for Caulfield about those projects and calling on us to do more of them. They are working; they are showing signs of promise.

These projects are at the forefront of our strategy to shift towards prevention and early intervention. As I said at the time, the work being undertaken by the department was just one source of information; others are also being used. The work is continuing and has not been finalised. I expect the work, however, will inform the reform and review of the legislation, the Children and Young Persons Act, that we are undertaking later on this year.

Australian health care agreement: funding

Mr JENKINS (Morwell) — My question is for the Treasurer. Can the Treasurer please advise of the budgetary implications of the commonwealth short-changing Victoria and Victorians, particularly in relation to the proposed funding deal for the next Australian health care agreement?

Mr BRUMBY (Treasurer) — The current offer from the commonwealth, as the Premier has said today, will rip out up to $350 million from Victoria's public health system over the next five years if signed and if implemented.

This is the equivalent of annual funding for a major public hospital of the size of the Maroondah Hospital. It is the equivalent of treating 80 000 inpatients or over 200 000 outpatients. It is a very considerable sum of money indeed. It is a massive funding gap that the commonwealth government — the federal government — must be held accountable for.

We have heard today that the opposition thinks it is a good idea to hack into the state budget and cost shift from the commonwealth to the states. As the Minister for Health put it eloquently a moment ago, the Leader of the Opposition has revealed himself today as a Liberal first and a Victorian second.

I was asked to detail the impact on Victoria's budget position. I want to say that if the states are forced to sign this agreement the cost to Victoria, as I have said, will be up to $350 million. If this agreement is signed in the financial year 2003–04 we will be adjusting the forward estimates by $30 million; in 2004–05 by $26 million; in 2005–06 by $45 million; in 2006–07 by $66 million; and our estimate for 2007–08 is $159 million.

This is a huge impact on the budget and on the health system. In 2002–03 the Victorian government committed $2.4 billion of its own funds to hospitals, compared to commonwealth grants of just $1.9 billion. The fact of the matter is that we are already doing the lion's share of the work, and that gap will only widen if we are forced to sign this agreement.

This is just one example of how the commonwealth is ripping off Victoria, how it is short-changing Victoria. We are being robbed of 4275 nursing home beds. We are being cheated of something like 23 000 higher education student places. We are being ripped off on road funding. With 25 per cent of the national population, we are getting just 14.6 per cent of national road funding. And Victorians are being treated contemptuously by the federal government on projects like the Wimmera–Mallee pipeline — no federal funding; rail standardisation — no federal funding; the Geelong western ring-road — no federal funding; the Calder Highway — no federal funding; and the

Pakenham bypass, where we are being cheated of $20 million.

Victorians are being treated with contempt. The commonwealth has form. But do not take my word for it. I quote the following:

> On the issue of health, the federal government has been an unprecedented failure, more through pig-headedness than anything else and the community has got to understand that the responsibility lies entirely with them.

And:

> We seek a partnership with the federal government in a modern federation that is going to work. We do not seek anything more than we deserve or anything less than is required to do the job.

Who said that? It was not the current Leader of the Opposition, because he talks down Victoria and stands up for his Liberal mates in Canberra. I will tell you who said that — it was the former Victorian Liberal Premier, Jeff Kennett. You can say a lot of things about Jeff Kennett — and we have said a few — but one thing is that he was never an apologist for Canberra.

Finally, I want to refer to the expression used today by the Leader of the Opposition: 'Stop sooking and take your medicine'. As I indicated before, we will have to adjust the forward estimates if this agreement is signed. If that is the case, that represents the treatment for 80 000 inpatients and 200 000 outpatients. When those people cannot get into a hospital and cannot be treated we will be able to say to them, 'Robert Doyle says stop sooking and take your medicine'.

Timber industry: restructure

Mr INGRAM (Gippsland East) — My question is to the Minister for Environment and relates to the Our Forests, Our Future timber industry restructure. When the sustainable yield reductions were announced the minister at the time and the Premier gave commitments to the workers, contractors and licensees stating that the $80 million package would ensure that those workers, industry participants and the community would be looked after. Up until and including today a large number of contractors and timber industry businesses who have met the Our Forests, Our Future guidelines have not received offers or commitments of assistance from the industry transition task force or answers to their correspondence from the minister.

Will the minister give this house a guarantee that the money has not run out and that those contractors and timber industry businesses that have met the criteria as a direct result of the Our Forests, Our Future reforms will get assistance?

Mr THWAITES (Minister for Environment) — I gather the thrust of that question is in relation to forest reform. I point out that the Bracks government has undertaken substantial reform of forestry in Victoria. We did what the previous government would not do — that is, to put the forestry industry on to a sustainable basis. The level of logging that was being undertaken under the previous government was not sustainable. If you had continued to over cut like that you would not have had an industry into the future.

We recognised the need to bring about sustainability, and we have done that. We also recognised that regional communities and industry deserve support in the transition process, and we have done that. We have provided a contractor assistance program to provide assistance, and some 41 businesses have received support through that program. It is important to note, however, that the contractor assistance program was not meant to be open-ended and available simply to anyone who applied; the program was not to be available where there was alternative work available.

Last week I announced a substantial salvage program in this state that will see the recovery of some 500 000 cubic metres of sawlog and around 1 million cubic meters of residual timber — Alpine ash — which will be logged over the next two-year period. That is a major undertaking and will provide opportunities for employment for contractors, for workers and for the industry. Indeed, it will be a major challenge for the industry to organise the salvaging of all of that timber and the subsequent handling of it.

This represents a substantial opportunity for harvesting contractors to work. Shortly we will be releasing tenders for that, and we expect that contractors will be able to apply through that process to undertake this very significant task for themselves and, of course, for their communities.

Living Murray program: funding

Ms GREEN (Yan Yean) — My question is to the Minister for Water. Will the minister inform the house of the Bracks government's response to the commonwealth's proposed funding model of paying one-quarter of the cost of the Living Murray infrastructure?

Mr THWAITES (Minister for Water) — I thank the honourable member for her question, and it is true — incredibly true — that the commonwealth

government is proposing to pay only one-quarter of the cost of the Living Murray initiative. Our response is quite clear: that is inadequate, it is woefully inadequate. I am sure the opposition will shortly be urging us to accept this, just as it has urged us to accept the inadequate funding proposals for health care, because as the Minister for Health and the Treasurer indicated, the opposition is more interested in the Liberal Party than it is in Victorians. But we on this side of the house are committed to ensuring that we get the best deal for Victoria and, most importantly, that we get a deal that helps save the Murray.

As everyone knows, the offer put up by the commonwealth will not do either of those things. It will not be a fair deal for Victoria, and it will not be substantial enough to help save the Murray. In past times where there have been major environmental initiatives such as the National Action Plan for Salinity and Water we have seen an agreement involving the states and the federal government contributing half each. We have seen a similar agreement for the National Heritage Trust as we have also seen one for guns; and indeed, in relation to the Murray-Darling Basin programs of major environmental works, the Murray-Darling 2001 program which funded catchment management works and sustainable irrigation management was also a fifty-fifty program.

We therefore have to ask why the commonwealth is now putting up a new proposal to fund only 25 per cent. It is part of a pattern of behaviour where the commonwealth government is seeking to rip off the states to ensure that it does not fulfil its total responsibilities.

Another issue to do with this proposal that is of perhaps even greater concern is that the commonwealth government has not yet indicated the source of these funds and has not ruled out a shonky deal where funds are shifted from other commonwealth programs to the Murray initiative.

One thing that all groups, whether it be the National Farmers Federation or the Australian Conservation Foundation or any of the others, have made absolutely clear is that it must be new money from the commonwealth for the Murray. It must not be a smoke-and-mirrors trick by the commonwealth to get out of its responsibility for what is a major national challenge for us all.

Mitcham–Frankston freeway: tolls

Mr DOYLE (Leader of the Opposition) — My question is to the Premier. I refer the Premier to today's petition tabled in my name and signed by 19 500 people opposing tolls on the Scoresby freeway, and I ask: does it help the Premier to understand the anger about his decision to impose tolls when one of the signatories on the petition, a Mr R. G. Scates, is the electorate officer of the Labor member for Kilsyth, who uses the member's electorate office address, 60 Main Street, Croydon, on the petition?

Mr BRACKS (Premier) — I thank the opposition leader for his question. Could I say that the Scoresby freeway is another example of the commonwealth government not giving us a fair share. In relation to the Scoresby freeway we have actually — —

Mr Cooper interjected.

Mr BRACKS — By building this road with tolls, which is the most responsible way to build this major piece of infrastructure, we have freed up some $400 million-odd which can go to other projects including the Deer Park bypass, the Geelong bypass and the Calder freeway — all Victorian projects which need funding.

This project was of a size and scale that could not be handled because of the obligations we had to fix the mess that was left by the previous government, particularly on rail franchises and other issues. It was the right decision for the future of Victoria; it is the right decision for the budget; it will be built on time, and it will be built as a first-class highway for Victoria.

Arrive Alive strategy: achievements

Mr TREZISE (Geelong) — My question is to the Minister for Transport. I refer the minister to the Arrive Alive road strategy, and I ask: can the minister inform the house what the results of the strategy have been so far, and has the government considered proposals that it not proceed further with some of these initiatives?

Mr BATCHELOR (Minister for Transport) — I would like to thank the member for his question. He continues his long interest in road safety: he was very supportive before coming into Parliament, and he is certainly continuing that through his terrific involvement with the parliamentary Road Safety Committee.

It is important to understand that when the government launched the Arrive Alive road safety campaign at the end of 2001 people were dying on our roads at an horrific rate. By the end of 2001, 444 people had become victims on Victorian roads. That was a really tragic waste of life.

Through our Arrive Alive road safety strategy, which has been developed in partnership with Victoria Police, the Transport Accident Commission and Vicroads, the government has progressively introduced a whole range of measures to combat the road toll on the one hand and to save lives on the other hand. Some of these measures have included the 50-kilometre-an-hour speed limit on residential streets, the introduction of alcohol interlock devices for repeat drink-drivers, tougher speed penalties and the automatic loss of licence for those people driving 25 kilometres an hour over the limit.

Not all of those measures have been universally welcomed. In fact a lot of them have been under specific and continuing attack from the Liberal Party. But what I can demonstrate is that these measures have led to a massive drop in the road toll. So far this year 39 people have saved their lives by not being casualties on our roads. Compared to last year this represents a fall of some 15 per cent. Unlike the Liberal Party we have had the support of other organisations that have supported our initiatives, including the increased use of speed cameras. It has support in the wider community and the leading newspapers throughout Victoria. It has been supported by the *Herald Sun*, the *Sunday Herald Sun*, the *Age*, the *Geelong Advertiser* and the Ballarat *Courier* — for example, the *Sunday Herald Sun* just two weeks ago argued that cameras reduce the incidence of crashes, reduce injuries and save lives. It described the drop in the road toll as a truly remarkable achievement.

The member for Warrandyte laughs at this achievement, but it is truly remarkable. This year the *Age* said that the Liberal Party's position on speed cameras was an irresponsible distraction from the object of saving lives. In under two years the road toll has dropped by 83. Victorian drivers, together with the Victoria Police, are to be congratulated because it is the effort of the drivers on our roads and of the Victoria Police that have brought about this achievement.

In conclusion I would like to restate some statistics about the impact of saving lives of the most vulnerable members of our community — for example, comparing 2003 with 2002 at the same time of the year, the fatalities of passengers is down 10 per cent. Comparing cyclists, the number of fatalities is down 25 per cent. For motorcyclists and pillion passengers the drop in fatalities is 32 per cent, and for pedestrians it is down 40 per cent. So you can see that this is an outstanding effort. The police and the motorists are to be congratulated, and it demonstrates that the Arrive Alive road safety strategy is working and will need to continue working during the remainder of its five-year program. We will not be adopting the policies of the Liberal Party, and we will not be stopping these important road initiatives because we are determined to save more lives of Victorians.

The SPEAKER — Order! The time for raising questions has now expired.

MINISTERIAL STATEMENT

Hospitals: funding

Debate resumed.

Mr RYAN (Leader of the National Party) — Before the luncheon break I was making the point about what a far-sighted decision has been made by the Australian Capital Territory (ACT) minister, Simon Corbell. He has had the courage to sign up to the agreement which the federal government has had on the table for literally months. It has straightaway pulled the rug out from under the Premier of Victoria and the others who are not prepared to go up there and deal with the commonwealth in good faith to get the outcome which all Victorians need.

The point is made in the ministerial statement that the ACT budget is 20 times smaller than that of Victoria. That only goes to highlight the point that the minnow in the whole thing has been able to negotiate a deal, no problem, and here we are, 20 times larger, and we cannot do it! So I renew my offer: I am prepared to get in there and negotiate in my former role as a mediator to get an outcome because obviously this lot in Victoria are not up to it.

I want to touch upon the issue that is made in this statement about the goods and services tax and all the complaints with regard to it. Of course there is an interesting little line relating to GST payments in the year 2007–08; it will not be until that year that we are effectively ahead of previous funding arrangements. That in itself is room for a negotiating point. If I were up there doing it I would be looking at the fact that the trend in the GST payments is definitely up. The likelihood is that we are going to get more money out of the GST payments with the passage of the years. It is a basis for talking to the commonwealth about the funding arrangements that can be struck and, if you like, back loading the agreement, like the Carlton Football Club has done over the years, so that there is a means whereby there is more money at the end of that agreement and available for everybody else. So that is another one of the general principles I want to offer.

There is the issue of fiscal equalisation. I am very pleased to see the Treasurer still in the chamber. He

complains bitterly about fiscal equalisation. Essentially this is recited again in the document today — that is, that we are only getting back 88 cents in the dollar that we pay out with regard to GST, and that is right.

The eight jurisdictions all got together to try to negotiate a deal amongst themselves on a common position to put to the commonwealth. You can leave aside the fact that the ACT has pulled out and therefore destroyed that flawed approach, but there is a way that they can deal with this fiscal equalisation issue. What the eight jurisdictions ought do is all get together as Labor treasurers — and we have our Treasurer in the chamber listening to this bit of sage advice — and come up with an arrangement between them which suits all their jurisdictions. They ought to take it as a collective agreement to Peter Costello for his imprimatur. I am sure that he would be prepared to accept it. Just as these Labor jurisdictions are apparently prepared to get together on a collective basis to negotiate a better outcome on health — and leaving aside the fact that it has been a spectacular failure because there are always rats in the ranks with these things, and the ACT, to its great credit, has walked out on them right on the eve of this discussion happening — I would suggest to the current Victorian Labor government, 'Don't abandon the concept! You ought to stick with it, get an agreement, take it to Peter Costello and I would reckon he would be in it'.

Why will that not happen? Because despite all the whingeing and the moaning that government members carry on with about this, they know they would never get any such agreement from their Labor colleagues. The problem from the Labor Party's perspective is that they all know that is the case. Equally they know that if Peter Costello, from his perspective, were to impose his position and do something to adjust this arrangement, would they not all be squealing? The Queensland Treasurer would be squealing because money had been taken away from his state by the federal government, and so on and so on. There is a suggestion that the government can pursue. That will overcome the fiscal equalisation issue — that is another one that they can get out of the way if they really apply their minds.

The other important feature of this is that they have to be careful what they wish for. They have to be prepared to do unto others as they would have done unto themselves. What this means in the case of the Victorian health system and the way in which they apply their own operations here in Victoria is, of course, that they have to clean up their own backyard. In this ministerial statement they are whingeing about allocations of money not taking into account the increments that occur in a variety of ways.

Meanwhile, what is happening with Victoria's health system? As I roam around country Victoria — and I would lay claim to roaming it more than most; I reckon that is a fair enough claim to make — what the health system operators are saying to me is they are being dudded by the state government of Victoria. It is happening in a variety of ways: the 1.5 per cent productivity costs; and the enterprise bargaining agreement (EBA) consequences, which have been a disaster for our hospitals. This government caved in, agreed to arrangements, funded the hospitals for a while and then cut them loose. Our hospitals are having to wear the consequences — more EBAs coming up and all the additional staff increases, the costs of which these hospitals have had to wear through their own financial allocations. Victoria ought to clean up its own backyard before it starts whingeing about the federal arrangements.

So I say in conclusion: get up there, Mr Premier; do a good job on behalf of Victoria. If you are not up to it, I am only too prepared to help on behalf of the National Party.

Ms PIKE (Minister for Health) — It is a great pleasure to be able to contribute to the debate and discussion on the ministerial statement on the Australian health care agreement. I want to talk a little bit about what Victoria has been doing to both strengthen and reform our health care system since the election of the Bracks government. That work has in fact been considerable. It is well known that this government has contributed enormous additional sums of money to health — in our first term well over $1 billion in additional recurrent funding, and in this term we will see equal amounts of funding. We have also now begun to implement the largest ever capital rebuild of our health services in the history of this state.

This resourcing has, of course, not just been thrown at the health system; it has been invested strategically. Whether it be our hospital demand management strategy, the hospital admissions risk program, all the work we have done in the ambulance area rebuilding our ambulance system or the recruitment and retention now of well over 3300 additional nurses, in all these areas we have been strengthening and developing our health system — and we have been reforming it as well. We saw in the last budget a contribution of well over $138 million to an information technology strategy which will use those new and innovative resources to further reform our health system.

We have been doing all this work because we know that this is the way we need to move forward in health: to reform the system, to cut down on the length of

patients' stay time where appropriate, to ease demand pressure on emergency departments, to get greater continuity between primary health and acute health and to have a more seamless aged health system.

These are the things that for 18 months now we have been working on with the commonwealth. In these very areas of reform so critical to the health system right across this country we have had a very collaborative arrangement with the commonwealth. We have been working together with senior clinicians, commonwealth bureaucrats, state bureaucrats and ministers. It has been a very helpful process and partnership. We were on track, and we have been on track for 18 months to form the basis of a very reformist and creative new Australian health care agreement.

You can imagine, then, the absolute astonishment and disappointment that the states, the bureaucrats and clinicians — the members of the health care community — felt when out of the blue the Howard government took this reform agenda off the rails and gave the states a take-it-or-leave-it offer of funding in the new Australian health care agreement. Not only did they neglect the work that has been done on these very significant areas of reform, not only did they turn their backs on the significant yearnings, really, from people within the health sector to engage in those areas — the ED-acute interface, the aged care-acute interface and the capacity of information technology to transform our work — but they put on the table an offer that was less than the previous Australian health care agreement.

That is well known, of course, and I do not need to go into that in great detail. A billion dollars was taken away from the forward estimates. The impact for Victoria is that had the current agreement continued we would have been $350 million better off than we will be now under an agreement that has a lower indexation rate. There is no debate about this, really. There is no point quibbling about the figures. The Howard government has acknowledged that last time the growth was 27 per cent; this time it is around 17 per cent nationally, and in Victoria's case 16 per cent. It is a cut. There are fewer dollars.

It comes when the growth in the funding required for health — the growth in the costs of health — is outweighing all other CPI growth. In fact Senator Patterson has acknowledged this publicly in a number of ways. She has agreed with the Leader of the Opposition in Victoria, who said that health cost figures have always been and will always be well above measures such as the CPI. She has given the private health insurance funds over 7 per cent growth in acknowledgment that that figure reflects the real cost of growth. So we know that the growth that is being offered in this new agreement is not only below what was offered in the last agreement — and that means a cut — but of course it is well below the genuine cost of growth in expenditure in health.

The Leader of the Opposition in his very spirited defence of the commonwealth government said that the state government has been doing nothing for the last four months. Let me state that we have on many occasions sought to meet with Senator Patterson to negotiate this agreement and she did not even turn up for two Australian health ministers conferences. We have provided many opportunities for discussion. We have had many meetings with officials, who told us that the Canberra bureaucrats are embarrassed, that their hands are tied and they have nothing to deal or work with.

The first draft of the agreement was so flawed it was embarrassing. It was full of mistakes and had to be sent back. That fact was acknowledged by everyone. We have actually put on the table a number of new initiatives that would potentially assist Victoria. The government has been working very hard over the last four months to negotiate a better deal for this state, and it has met a brick wall.

Let me refer back to the Leader of the Opposition's spirited defence of the commonwealth's position, because this needs to be on the public record. He, along with other Liberal leaders, has said that Labor health ministers have to accept this generous offer, yet he has already acknowledged in this house today that the offer is bitter medicine but that we just need to shut up and take it. We know that that is not in the interests of Victorians, and that it will continue to put considerable stress on our health system.

I must say that you would have to question how believable the Leader of the Opposition is when he cannot even get his facts right; and this is not the first time this has happened. He cannot even get the facts right in his own contribution. In fact he referred to a contribution I made in my submission to the Senate Select Committee on Medicare and suggested that I had said that $350 million was wasted. He also suggested that I was talking about this in terms of the state government. In fact I did say that $350 million a year would be a waste, but I was referring to the private health insurance rebate scheme for private dental services; and I stand by those remarks that I do not believe that is good value for money.

So even in the Leader of the Opposition's contribution in this place what we see is no content, no policy,

nothing said about health, a preparedness to sell Victoria short by $350 million, a lack of capacity to do his research, incredible laziness and a misunderstanding of fundamental documents that are on public record.

I think both the federal health minister and the Leader of the Opposition in Victoria will stand exposed. History will be the judge. This government has a gun at its head. The offer from the federal government is absolutely disgraceful, but Victorians know that we have been fighting hard. That is in stark contrast to the opposition, which has just fallen over and acquiesced to something that is damaging to all Victorians.

Mrs SHARDEY (Caulfield) — I suppose many people are asking themselves why the Premier brought this so-called ministerial statement to the Parliament, because as has been pointed out it is not a document which offers us a blueprint for the future; it is more a document that provides a lot of excuses for the failure of this Premier to negotiate what he wants from Canberra. It is a bit of a stamping of the foot and saying, 'I cannot compete with other people'.

He certainly has not been able to compete with the Australian Capital Territory health minister, Simon Corbell. The ACT health minister did agree to this health agreement, not that he got more money. No, unlike Victoria he has accepted the offer from the commonwealth, but he has managed to sign up for some other programs that he believes will be in best interests of the people of the ACT. I suppose one has to question whether our Premier is thinking of the people of Victoria or just trying to win a bout in Canberra.

Some of the things that the ACT health minister agreed to with the commonwealth were very important for that territory. One was an agreement that aged care places which have been allocated but are not yet operational are to be used as transitional beds. I understand that Victoria was also offered some 500 transitional beds last year, which could have been used for hospital patients prior to being taken up as aged care places, but I am told that Victoria has not yet taken up that offer. More fool Victoria for that!

I suppose also that this ministerial statement in a sense provides excuses for the future, and certainly it does talk about the fact that we are going to see worse waiting lists for public hospitals in Victoria. The excuse that is meant to be provided here is that we can blame the commonwealth yet again. Well this government has spent nearly all of its time in office blaming somebody else. If it is not the previous government, then it is the federal government and anyone else it can point a stick at.

What is amazing about all of this is that the Premier actually thinks the other states are going to support him in not signing this agreement with the commonwealth. Today we have heard that Premier Carr and Premier Beattie believe that they will be signing the agreement before the deadline, and I must say that the Premier of Victoria is going to look pretty stupid if he is left sticking out like a sore thumb, not having signed the agreement and not having thought about the good of the people of Victoria, which is what he should be doing.

The other point I wish to make in relation to this agreement is that it is absolutely hypocritical of this government to be calling on the federal government to give it more money for health considering what this government has done to the most needy people in Victoria through its productivity cuts to non-government organisations in this state, which is absolutely appalling.

We will see not only jobs cut from non-government organisations, we will see cuts to services for the disabled, to those organisations which provide child facilities and protect children in Victoria — an issue we have raised here today. We will see cuts ranging from services for people suffering from drug and alcohol abuse to Victorians who require palliative care in the last days of their lives. So we are not looking at a government that is caring about Victorian people, we are looking at a government that wants to get involved in the argy-bargy of a fight in Canberra and to win that fight.

The Premier says he wants an extension of time for another year because he feels that the last agreement was a good agreement. If that is the case, how come the previous agreement has left most of our hospitals in deficit to the tune of approximately $100 million? I have been visiting some hospitals in country Victoria, and nearly all of them are in deficit. Some of their most needy programs, such as the hospital admission risk program (HARP) and the demand strategy program — which are flagship programs of the government that are meant to assist people in not having to be readmitted to hospital — are having their funds cut. That is appalling.

This paper talks about previous governments supposedly closing beds and says what a frightful thing it was and that the current government's performance is impeccable. But this government does not mention or even admit that it has closed beds in Victoria. Between 1999 and 2000 some 92 beds were closed in Victoria, and this government is not admitting it.

The paper talks about the growing demand due to the ageing population, as if elderly people do not have a

right to treatment in our hospitals. Every older person has a right to treatment in our hospital system. The fact is that as people get older they are much more likely to need hospital treatment. In fact they are six times more likely in their 80s to need hospital treatment than at any other time.

The paper talks about category 4 and 5 GP-type patients clogging up emergency departments in hospitals. I visited some of these hospitals and asked them about their figures. The fact is that the biggest increases in admissions through emergency departments is in categories 1 and 2 — the most serious. That is where the greatest increase has been in many of our hospitals.

But also the paper seems to indicate that people who are entering our emergency departments in categories 4 and 5 for some reason have no right to be there; that these are GP-type patients who should not be entering our hospitals. The category that people are put in by a triage nurse relates to the urgency with which they need to be seen. A category 4 patient may not need urgent treatment but may well need to be admitted to hospital. In fact some hospitals I have been to have indicated that a high proportion of their category 4 patients, whom the Premier calls GP-type patients who should never come inside a hospital door, have to enter the hospital as patients and receive treatment, and some government members know this very well.

The ministerial paper also dismisses the contribution by our private health system as being one that has made little difference. It appears to us that the Labor Party actually hates the private health system, would like to get rid of it and is not prepared to acknowledge the enormous work done by our private hospital system in treating an ever-increasing number of patients. One has only to look at a hospital like Cabrini to see that its emergency department treats a large number of patients. That hospital is running at capacity and treating very serious cases, not merely the one-day stays, as the Premier prefers to call them.

The paper also talks about vertical fiscal imbalance. I would love to see the Premier of Victoria go and speak to the Premier of Queensland and ask him to give up some of the funding he gets allocated from the commonwealth. I cannot imagine that he would be looking at that.

Another issue brought up in the paper is the issue of bulk-billing and the call for the co-location of GP clinics next to emergency departments. Talk about looking for cost shifting! It would be the biggest cost shift imaginable if this could occur. In fact it has occurred, because in Frankston there is a GP clinic which has been co-located next to the emergency department for some 10 years. Until recently the department bulk-billed, but it has ceased to bulk-bill. One wonders why that has now occurred.

The paper also talks about aged care and tries to blame the commonwealth for what this state says is not enough beds in aged care. In fact the claim in the paper is that Victoria is not up to the benchmark laid down by the commonwealth. The figures I have from the commonwealth indicate very much that Victoria does have the requisite aged care places that have been allocated by the commonwealth. In fact some of the problems in Victoria relate to state planning laws. In other words, we have the correct number of allocated beds in this state, but because of state planning laws those beds are not being taken up or put online. I suppose one would also have to ask the question: in the state bed pool does this state have additional beds that are not being put online? I think these are very serious issues.

In summary, if this government really wishes to allocate more money to health, perhaps it should take into account the fact that it has put 14 per cent more public servants into the department.

Mr ANDREWS (Mulgrave) — I am pleased to join the debate on the Australian health care agreement and the ministerial statement delivered by the Premier earlier today.

This is a critical issue for Victoria in that it goes directly to the heart of the type of health care and hospital services we provide in this state, including the funding that underpins advances in clinical practice and technology, and of course — and we have not heard enough about this from the opposition — actual patient outcomes.

In April this year the federal Minister for Health, Senator Kay Patterson, put a not-negotiable, take-it-or-leave-it offer to the state premiers. Previous speakers have noted that that approach is not exactly conducive to being able to get some sort of an agreement at the end of the process, and I can only endorse those comments.

Central to this whole Australian health care agreement (AHCA) process is a manifestly inadequate funding offer — an offer that represents a $350 million cut compared to what a rollover of the just-expired agreement would have given Victoria. That is to say, rather than offering funds over and above the now-expired agreement so this new agreement can take us five years forward to meet the growth in demand, the

growing percentage of Victorians aged over 65 and all the other challenges that face us, the offer in this proposed agreement actually cuts funding. It delivers $350 million less over five years — that is, $350 million less while our population grows; $350 million less while our population continues to age. What an amazing set of circumstances! It is an offer that would see funding decrease while the demand for health and hospital services grows.

This is a totally inadequate and unfair offer. It represents a complete abrogation of the commonwealth's responsibilities so far as health and, more importantly, so far as commonwealth-state relations go. The offer fails to recognise the significant changes in the way health and hospital services are delivered in Victoria. The offer makes no adjustment for the federal government's shameful cost shifting, particularly in relation to primary health and, of course, aged care. The offer makes no attempt to compensate Victoria for the great pressure that this shameful cost shifting has put on our hospital system. For instance, there was some discussion about bulk-billing earlier. Bulk-billing rates across Australia are in absolute free fall.

That is not just my opinion, it is a matter of fact. When the Liberal–National federal government came to power and John Howard became Prime Minister in 1996 the rate of bulk-billing was 80 cent; today it is less than 68 per cent — that is a 12 per cent decline on the Prime Minister's watch. Bulk-billing rates are in absolute crisis, and the impact on emergency departments is obvious. It puts a great strain on our health system in terms of category 4 and 5 presentations, 15 per cent to 20 per cent of whom find their way into a hospital bed, as they rightly should, but many of them are presenting for conditions like earaches. They ought to be able to visit a GP in their local area who bulk-bills but unfortunately they cannot. This offer does nothing whatsoever to address that fundamental flaw, that fundamental abrogation of one of the two pillars that make up our health system: the ability to be able to see a GP and be bulk-billed, and on from that, the ability to get a hospital bed when and where you need it.

Ms Neville interjected.

Mr ANDREWS — As the member for Bellarine rightly pointed out, it is an absolute disgrace. It is easy to talk about 80 per cent bulk-billing rates coming down to 68 per cent, but to put a human face on it, it means there have been 2 million fewer bulk-billings in Victoria over the last two years. It is absolutely disgraceful, and the offer addresses none of that.

On aged care, Victoria has more than 600 patients who would be more appropriately cared for in residential aged care facilities but are not in them because the commonwealth government will not appropriately fund aged care in this state. That is a disgrace.

Given the very clear pitfalls and shortcomings of this offer you would think these deficiencies would have been pointed out by those opposite. In fact this government could have been criticised for not having delivered a better outcome, but we have not heard that criticism, and we have heard no criticism from those opposite of their counterparts in Canberra. There has been no criticism at all.

In fact there has been a plea to agree to it, and the Liberal Party web site highlights this point well with a media release issued on 14 August and headed 'Medicare and AHCA, Labor's Political Grandstanding Risks the Health of all of Australians'. Despite the fact that this offer represents a cut of $350 million over five years — that is, $350 million less than we would have got if the current agreement had run over for a further five years — the Victorian government, indeed all state and territory leaders, are being urged to sign what is termed in that media release a 'fair and reasonable offer'. We refer to it as 'cruel and unusual' but those opposite would have us believe that this is a fair and reasonable offer.

Those opposite say we should sign it and sign it quickly because it will bring $10 billion over five years and $10 billion is a huge amount of money! Those of us on this side of the house are not bowled over by the intellectual rigour of those comments. The fact that it is a big amount of money does not justify our signing it — it is $350 million less than we need and $350 million less than what we would have been getting if the agreement had simply rolled over for a further five years. Members know these agreements are negotiated every five years. When you look at some of the public comments that were made five years ago, back in 1998, you see that the debate at that point in time was particularly lively.

To try to define what 'fair and reasonable' might mean let us have a look at the offer that was on the table back in April 1998, an offer that would have increased funding by $16 million over and above that provided in the agreement that expired in that year. With that offer we had the Leader of the Liberal Party at that stage, Premier Kennett, coming out and making some extraordinary comments that made it very clear to all Victorians what he thought about that offer.

In an article of 17 April 1998, headed 'Wooldridge is a Failure, says Kennett', he describes the then health minister as being a 'shag on a rock'. He then went on to refer to him as a minister without influence and a total incompetent. That is what the then Liberal leader thought of an offer that would increase funding by $16 million over the life of the agreement that has now just ended. That is what he thought about an increase in funding to the tune of $16 million!

Members should compare and contrast that with what the Liberal leader today says about an offer that actually cuts funding by $350 million: $16 million more and you are a shag on a rock, a disgrace, a failure; but $350 million less and you are a hero, the bearer of fair and reasonable offers. There is something dramatically wrong with the Liberal Party today.

As the Treasurer said during question time today, you could call Jeff Kennett many things — and indeed we perhaps have — but one thing you could not call him was a shameless apologist for his mates in Canberra. It is a shame and it is sad that the same is not true of those who have occupied the Liberal leadership since he left this place. As was said in question time, and I will repeat it: those opposite are Liberals first and Victorians second; they stand condemned for that. It is an absolute disgrace.

In summing up, I turn to a document that was discussed at some length yesterday. The member for Melton made a great contribution in this place in relation to the recent review conducted by the Liberal Party into the conduct of last year's election campaign. I quote from page 16 of that review:

> In 2002, what would have been a difficult challenge for the Liberal Party was made almost impossible by the fact that the electorate had little idea of what the party stood for.

Mr Wynne interjected.

Mr ANDREWS — That is very accurate. I agree with what the member for Richmond said — and the people of Victoria know what the Liberal Party stands for now! It stands for a $350 million cut to Victorian hospital funding, and it stands condemned for it.

The SPEAKER — Order! All responses to the ministerial statement have now concluded.

CHILD EMPLOYMENT BILL

Committed.

Committee

Clause 1

Mr McINTOSH (Kew) — I move:

1. Clause 1, page 2, lines 8 to 10, omit all words and expressions on these lines.

The amendment relates to the mandatory code provisions set out in the purpose clauses of the bill. As I have said previously, the Liberal Party is opposed to the notion of a mandatory code in the way it is set out in this bill.

No doubt the purpose of a code is for all the proper reasons, but as I said yesterday, for the minister to have the ability to introduce a mandatory code that includes penal provisions, with substantial penalties for breach of those penal provisions, is anathema to the Liberal Party.

The most important thing is that Parliament would conduct absolutely no scrutiny. The only notice that someone would get of this substantial document would be through the *Government Gazette*, and although it would be made available in certain offices and places like that, it certainly would not get the scrutiny of the democratically elected officials in this state. Accordingly the effect of the Liberal Party's amendment is to delete the mandatory code from this bill.

Mr HULLS (Minister for Industrial Relations) — The government is opposing this amendment. We believe that the code is appropriate.

In relation to a code for the entertainment industry, we are opposing the amendment that is being moved by the opposition. We have made it quite clear throughout the bill, and indeed in the second-reading speech, that the entertainment industry is quite unique, and indeed it has the ability to employ very young children — children under the age of 15, obviously, but even younger than that — and, as a result, we do believe that there needs to be an appropriate code of practice for employment.

The legislation says, particularly in relation to employment in the entertainment industry, that children well under the age of 15 can be employed — whether it be in TV ads or the like — and we believe that there should be an appropriate code that is drawn up with the entertainment industry to enable children, particularly those well below the age of 15, to have proper supervision. It is our view that a code is appropriate, and that code will be worked up in consultation with the industry.

Dr NAPTHINE (South-West Coast) — I think the major issue here is the principle of having a mandatory code per se that has penal provisions, with very serious implications, which fundamentally writes the law outside the ambit of the Parliament. That is the principle to which the opposition, and I think many people in the community, would object.

The law should be debated and considered by the Parliament. The principle of having a mandatory code which is outside the ambit of the Parliament is the real, fundamental nub of the issue.

We recognise the entertainment industry, and yes, there are particular circumstances. This is exactly why this legislation should be withdrawn and redrafted so that all the circumstances — whether they be in the entertainment industry or the farming industry or the day-to-day living of ordinary people — should be considered in drafting the legislation rather than having this backdoor method of writing legislation outside the ambit of the Parliament.

Mr MILDENHALL (Footscray) — I would have thought that if there were one part of the legislation and one part of the outline of the bill set out in the purpose clause, clause 1, that ought to be retained it would be the mandatory code for employment of children in the entertainment industry. If there were an area of industry where exploitation and abuse might occur, I would have thought that would be one of the real hot spots. This is an area in which we ought not be shy and uncertain about making strong provisions and laws.

I note too that the whole intent here is that something like 12 months of intense consultation must be done with the stakeholders, representatives of employers, employees and government agencies to come up with a code. I would have thought that that is a reasonable and sensible proposition.

It is evident from the debate that has occurred on the main part of this bill that there are so many possible permutations and hypothetical situations that it is an extremely difficult area to provide for in a bill or in the current legislative forms. Therefore a code developed in consultation with the industry is an appropriate way to go, and it certainly deserves a place in this first clause of the proposed legislation.

Mr INGRAM (Gippsland East) — Just a very brief contribution in the committee phase. The Minister for Industrial Relations raised some issues and commitments that he was going to deal with during his summing up on the bill. I would like to get a response from the minister on whether the commercial fishing industry in the bays and estuaries was consulted about the bill. It is fairly clear within the bill that children cannot be taken on fishing vessels for work purposes.

Offshore waters or non-inland waters are defined in the Fisheries Act. The act stipulates areas like the Gippsland Lakes, which I am sure are visited during the holiday period by fishermen and their children. A fishing business can be a strong family business — a bit like farming — and I would not think that fishermen would take their offspring to work if it was going to be dangerous. However, the children will not be able to be taken out on weekends and holidays to learn the skills of the trade under this bill. The minister needs to consider that that is a possibility flowing from the proposed legislation. I would like some assurance from him that that will not be the case.

Mr WYNNE (Richmond) — Just in relation to the entertainment industry and the development of a code, in our earlier debate the main focus of concern from the opposition parties was the scope of the legislation pertaining to families, particularly in country areas, and the capacity of children to work outside of the family property and to move to another person's property to provide assistance in times of crisis.

In relation to the code itself, as I indicated in my contribution the statistical evidence that is available for young people who are engaged in employment in the entertainment industry shows that the vast preponderance of them are within the permit structure as it exists at the moment.

The entertainment industry is quite an exciting industry for young people to involve themselves in. It is an industry that is potentially open to exploitation of young people. We have seen examples of that over the years, where many promises have been made about young people being able to be trained towards potential future employment in the entertainment industry — whether that be singing, dancing or the various other forms of live entertainment — and the aspirations of not only many of those young people but also their families have been crushed by unscrupulous operators. As my colleague the member for Footscray has indicated, the development of the code in consultation with the industry over the next 12 months would seem to us to be the appropriate course of action.

The entertainment industry is an area of significant vulnerability for young people and their families, whether they are involved in live theatre, television or modelling and the various other manifestations of the industry. It is appropriate that we provide a level of protection for these young people. There is

exploitation — we know about that — and there are unscrupulous operators. If we can put together a code, which is a reasonable course of action, in consultation with the industry, it is submitted by the government and indeed by the Minister for Industrial Relations that that is an appropriate course of action for us to take.

Mr HULLS (Minister for Industrial Relations) — The honourable member for Gippsland East raised an issue, which was not quite on point, in relation to fishing, and I just thought I would touch on that. Under the current legislation that deals with child employment, which is the Community Services Act 1970, permits are simply not issued. They are just not issued for kids to go deep-sea fishing. Under the current legislation you cannot take a kid out deep-sea fishing without a permit. This is a policy position of the existing child employment officer. The reasons are that you are out to sea, you are a long way offshore, there is lots of dangerous machinery on deep-sea fishing boats, and boats are out for extended periods.

No-one raised this issue, can I say, in the consultation phase, but in relation to the honourable member, under this legislation and the previous legislation there would be nothing to stop him taking his son out deep-sea fishing for recreation. What you will not be able to do under the current legislation and this legislation is to employ a child under the age of 15 in a deep-sea fishing business for profit. That is the current situation, and it has not changed.

The CHAIR — Order! I advise the house it is my view that if amendment 1 moved by the member for Kew fails he will not be able to move amendments 4 and 9 in his name as they are considered to be consequential on this amendment.

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

Ayes, 54

Allan, Ms
Andrews, Mr
Barker, Ms
Batchelor, Mr
Beattie, Ms
Brumby, Mr
Buchanan, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Crutchfield, Mr
D'Ambrosio, Ms
Delahunty, Ms
Donnellan, Mr
Duncan, Ms
Eckstein, Ms
Garbutt, Ms
Gillett, Ms
Green, Ms
Haermeyer, Mr
Hardman, Mr
Harkness, Mr
Herbert, Mr
Holding, Mr
Howard, Mr
Hudson, Mr
Hulls, Mr
Jenkins, Mr
Kosky, Ms
Langdon, Mr (*Teller*)
Languiller, Mr
Leighton, Mr
Lim, Mr
Lindell, Ms
Lockwood, Mr
Lupton, Mr
McTaggart, Ms
Merlino, Mr
Mildenhall, Mr
Morand, Ms
Munt, Ms
Nardella, Mr
Neville, Ms
Overington, Ms
Pandazopoulos, Mr
Perera, Mr (*Teller*)
Pike, Ms
Robinson, Mr
Seitz, Mr
Stensholt, Mr
Thwaites, Mr
Trezise, Mr
Wilson, Mr
Wynne, Mr

Noes, 24

Asher, Ms
Baillieu, Mr
Clark, Mr
Cooper, Mr
Delahunty, Mr (*Teller*)
Dixon, Mr
Doyle, Mr
Honeywood, Mr
Ingram, Mr
Jasper, Mr
Kotsiras, Mr
McIntosh, Mr
Mulder, Mr
Napthine, Dr
Perton, Mr
Plowman, Mr
Powell, Mrs (*Teller*)
Ryan, Mr
Savage, Mr
Shardey, Mrs
Sykes, Dr
Thompson, Mr
Walsh, Mr
Wells, Mr

Amendment negatived.

Mr McINTOSH (Kew) — I move:

2. Clause 1, page 2, lines 17 to 20, omit all words and expressions on these lines.

This amendment relates to the deletion of reference to child employment officers. The Liberal Party has consistently opposed those types of officers who appeared under a different name in the Outworkers (Improved Protection) Bill and the Federal Awards (Uniform System) Bill. I am mindful of the time. The Liberal Party has opposed and divided on the question of officers previously, and in the interests of trying to get this thing through reasonably quickly, we will not divide on this particular amendment. We still wish to pursue this amendment, and we certainly reserve the right to divide on it if it goes to the upper house.

Mr HULLS (Minister for Industrial Relations) — Just briefly on this, the government opposes this amendment. A child employment officer's primary function is to educate employers, parents, schools, children and other members of the community. In accordance with current practice, child employment officers will be delegated the secretary's power to issue child employment permits. Consequently a child employment officer has the function of investigating applications for permits in order to determine whether a permit should be issued and what, if any, conditions should be placed on that permit.

Lastly, a child employment officer will be responsible for ensuring that parents, employers and others observe the provisions of this act. The officer will be authorised

by the secretary to determine compliance with the Community Services Act as well. I note that the opposition, I think, opposed these types of officers in the outworkers legislation. The fact is the process is transparent and the act has to be enforced. That is why child employment officers are essential.

Amendment negatived; clause agreed to.

Clause 2

Mr HULLS (Minister for Industrial Relations) — I move:

Clause 2, line 32, omit "January" and insert "July".

Amendment agreed to; amended clause agreed to.

Clause 3

Mr INGRAM (Gippsland East) — On the definitions in the bill, I think there is some confusion within the government ranks on one aspect of the definitions in relation to prohibited employment. In the explanation the Minister for Industrial Relations gave recently, he was talking about deep-sea fishing. I do not think anyone here would argue with the idea that deep-sea fishing should be a prohibited employment for young people, but I would just like to draw the minister's attention to the fact that clause 12, headed 'Prohibited employment', refers to the definition contained in the Fisheries Act 1995 for 'inland waters'. In the Fisheries Act the definition of 'inland waters' states:

(a) any swamp or lake other than the Gippsland Lakes, Lake Tyers, the Lower Lake of Mallacoota Inlet and Wingan Inlet …

They are all non-inland waters, which means that under the definition in this act fishing in those waters is deep-sea fishing. There are a number of other definitions, but basically it means that fishing in any coastal waters — bays or estuaries around the coast — would under this definition be deep-sea fishing.

As the commercial fishing industry in our bays and estuaries has a very strong association with family businesses and there is a lot of passing on of businesses through the generations in the industry, I would like to think the minister would give this deep consideration. I am sure commercial fishermen would be concerned about this clause.

Mr HULLS (Minister for Industrial Relations) — Just on that — and I do not want to take up the time of the opposition — I have already given an explanation. The situation under this act for fishing is the same as that under the old act, but I am happy to have a look at the specific issues you have raised while the bill is between the two houses. However, in relation to fishing, under this new act a permit will be required where it is required under the old act, and prohibited work under this act is the same as it was under the old act.

Clause agreed to.

Clause 4

Mr McINTOSH (Kew) — I move:

5. Clause 4, line 8, after "profit" insert "(other than a farming business)".

This relates to farming businesses. The effect of this amendment is to delete any form of farming business from the operation of the act.

Many members have sat here and talked passionately about the ability of farming and rural communities to sustain themselves through the ability of children to work on other people's farms. Most importantly its principle of operation is the involvement of immediate family — grandma, grandpa, aunts, uncles and adult siblings; but it does go further. I particularly remember the contributions by the member for Polwarth, the member for South-West Coast and the member for Swan Hill, who talked about how local communities depend upon people supporting each other, particularly in times of need. At the moment we have probably just come out of a drought and we probably have difficulties with excess rain. The whole point is that communities support each other, particularly in rural areas.

This amendment only relates to one industry — farming. Because of the realities and the practicalities people involved in farming support each other, and without that support whole communities will be very much poorer. On top of that, working on a farm is part of the rites of passage for children growing up in these sorts of communities — and indeed elsewhere, but particularly in those communities. They have the opportunity to visit their friends and also to help out dad in the sheds, feeding the cattle, opening and shutting gates and that sort of thing.

The amendment removes any of the ambiguities that occur in this bill as it relates to farming businesses. So I think it very important that farming businesses be excluded from the operation of the act. As I said, it goes further than just being a family business; it removes farming businesses from the operation of the act absolutely.

Mr HULLS (Minister for Industrial Relations) — The shadow minister has said that farming businesses should be removed entirely from the operation of the act. In his comments he has not narrowed that to family farms; he has actually said 'farming businesses'. Basically he is saying that farming generally should be excluded from the operation of the act.

The government opposes this amendment. The fact is that farming is a very dangerous business. As I said earlier, I have the greatest respect for Victorian farmers, but let us not kid ourselves — they are engaged in a very dangerous business. You only have to look at some of the statistics from Workcover. I am also Minister for Workcover, and time and time again I am launching and relaunching programs in relation to occupational health and safety on farms. From memory, there have been something like 50 deaths on farms, would you believe, since about 1999. These are tragic figures, extraordinary figures. I think it confirms that farming is a dangerous business.

Further to that — and this is not related specifically to farms — Workcover figures again show that one child under 15 is seriously injured in the workplace every two weeks. When you take into account the vulnerability of kids and the dangerous nature of the work that takes place on farms, it could be a pretty volatile cocktail, I would suggest. Of the 20 workplace deaths recorded in Victoria so far this year, I am advised that 10 occurred in regional Victoria, and 5 of those were on farms. That is this year!

The whole philosophy of this bill is to balance a child's right to work with the obligations to protect them from injury and make sure they receive a proper education. We have exempted parents' family businesses from the permit system. We believe we have got the right balance. We think this is a vast improvement on the antiquated system that exists under current legislation, but to be exempting farms altogether from the legislation we believe is not the way to go. It is a very volatile cocktail when you have vulnerable kids on the one hand not supervised by their parents and also the dangerous nature of the work that occurs on farms. We oppose this amendment.

Mr WALSH (Swan Hill) — If the minister believes that by bringing in this legislation he will stop farm accidents and farm deaths any differently from the way the current programs do, I think he is misguided. I agree that it is an important issue, but I do not agree that this legislation and the way the government is going to implement it will make any difference at all.

If honourable members look at the statistics behind those farm accidents and deaths — which are very unfortunate, I have no argument with that — they will find that most of them occurred when those children have been with their parents, a situation which the government is actually excluding in this legislation. The deaths did not occur when they were with their grandparents or extended family or whatever. What we are trying to do with this is actually go back to the fabric of rural communities, go back to the fabric of families, where the children can be involved with their extended families as part of life in rural communities.

I believe what the government is doing here will not achieve the outcomes that it is talking about. Although they are important outcomes that need to be done, they will not be done with this legislation. I suggest that the government is actually destroying the fabric of rural families and rural communities.

Mr WYNNE (Richmond) — The member for Swan Hill in his contribution really indicates the reason why this particular amendment is being vigorously supported by the government. It is to protect young people in circumstances where there is obvious potential danger.

I also want to indicate that, in the contributions that have been made on this particular aspect of the bill during the second-reading debate, people have suggested that the government amendment was going to rob people of people's rites of passage, that the government was destroying the fabric of family and community life in rural Victoria. That is simply not the case.

It was purported that a young person being asked to go over to a neighbour's farm to help out in an emergency situation would be included in this bill. That is simply not the case. In fact to suggest that that is the intent or the implication of the bill is simply wrong. We seek to ensure that where a young person is being employed, say, over the Christmas holiday period, during the cropping season for a period of weeks, at another person's property where they are assisting the other property owner through their efforts and their labour, there should be some form of checks and balances around that form of employment. That is the intent of the bill and clearly that is what is provided in the bill.

It does not, as has been suggested by the member for Swan Hill, in any way suggest any undermining of the concept of families cooperating together or of neighbours cooperating together. Far from it. It is clear that where there is a commercial understanding and an arrangement reached between a young person

employed on a property, that is quite a different proposition to that which was put in the earlier part of the argument, where a young person was being asked to go over to a neighbouring property to support a neighbour in a period of crisis. It would be wrong to say that that would be in breach of this legislation.

Dr NAPTHINE (South-West Coast) — The member for Richmond makes it very clear why this amendment is needed. I draw the attention of the committee to the clause itself. Clause 4 states in part:

> … a child is engaged in employment if the child takes part or assists in any business, trade or occupation carried on for profit —

a farm would meet that criterion —

> (a) whether or not the child receives payment or other reward for his or her participation …

That is considered employment. Under the legislation as proposed, if they are assisting on a farm that is being conducted for profit, whether or not for payment or reward and even if they are assisting their cousin or a friend, they are acting illegally unless they have a permit, with the police checks and going through all the rigmarole this legislation requires.

The member for Richmond should read the legislation. This is what the legislation says. When it passes this place without amendment, that is what the law will say. It will mean that my child who works on a friend's farm picking up sticks or mustering sheep, whether for payment or reward or not, will be acting illegally. The farmer will be open to charges, with penalties — —

Mr Mildenhall interjected.

Dr NAPTHINE — The member says by interjection, 'We are not serious about that'. If you are not serious about that, change the legislation. That is what the bill says. What the opposition is saying is that there should be a recognition that good law needs good drafting. It should be practical and able to be implemented. The situation here is that a child in a farming situation could inadvertently be acting illegally and the farmer could be acting illegally, and the only exemption is for farming businesses with dad or mum running them. Uncles, aunts, grandparents, family friends and my children working on a family friend's farm — —

Mr Hulls interjected.

Dr NAPTHINE — The minister says that current legislation needs updating. I agree with that, but you do not do that by getting it wrong again. What you have to do is put your mind to it and get it right. This legislation is not right. It is creating an illegal situation.

The CHAIR — Order! The completion time ordered by the house has arrived. I am required by sessional order 6 to put the question before the Chair. The question is that the words proposed to be inserted be so inserted. Those supporting the honourable member for Kew's amendment should vote yes.

Committee divided on amendment:

Ayes, 24

Asher, Ms	Mulder, Mr
Baillieu, Mr	Napthine, Dr
Clark, Mr	Perton, Mr
Cooper, Mr	Plowman, Mr
Delahunty, Mr (*Teller*)	Powell, Mrs
Dixon, Mr (*Teller*)	Ryan, Mr
Doyle, Mr	Savage, Mr
Honeywood, Mr	Shardey, Mrs
Ingram, Mr	Sykes, Dr (*Teller*)
Jasper, Mr	Thompson, Mr
Kotsiras, Mr	Walsh, Mr
McIntosh, Mr	Wells, Mr

Noes, 55

Allan, Ms	Jenkins, Mr
Andrews, Mr	Kosky, Ms
Barker, Ms	Langdon, Mr (*Teller*)
Batchelor, Mr	Languiller, Mr
Beattie, Ms	Leighton, Mr
Brumby, Mr	Lim, Mr
Buchanan, Ms	Lindell, Ms
Cameron, Mr	Lockwood, Mr (*Teller*)
Campbell, Ms	Lupton, Mr
Carli, Mr	McTaggart, Ms
Crutchfield, Mr	Merlino, Mr
D'Ambrosio, Ms	Mildenhall, Mr
Delahunty, Ms	Morand, Ms
Donnellan, Mr	Munt, Ms
Duncan, Ms	Nardella, Mr
Eckstein, Ms	Neville, Ms
Garbutt, Ms	Overington, Ms
Gillett, Ms	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Haermeyer, Mr	Pike, Ms
Hardman, Mr	Robinson, Mr
Harkness, Mr	Seitz, Mr
Helper, Mr	Stensholt, Mr
Herbert, Mr (*Teller*)	Thwaites, Mr
Holding, Mr	Trezise, Mr
Howard, Mr	Wilson, Mr
Hudson, Mr	Wynne, Mr
Hulls, Mr	

Amendment negatived.

Clauses 4 to 58 agreed to.

Reported to house with an amendment.

Remaining stages

Passed remaining stages.

COMMONWEALTH GAMES ARRANGEMENTS (GOVERNANCE) BILL

Second reading

Debate resumed from 27 August; motion of Mr CAMERON (Minister for Agriculture).

The SPEAKER — Order! The question is that this bill be now read a second time and a third time and that the bill be transmitted to the Legislative Council and their concurrence desired therein.

House divided on question:

Ayes, 77

Allan, Ms	Kotsiras, Mr
Andrews, Mr	Langdon, Mr (*Teller*)
Asher, Ms	Languiller, Mr
Baillieu, Mr	Leighton, Mr
Barker, Ms	Lim, Mr
Batchelor, Mr	Lindell, Ms
Beattie, Ms	Lockwood, Mr
Brumby, Mr	Loney, Mr
Buchanan, Ms	Lupton, Mr
Cameron, Mr	McIntosh, Mr
Campbell, Ms	McTaggart, Ms
Carli, Mr	Merlino, Mr
Clark, Mr	Mildenhall, Mr
Cooper, Mr	Morand, Ms
Crutchfield, Mr	Mulder, Mr
D'Ambrosio, Ms	Munt, Ms
Delahunty, Mr	Napthine, Dr
Delahunty, Ms	Nardella, Mr
Dixon, Mr (*Teller*)	Neville, Ms
Donnellan, Mr	Overington, Ms
Doyle, Mr	Pandazopoulos, Mr
Duncan, Ms	Perera, Mr
Eckstein, Ms	Perton, Mr
Garbutt, Ms	Pike, Ms
Gillett, Ms	Plowman, Mr
Green, Ms	Powell, Mrs
Haermeyer, Mr	Ryan, Mr
Hardman, Mr	Seitz, Mr
Harkness, Mr	Shardey, Mrs
Helper, Mr	Stensholt, Mr
Herbert, Mr	Sykes, Dr
Holding, Mr	Thompson, Mr
Honeywood, Mr	Thwaites, Mr
Howard, Mr	Trezise, Mr
Hudson, Mr	Walsh, Mr
Hulls, Mr	Wells, Mr
Jasper, Mr	Wilson, Mr
Jenkins, Mr	Wynne, Mr
Kosky, Ms	

Noes, 2

Ingram, Mr (*Teller*)	Savage, Mr (*Teller*)

Question agreed to.

Read second time.

Remaining stages

Passed remaining stages.

NATIONAL ENVIRONMENT PROTECTION COUNCIL (VICTORIA) (AMENDMENT) BILL

Second reading

Debate resumed from 27 August; motion of Mr THWAITES (Minister for Environment).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

CATCHMENT AND LAND PROTECTION (AMENDMENT) BILL

Second reading

Debate resumed from 27 August; motion of Ms GARBUTT (Minister for Community Services).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

CONFISCATION (AMENDMENT) BILL

Second reading

Debate resumed from 27 August; motion of Mr HULLS (Attorney-General).

The SPEAKER — Order! I am of the opinion that the third reading of the bill is required to be passed by an absolute majority of the house. The question is that the bill be now read a second time.

Motion agreed to.

Read second time.

Third reading

The SPEAKER — Order! The question is that this bill be now read a third time. As there are less than 45 members present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembled in chamber:

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

ALBURY-WODONGA AGREEMENT (REPEAL) BILL

Second reading

Debate resumed from 27 August; motion of Mr BRUMBY (Minister for State and Regional Development).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

SUPERANNUATION ACTS (FAMILY LAW) BILL

Second reading

Mr BRUMBY (Treasurer) — I move:

That this bill be now read a second time.

The primary purpose of the bill is to amend the various acts governing Victoria's public sector superannuation schemes.

These amendments are necessary to ensure that changes to the commonwealth's family law and superannuation regime are efficiently and effectively applied to Victoria's public sector superannuation schemes — the Emergency Services Superannuation Scheme, the Parliamentary Contributory Superannuation Fund and the State Superannuation Fund.

Changes to the commonwealth's Family Law Act 1975 came into effect from 28 December 2002. These changes make superannuation arrangements more certain for couples in the event of separation or divorce, in that the superannuation of married couples that have separated or divorced can now be divided either by agreement or court order. Obligations are imposed on superannuation fund trustees to give effect to these changes.

The commonwealth changes are important as previously superannuation interests could not be divided or transferred to the other party to the marriage. The Family Court has, in the past, had to take existing superannuation into account by adjusting other property when dividing a couple's assets on the breakdown of marriage.

The amendments contained in this bill will facilitate the splitting of superannuation in Victoria's public sector superannuation schemes on the breakdown of marriage.

The bill provides that at the time a splitting order or splitting agreement is served on the trustees of these schemes the non-member spouse's entitlement will be immediately paid to the non-member spouse on satisfaction of certain requirements, or transferred to another superannuation fund nominated by the non-member spouse.

The member's benefit will be accordingly reduced to take into account any payments made to, or on behalf of, a non-member spouse. This reduction will be in line with a methodology approved by the Minister for Finance on advice from the fund's actuary.

The bill provides that the trustee will have discretion to determine whether to immediately transfer and pay out the spouse's entitlement where the member is in receipt of a disability pension.

This approach has been adopted in view of the fact that many disability pensions are subject to a continual review process, and there is a possibility that the disability pensioner may return to gainful employment.

In such cases, immediate transfer or payout to the spouse may result in inequities between the parties to the marriage, and trustee discretion in these circumstances mitigates this risk.

The bill contains provisions to ensure that the existing pension commutation rights and lump sum conversion options of current members are not affected by the family law changes.

Further, the bill provides that the trustees of the Emergency Services Superannuation Scheme, the State Superannuation Fund and the Parliamentary

Contributory Superannuation Fund will have the discretion to impose reasonable fees on members and their spouses in relation to requirements under the family law regime. Any such fees will be subject to a maximum level approved by the Minister for Finance.

It is proposed that the administrative detail relating to family law matters be contained in specified standards established by order in council. This will provide a simpler and more flexible mechanism for outlining administrative details and requirements with respect to Victoria's public sector superannuation schemes.

Finally, the bill makes a number of miscellaneous administrative or technical amendments. These amendments are consistent with the government's broader objectives in relation to Victorian public sector superannuation.

If Victoria fails to implement the family law changes in the bill, the default methodologies contained in the commonwealth's Family Law Act will continue to apply to this state's public sector superannuation schemes. These default methods have generally led to less than optimal outcomes for members, spouses, trustees and the state.

Until the bill is passed, the State Superannuation Fund, the Emergency Services Superannuation Scheme and the Parliamentary Contributory Superannuation Fund will be unable to immediately split superannuation benefits when a marriage breakdown occurs. As such, no payment to the spouse can be made out of the fund until the member is eligible to receive their benefit, which could be up to 20 or 30 years later.

Further, without enactment of the proposed amendments, the trustees will incur additional administration expenses. Not only will a notional account need to be maintained for the spouse until such time as the benefit is paid out, existing pensions will need to be split between the member and their spouse.

Passage of this bill to allow splitting of superannuation on the breakdown of marriage will facilitate a 'clean break' and provide more certainty for both the member and non-member spouse.

The proposed 'clean break' approach is also administratively simpler and less costly for the trustees of Victoria's public sector superannuation schemes.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 11 September.

AERODROME LANDING FEES BILL

Second reading

Mr BRUMBY (Minister for State and Regional Development) — I move:

That this bill be now read a second time.

I am pleased to introduce the Aerodrome Landing Fees Bill into the house.

The Bracks government is introducing this bill to assist aerodrome operators recover fees for aircraft using landing facilities, and to provide a legal framework for aerodromes that have deemed the collection of fees as too difficult to be feasible.

The need for this legislation was established by the Victorian Aviation Strategy Committee and has strong support across the industry. The Victorian Aviation Strategy Committee comprised aviation and industry representatives, and they have provided the government with a range of invaluable strategic advice about the future development of aviation in this state.

I want to particularly acknowledge the efforts of the member for Mitcham, the former Parliamentary Secretary for State and Regional Development, for his work in this area.

The development of an Aerodrome Landing Fees Bill was a key recommendation of this committee. When passed into law the government will ask the Victorian Aviation Strategy Committee to monitor the impact of the legislation to ensure it is effective in providing for a more efficient and fairer aviation sector.

We are taking this step of introducing legislation because for far too long fee avoidance has been a concern for Victoria's airport operators. There is a strong belief that greater certainty in relation to landing fees collection will give airports in metropolitan and, more particularly, regional Victoria, greater flexibility to continue maintenance and upkeep of airfield and airport facilities. There is an obvious link between access to regional areas for aircraft and social benefit in local communities, and one that this bill intends to foster.

The Victorian government has been active in addressing and resolving issues for aviation. The ongoing development of Melbourne's main airport precinct, Tullamarine; the Victorian government's submission to the commonwealth in relation to the sale of Point Cook; the future usage of Essendon and Moorabbin airports; and the fostering of a favourable

environment for aviation in this state are all examples of the Bracks government's commitment to seeing a strong aviation sector emerge from the array of national and international challenges that currently face it.

I wish to emphasise to the house that the bill will neither impose nor set fees. The bill does not specify fee levels, rather it provides a legal framework for the existing rights of aerodrome operators to set fees and ensure that their fees are sufficient to cover the costs of providing the service. Nor will the bill create any unnecessary burdens for users of aviation facilities. It simply aims to ensure that aerodrome operators have a clear legal mechanism by which they can recover fees due to them, and in doing so, redress a culture of fee avoidance that is widespread in the industry. It is estimated that aerodrome operators miss out on an estimated 25 per cent of their potential income from landing fees every year. For smaller regional airports this represents a significant amount of revenue that could be directed towards the maintenance of airfield facilities, thereby lessening the financial burden on local councils.

Aerodrome landing fees apply to any aircraft movements, including take-off and landing as well as practice landings for trainee pilots.

Victoria is following other states in providing this legislative basis for enabling the collection of fees. South Australia and Tasmania have implemented similar legislation and have found that compliance rates have improved as a consequence and that fees have not risen.

This legislation shows that we are serious about supporting the operation and maintenance of Victoria's aviation infrastructure.

The bill:

enshrines the right of aerodrome operators to charge landing fees;

gives legislative force to the pursuit and recovery of fees incurred by airfield users; and

provides avenues for recovering these funds without resorting to costly common-law remedies.

Through this bill the government particularly aims to strengthen our commitment to regional Victoria by reinforcing the viability of regional airports.

I commend this bill to the house and encourage the house to support the continued development of Victoria's aviation industry and infrastructure.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 11 September.

INSTRUMENTS (ENDURING POWERS OF ATTORNEY) BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

The bill amends the Instruments Act 1958 and the Victorian Civil and Administrative Tribunal Act 1998 to improve the effectiveness and operation of the regime governing enduring powers of attorney. An enduring power of attorney is a legal document that allows a donor to appoint an attorney to make financial and legal decisions on the donor's behalf, and enables the attorney to continue to make those decisions even after the donor loses capacity.

An enduring power of attorney is therefore an important legal instrument in that it allows members of the community, before they have a disability that affects their decision-making capacity, to exercise a measure of control over their lives into the future; hence, its enduring quality.

The bill inserts a new part XIA to apply to enduring powers of attorney. The bill is modelled on provisions in the Queensland Powers of Attorney Act 1998.

The reforms contained in the bill relate to two main areas:

improving the standards of execution of the enduring power of attorney instrument; and

refining jurisdictional issues and powers in relation to the monitoring and use of enduring powers of attorney.

The aim of the proposed reforms is to create a more robust legal document that will assist in protecting the vulnerable and disadvantaged in our community from abuse and exploitation and enhance ways in which an enduring power of attorney can be monitored. While there is anecdotal evidence of financial abuse and exploitation of donors in relation to enduring powers of attorney, the real extent of such abuse and exploitation is difficult to assess.

Improving the standards of execution

At present there are limited formal requirements that need to be followed when making an enduring power of attorney. These requirements need to be tightened to either prevent or minimise the risk that an enduring power of attorney will be abused. The bill introduces more formal requirements into the process of making an enduring power of attorney, without making the formal requirements onerous. The changes underlie the fact that an enduring power of attorney is one of the most important legal documents a person may make during their lifetime.

Some of the key changes include:

Special conditions and instructions

The bill includes a specific power which allows a donor to specify how an attorney is to carry out their responsibilities to the donor by including in the document special conditions and instructions about the exercise of the power. This amendment will provide further clarity in relation to the expectations and the wishes of the donor. The donor may also choose to nominate when they want the attorney to begin to exercise the power on behalf of the donor. Where a time of commencement is not specified, then the power becomes exercisable immediately, as is the situation under the current provisions of the Instruments Act.

Legal capacity of the donor

The bill provides that a donor can only make an enduring power of attorney while he or she has capacity — that is, while the donor understands the nature and effect of the enduring power. A test of legal capacity is also included in the legislation.

Witnessing of the document

In order to ensure that the donor makes the enduring power of attorney of their own free will and to put all parties on notice of the serious nature of the document, the bill introduces a number of formal requirements with regard to witnessing the document. The bill requires that the enduring power of attorney must contain a certificate signed by each of two adult witnesses to the effect that the donor signed freely and voluntarily in the presence of the witness and that, at the time, the donor appeared to have the capacity necessary to make the document. The witnesses must sign and date the certificate in the presence of the donor and each other. A witness cannot be the donor, or the person appointed as attorney, and only one of the witnesses can be a relative of the donor or of the attorney. One of the witnesses must also be authorised by law to witness the signing of statutory declarations.

Role of the attorney

The bill introduces a new requirement for the attorney to sign and date a statement of acceptance of the enduring power of attorney. This ensures that the attorney is aware of the existence of the enduring power of attorney and provides a record of the attorney's signature, which may assist in minimising the potential for fraud. The statement of acceptance must either be endorsed on, or attached to, the enduring power of attorney document. The statement of acceptance must include an undertaking by the attorney to exercise the powers given under the enduring power of attorney with reasonable diligence to protect the interests of the donor; to avoid acting where there is any conflict of interest between the donor and the attorney; and to exercise the powers given in accordance with the new part XIA.

The role of the attorney is now specified in the bill. For example, the attorney must keep accurate records and accounts of all dealings and transactions made under the power. This amendment is in line with a recommendation of the *Victorian Law Reform Commission Report No. 35 — Enduring Powers of Management* (1990). While it is recognised that this clause introduces new obligations for the attorney, it is considered necessary in order to monitor properly whether an enduring power of attorney has been exercised in the best interests of the donor. VCAT or the court or the Public Advocate may require an attorney to produce these records.

The bill provides that, under the enduring power of attorney, an attorney may execute an instrument under their own signature and do any other thing in their own name which will be as effective as if it were executed or done by the donor. However, the instrument executed or the thing done by the attorney must clearly show that the attorney is acting on behalf of the donor.

Importantly, the bill specifies that an enduring power of attorney does not authorise an attorney to make decisions about the medical treatment of the donor. Furthermore, where a decision made by a guardian or enduring guardian under the Guardianship and Administration Act conflicts with a decision by an enduring attorney, then the decision of the guardian or enduring guardian will prevail. Similarly, where VCAT makes an administration order under the Guardianship and Administration Act in respect of the donor, then the attorney may only exercise the enduring power to the extent authorised by VCAT.

Revocation of an enduring power of attorney

The bill makes it clear that the donor may revoke or withdraw an enduring power of attorney at any time as long as the donor is capable of understanding what he or she is doing. The bill specifies ways that an enduring power of attorney may be revoked. For example, a donor may revoke the power:

by telling an attorney their power is withdrawn;

by destroying the document and any copies;

in writing.

In order to assist a donor who wishes to revoke a power in writing, the bill provides that a donor may revoke a power in writing. This can be done by completing an approved revocation form. However, the bill makes clear that this is not an exhaustive list of how enduring powers of attorney can be revoked.

The bill also specifies that a bankrupt or a person who is insolvent cannot be an eligible person to be appointed as an attorney. Also, where an attorney becomes bankrupt or insolvent then the power is revoked.

Information package

It is proposed that an information package containing the relevant forms and other essential information will be made widely available to members of the community. This will be combined with a targeted public information campaign.

Refining jurisdictional issues and powers

The other main area of reform undertaken by the bill is the extension of the jurisdiction of VCAT in relation to enduring powers of attorney. At present, the powers of VCAT in relation to enduring powers of attorney are limited to investigating whether an existing enduring power of attorney should be revoked in the 'best interests' of the donor. On the other hand, the Supreme Court has powers to deal with matters relating to the coming into operation of an enduring power of attorney, such as contested issues of capacity and matters relating to the execution and use of enduring powers of attorney.

Therefore, the bill confers on VCAT the power to make declarations, orders, directions, recommendations or advice in relation to enduring powers of attorney. For example, VCAT will now be enabled to make a declaration that an enduring power of attorney is invalid on the grounds that the donor did not meet the criteria of the test for legal capacity, as specified in the legislation, at the time the document was created. It is intended that these powers conferred on VCAT will operate concurrently with the powers of the Supreme Court.

Recognition of interstate enduring powers of attorney

The bill provides for the recognition of an enduring power of attorney validly made in another jurisdiction. However, the extent of the powers of these interstate enduring powers of attorney will be limited to the powers that could be validly exercised under the Victorian legislation.

This amendment is based on a recent recommendation of the Australian Guardianship and Administration Committee for the establishment between the states and territories of a mutual recognition scheme for enduring powers of attorney. The need for such a scheme is predicated on the increasing mobility of the Australian population.

A well thought-out and properly executed enduring power of attorney can ultimately prevent the appointment of an administrator where the donor loses legal capacity, and is therefore a much less restrictive option for any person. It also enables the donor to appoint an attorney of their own choosing and a person whom they trust. The bill seeks to enable and encourage people to make their own arrangements while they have capacity by providing clarity and certainty to the process of making an enduring power of attorney.

Because of the private nature of the execution of an enduring power of attorney, the trust placed by donors in their nominated attorneys to act in the donor's best interests, and because donors are often no longer capable of recognising what is in their own best interests, donors can be left vulnerable to financial abuse and exploitation. In the context of an ageing population, it can be anticipated that this will be an issue of significance for an increasing number of people. It is therefore essential that legal mechanisms that are purposely designed to protect the vulnerable and the disadvantaged from abuse and exploitation are as effective as possible.

I commend the bill to the house.

Debate adjourned on motion of Mr McINTOSH (Kew).

Debate adjourned until Thursday, 11 September.

GRAIN HANDLING AND STORAGE (AMENDMENT) BILL

Second reading

Mr CAMERON (Minister for Agriculture) — I move:

That this bill be now read a second time.

The Essential Services Commission was required by the Grain Handling and Storage Act 1995 to review the regulatory arrangements for the handling and storage of grain for export by 30 June 2003.

The grain handling and storage industry is rapidly changing as recently privatised grain handlers around Australia seek competitive advantage through mergers and rationalisation of facilities. In light of recent developments in competition in the grain handling and storage industry in Victoria and changes in the rail and port sectors, the commission brought forward the review of grain handling and storage facilities to June 2002.

The commission found that competition in the sector had advanced significantly, particularly with the construction of the Melbourne port terminal by AWB Ltd and the Australian Bulk Alliance Pty Ltd in 2001. Although Graincorp, which owns the export grain terminals at the ports of Portland and Geelong, retains a dominant position, a substantial reduction in the degree of regulatory oversight was recommended.

The commission's final report recommended that regulating prices for prescribed grain handling and storage services be discontinued, whilst extending a regulated right of access to all facilities at the regulated terminals of Geelong and Portland for a further period, pending a review of the extent of competitive developments in three years time.

The commission also recommended that the regulatory regime should not be extended to the Melbourne port terminal. The commission concluded that it would be a contradictory position to move to a less regulatory environment in order to facilitate and encourage competition and then extend the access regime to the Melbourne port terminal. Furthermore, the market power of the new terminal is not as substantial as the existing regulated terminals.

This bill implements all the recommendations of the commission and in addition provides that the price-setting power be retained in the act only as a reserve power in case of an unforeseen event, such as a significant change in competition in the industry. The power to set prescribed prices across the regulated industry may only be exercised by the commission with the approval of the Minister for Agriculture following an inquiry by the commission.

The government expects that greater competition and investment in export grain handling and storage at Victorian ports will be encouraged as a result of this bill.

Specifically, key elements of the proposed amendment are:

regulation of prices for prescribed grain handling and storage services at the ports of Portland and Geelong will be discontinued prior to the 2003–04 harvest;

this price regulation will only be recommenced in the future with the approval of the Minister for Agriculture following an inquiry by the commission;

the regulated right of access to grain handling and storage services at the ports of Portland and Geelong will be retained;

the role of the commission regarding arbitration of disputes over access to grain handling and storage services will be clarified and strengthened;

the access regime will be extended to all grain handling and storage facilities that are integral to the export of grain at the ports of Portland and Geelong but will not be extended to include facilities at the Melbourne port terminal; and

another inquiry into the industry will be conducted by 30 June 2006.

The bill will improve the existing powers of the commission to make determinations in relation to specific disputes about access to grain handling at the regulated ports. For example, new section 24B contained in clause 16 of the bill provides the commission with a general power of direction, including a power to require exchange of information or gathering of information by the parties. These new powers will enhance the commission's ability to ensure that all relevant information is obtained whilst at the same time improve the commission's capacity to ensure that the process of resolving disputes is not excessively delayed or drawn out and therefore costly to the parties.

In order to promote growth in competition and to minimise distortion of the relevant market, it is also important that the commission, while exercising its responsibility for resolving terms and conditions for access, also facilitates commercial negotiation. To this

end, clause 8 of the bill ensures that minor disputes will be resolved in the marketplace by conferring a discretion upon the commission to decline to make determinations where it considers that the application for a determination is trivial or vexatious or where it believes that the terms and conditions offered do not constitute the exercise of a substantial degree of monopoly power.

Clause 14 of the bill requires the commission to publish guidelines in relation to the exercise of the discretion to decline to make a determination. This will assist the industry to understand whether their dispute is one that should be referred to the commission for determination.

The bill retains the requirement for regular inquiries into the regulated industry, in accordance with the government's competition policy responsibilities. The commission or the government may also initiate reviews at any other time should a further inquiry become necessary. As I have already stated, an inquiry will be necessary before approval can be given for the reintroduction of price regulation.

The government believes this bill strikes an appropriate balance between the needs of Graincorp to operate and maintain their facilities at the ports of Portland and Geelong, and the needs of growers and grain marketers to access these facilities. It will allow the commission and government to respond rapidly to unforeseen events in the industry and provide a safety net for grain exporters.

I commend the bill to the house.

Debate adjourned on motion of Dr NAPTHINE (South-West Coast).

Debate adjourned until Thursday, 11 September.

CEMETERIES AND CREMATORIA BILL

Second reading

[*NB: Incomplete second-reading speech notes read to house. For complete version, see Assembly book 2.*]

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

All societies organise places to bury or cremate their dead. These places are treated very differently according to the custom of the community to which they belong. Regardless of the different traditions that communities have, burial and memorial grounds are all regarded as special places.

In Victoria there is a long tradition of religious and secular burial sites. These sites are managed by cemetery trusts of which there are currently 526. These trusts are run by volunteers and are charged with the important responsibility of managing the burial and memorial places of many of our citizens.

The trusts and the cemeteries they manage are regulated by the Cemeteries Act 1958. This is the legislation governing the use and operations of the cemetery system. It is an amalgamation of older legislation dating back to early colonial days.

Since its enactment in 1958, the act has been amended to reflect practices and values of the times. This has made it an unwieldy piece of legislation that is difficult for the trusts and the public to interpret. A challenge is therefore presented to government to assist the volunteer members of the Victorian cemetery trusts to discharge their duties.

The composition of the Victorian community is very different from that of 1958. The cemetery and crematorium system is expected to respond to the diverse cultural and religious requirements of the communities they serve wherever possible. This will reassure the broad cross-section of modern Victorian society that their place of residence is a place that is sensitive to a diversity of cultural and religious practices.

The process of review of the cemetery system has been happening for over 20 years. It is through the determination of the Bracks government that I now place before the Parliament a bill that will place the cemetery system in good stead for future generations of Victorians.

This bill repeals the Cemeteries Act 1958. The Bracks Labor government in replacing this act is meeting its commitment to maintaining access to public cemetery and crematorium services for all Victorians and to ensuring that these services are financially well managed.

We have listened to the people of Victoria. The bill has been developed with considerable input from the cemeteries sector and the broader community over many years. Input has taken the form of written submissions to public discussion papers and targeted consultation with key stakeholders.

I will now outline key aspects of the bill.

Cemeteries and crematoria will remain in public ownership.

The expectation that trusts will respond to the cultural and religious diversity of their communities is a clearly stated obligation.

Limited tenure is not being introduced for burials in cemeteries. Perpetual tenure for burials in cemeteries will remain.

The rights and responsibilities associated with cremated remains will be clarified. Consistent with the current legislation, there will be no requirement that cremated remains must be held in a cemetery. However, a requirement that a cemetery trust must offer perpetual tenure for interring cremated remains in cemeteries will be introduced as well as continuing to offer the 25-year limited tenure option.

Some members of the community want the ability to bury or cremate body parts and pre-viable tissue in a cemetery. The bill introduces this option; however, this will not be a requirement.

The government has responded to community concern about how we care for people who die with insufficient means to cover their funeral and burial or cremation costs. The bill now provides for magistrates to order burial or cremation and for cemetery trusts to provide a simple form of memorialisation for all people buried or cremated by such an order.

Cemeteries will be able to be closed to future burials under order of the Governor in Council if there has been no interment for 25 years and no new right of interment has been issued for 25 years.

The bill recognises the heritage and record-keeping obligations of cemetery trusts to ensure that the historic fabric of cemeteries is preserved and that cemetery records are kept in the public domain and are accessible for historic and genealogical research.

Where a community no longer exists and it is not possible for a cemetery trust to continue to meet its obligations to maintain a cemetery, a process for the conversion of a cemetery to an area of parkland exists under the current act. This provision is retained in the bill but it is the government's clear intention that such action will only be an option of last resort. The minister will have to approve any conversion to a historic cemetery park and the historic fabric of a cemetery must be thoroughly documented.

Rights of interment in a public cemetery are the foundations of the business operations of a cemetery trust. The bill clarifies the type of rights of interment that can be issued by a trust and the responsibilities that flow from being a holder of a right of interment. They will be issued for graves, mausolea, vaults and a range of cremation memorials. Rights of interment for bodily remains are in perpetuity and for cremated remains can be for 25-year periods or in perpetuity.

The bill outlines when a right of interment may be granted or transferred and the associated responsibilities. This will make it easier for cemetery trusts and the public to resolve problems relating to the registration and transfer of rights regarding places of interment in a cemetery.

Rights of interment can be transferred under specified circumstances, but a transfer will only become effective once it is registered with the responsible trust. It will be an offence to sell a right of interment for more than it would be sold by a cemetery trust.

If a grave is full, the holder of a right of interment can apply to the cemetery trust to have the burials in the grave lifted and repositioned in the same grave, thereby allowing space for additional burials in that grave. In these circumstances, an exhumation licence would not be required.

The bill introduces a requirement for the secretary to approve the establishment of new cremation or mausoleum facilities proposed by cemetery trusts. This will assist in the planning of facilities across the state.

Clarification of the core activities of cemetery trusts in the bill will help address conflict within the cemetery sector regarding vertical integration and competition issues. A new appeal mechanism to the Victorian Civil and Administrative Tribunal against specified decisions of cemetery trusts in relation to the issuing of permits will also assist the resolution of disputes between cemetery trusts and the broader funeral industry.

The volunteer trust system that administers the operations of cemeteries and crematoria will be retained. This acknowledges the significant public benefit obtained from the current model of operation. There will be an improved system of appointment to trusts and greater accountability for trusts under the new act.

Cemeteries will be able to be managed directly by a municipal council. In such circumstances, the municipal council will be subject to both the Local Government Act 1989 and the Cemeteries and Crematoria Act. The council must report to the secretary in respect of its powers and functions under the Cemeteries and Crematoria Act.

Clear powers for the secretary to provide directions to trusts will be introduced.

Cemetery trust fees will be reviewed to ensure they are transparent, meet competition principles and take account of the trusts' perpetual maintenance obligations.

The process for approving and publishing fees will be streamlined. Fees will be approved by the secretary and published on a departmental web site. This will give the public greater access to cost comparisons when selecting services provided by the sector. Cemetery trust fees will be automatically adjusted in line with the consumer price index.

Increased scrutiny of the financial activities of cemetery trusts will be achieved through giving the secretary greater powers to enforce the financial reporting requirements by cemetery trusts to the department.

Cemetery trusts will be assisted by the Department of Treasury and Finance in developing investment practices suited to their needs. The minister will have the power to approve investment directions for cemetery trusts. The borrowings of trusts will still require the approval of the Treasurer.

The bill clarifies the maintenance obligations of cemetery trusts and the owners of private memorials. Trusts will be required to secure perpetual maintenance funds for the upkeep of cemetery infrastructure such as roads, fences, grounds and facilities. The responsibilities of the holder of a right of interment to maintain any memorial positioned on the site is clarified in the bill.

A revised system for the medical authorisation of cremation simplifies the administrative processes but retains the requirement for two doctors' signatures before a cremation can occur.

False statements made by a person applying to a cemetery trust for cremation or by a medical practitioner authorising cremation will be an offence. It will also be an offence to cremate without permission from the cemetery trust.

A review and update of the offences and penalties for offences committed under the act, including new offences regarding the mistreatment of a corpse or cremated remains, will bring penalties in line with offences in other acts, and give police the power to act on cases of misconduct.

The bill will require a comprehensive implementation program to enable a systematic review of all the volunteer cemetery trust members who continue to give generously to the Victorian public through their commitment to administering cemeteries and crematoria, the many individuals who made submissions to the cemeteries act reviews under this and the previous government, community, church and religious groups, and the various organisations which interact directly with the sector.

I commend the bill to the house.

Debate adjourned on motion of Dr NAPTHINE (South-West Coast)

Ms PIKE (Minister for Health) — I move:

That the debate be adjourned for two weeks.

Dr NAPTHINE (South-West Coast) — On the question on time, could the minister give an assurance that if further time were required, it would be provided? The minister has already said in her second-reading speech that there are some 526 cemetery trusts that would need to be consulted on this issue, and the minister also said in her second-reading speech that the review of the Cemeteries Act has been going on for more than 20 years. This has been a long process because there are a number of complex and sensitive issues involved.

Given those circumstances, and the fact that this is a complete rewrite of the act, I ask that that further time be made available to ensure that the opposition, the National Party and Independents have time to consult with the cemetery industry, the municipalities and the broader community.

Ms PIKE (Minister for Health) — I am not entirely sure what length of time would be appropriate, and I am not in a position to give that assurance at this point in time. I would need to discuss that with my colleagues. I am, however, happy to give an assurance to the honourable member that I will discuss it and come back to him with an answer.

Motion agreed to and debate adjourned until Thursday, 11 September.

NON-EMERGENCY PATIENT TRANSPORT BILL

Second reading

Ms PIKE (Minister for Health) — I move:

That this bill be now read a second time.

Today the Bracks government delivers on its commitment to introduce legislation to regulate non-emergency patient transport. Patients, and the health professionals who care for them, have a right to

be assured that the patient's health and safety will not be compromised while the patient is being transported, for example, from one hospital to another in a planned way. Such an assurance is not possible in the current largely unregulated environment of non-emergency patient transports. The new system of licensing and regulation described in the bill will provide this assurance.

Our public ambulance services are, and will continue to be, the sole providers of emergency ambulance responses. However, we acknowledge the important role played by private organisations in providing non-emergency patient transport services.

Non-emergency patient transport services primarily involve work such as transporting patients between hospitals and from hospital to home. Patients transported by private providers are often frail requiring transport via stretcher and at times require clinical care and monitoring while in transport. The current system of simply requiring providers to hold a licence issued by the taxi directorate does not provide an effective means of ensuring that those providing such transports have the clinical skills and equipment required to protect the patient's health and safety. While the new system to be established is necessary to provide an assurance of quality and safety, we do not wish to place undue burdens on those organisations that provide these services. So, for example, the administrative burden of applying for a licence from the taxi directorate will be removed.

The bill also includes amendments to the Ambulance Services Act (1986) to improve the ability of the public ambulance services to bill those members of the community who are liable to pay for ambulance transport.

Essentially the bill provides for the regulation of the non-emergency patient transport sector through the establishment of a licensing system. Under this system, the operation of an unlicensed private non-emergency patient transport business will be an offence. Standards will be set in regulations to protect the safety and wellbeing of patients.

In developing this bill, care has been taken to ensure that only transport services offering specialised clinical care or stretcher transport will be required to comply with the new system of licensing and regulation. So, for example, community organisations who assist in transporting people to medical services will not be required to obtain a licence if they are not offering to provide clinical care to patients while they are being transported.

The licensing and monitoring functions will be vested in the Secretary to the Department of Human Services. The focus of the new regulatory structure will be the clinical and patient safety aspects of the non-emergency transport services.

Currently, private providers must comply with the provisions of the Transport Act 1983 and regulations made pursuant to that act. To minimise the regulatory burden imposed on the private providers, the bill exempts licensed patient transport services from the existing requirement to obtain a commercial passenger vehicle licence under the Transport Act.

The bill provides for an assessment to be undertaken of the fitness of the principals of any business seeking a licence, the suitability of the vehicles and equipment, and the suitability of operating arrangements in determining whether a licence to operate a non-emergency patient transport service should be granted.

The bill enables the making of regulations to set minimum standards for non-emergency transport that may vary according to the type of patient to be transported. For example, a higher skill-set of staff may be required to transfer patients who require a high level of clinical monitoring. Regulations are intended to cover areas such as:

the kinds of patients who may be transported and with what level of care;

safety, cleanliness and hygiene;

staffing including the minimum number of staff required for specified types of transports, as well as requirements as to their qualifications and clinical accreditation;

maintenance of vehicles and equipment; and

quality assurance and clinical supervision.

All proposed regulations will be subject to a detailed cost-benefit analysis which will be undertaken in consultation with the key stakeholders in this sector.

Although the public ambulance services will be exempted from the requirement to obtain a licence, they will be required to comply with the regulations. The obligation to meet the regulations applies to all non-emergency patient transport services, including public ambulance services and public and denominational hospitals. This will ensure patient safety is protected as well as ensuring private providers are not placed at a competitive disadvantage.

Some private providers also offer stand-by services at public events to assist if a participant is injured. In the event a participant is injured, the provider may render clinical care with no transport required or may transport the participant to an on-site facility or to a hospital. The bill enables licensed providers of such services to apply for accreditation for the provision of such stand-by services. The regulations will therefore also cover the standards to be met by those who have such accreditation.

The decision as to whether such stand-by services or other first-aid or medical services should be provided at an event will remain the responsibility of the event organiser. However, if an event organiser does engage the services of an accredited private provider they will have the assurance that the provider has met minimum standards.

The bill contains a variety of penalty and enforcement provisions, including powers to suspend or cancel a licence if a proprietor has failed to, or is not likely to continue to, carry on the patient transport services in accordance with the act, regulations or any conditions of licence.

It also provides that it is an offence to carry on a non-emergency patient transport business if the business is not licensed and that it is an offence to contravene a condition of licence. It will also be an offence to supply information in connection with the legislation that is false and misleading. Breaches of regulations may also attract a penalty of up to 20 penalty units.

Authorised officers under the bill will be given powers to inspect vehicles and records used by non-emergency patient transport services to determine whether the legislation and regulations are being complied with.

In addition to its primary focus of establishing a system of regulation for non-emergency patient transport services, the bill also includes amendments to the Ambulance Services Act 1986. The public ambulance services rely to a significant degree on user charges. The bill enhances the ability of the public ambulance services to collect such charges by clarifying that a patient who receives emergency ambulance transport must pay the requisite fee, whether or not the patient has consented to the transport.

The secretary currently has the power to set fees for the ambulance services and instructs the services about those members of the community who are eligible to receive free transport. The secretary will retain this power. These changes in no way alter the current entitlements of pensioner and health care card holders to free ambulance transport.

In an emergency situation it is often difficult or impossible to obtain information from a patient about their eligibility for free transport or other information necessary to determine the patient's billing details. As a result ambulance services require patient billing details from hospitals. The bill amends the Ambulance Services Act 1986 to expressly allow hospitals to provide this information to the ambulance services.

I am grateful to the many health professionals, the private providers of non-emergency patient transport services and the public ambulance services who have provided valuable input into the development of the licensing system proposed by this bill.

I commend this bill to the house.

Debate adjourned on motion of Mrs SHARDEY (Caulfield).

Debate adjourned until Thursday, 11 September.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

ADJOURNMENT

Mr BATCHELOR (Minister for Transport) — I move:

That the house do now adjourn.

Eastern Freeway: Bulleen Road bridge

Mr McINTOSH (Kew) — I raise a matter for the attention of the Minister for Transport concerning the Bulleen Road bridge over the Eastern Freeway. The action I would like him to take is to deal with the matter of public safety, which is a problem on that bridge.

I have previously described in this house the Bulleen Road bridge. It crosses seven or eight lanes of the freeway, so it is very wide; and it is a very busy intersection, with on and off-ramps on both sides of the freeway going inbound and outbound. There is a problem with debris to the side of the road and on the footpath. It would appear to me from the debris that I have collected and from a large amount of debris that was provided to me by a constituent that it includes large pieces of wood and rocks, and I have seen a bolt which weighed about a third of a kilogram. The most important thing about this matter is that it is clear that the debris has arrived on the footpath as a direct consequence of it being carried up onto the bridge by a

vehicle such as a truck and somehow being thrown onto the footpath.

Vicroads has a regime of ensuring that footpaths are cleaned regularly. There is certainly no doubt that the eastern footpath is pristinely clean, and I have no difficulty with that; however, the western footpath, as I said, has on it a large amount of accumulated debris. The problem is that between the footpath and the edge of the bridge there is about a 1-metre-high rail that has vertical uprights with large gaps of about 6 inches between them. The uprights measure about 1 inch wide, and apart from a couple of girders that are probably there to protect cars from going onto the freeway it is completely open.

It concerns me not so much that there is debris on the footpath — although that could present a problem if someone accidentally or maliciously kicked it onto the freeway — but more important is that it would appear that the debris has come onto the footpath because it has been thrown up from the roadway and could quite easily fly through the grille onto the freeway. Of course, debris falling onto the freeway would cause damage to vehicles and may cause a collision through people trying to avoid the falling debris. Most importantly, things like the big bolt I have seen could be lethal.

The minister should look at this matter to ensure that the debris cannot fall through the grille. It could involve having another form of grille or a complete sealing of the pedestrian — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Calder Highway: funding

Mr HOWARD (Ballarat East) — I raise a matter with the Minister for Transport relating to the Calder Highway, which is a significant highway within my electorate. I call on the minister to continue his efforts to encourage the federal government to meet its commitment to the upgrade of this significant highway. As members of the house may be aware, this highway is a road of national importance (RONI), and the state government has committed $70 million towards the next stage of the upgrade, which would be in the northern part of my electorate.

The Calder Highway is, as I said, a very significant highway running between Bendigo and Melbourne. The southern section of the Calder has now been upgraded south of Kyneton, and under the Bracks government some significant sections have been opened in recent years. However, north of Kyneton — between Kyneton and Bendigo — we want to see that road completed. As I said, the state government has committed its $70 million, but the federal government continues to play games. The federal government continues not to make any commitment to that RONI whatsoever. It is vitally important that we get some support, perhaps from opposition members, to push for their federal colleagues to assist on this issue.

Dr Napthine — On a point of order, Deputy Speaker, the rules relating to adjournment debates say the matter must be the direct responsibility of a state minister. Rulings from Speakers Plowman and Delzoppo say that the matter must relate directly to the responsibility of a state minister and not be the object of a state minister referring a matter to a federal minister. My understanding of what the member has raised is that he is asking the state minister to refer a matter and seek support from a federal minister, which according to former rulings would be out of order.

The DEPUTY SPEAKER — Order! I understood the member to say that he wished the minister to take action to secure federal funding, not to refer a matter. There is no point of order.

Mr HOWARD — Absolutely. This being a RONI, it is a joint responsibility of both the state and federal governments. It is important that the minister work with the federal minister, Mr Anderson, to secure the funding. But why has this not happened? Despite the Prime Minister promising some six weeks ago that the federal minister was now ready to talk with the Victorian government about this, nothing seems to have happened. So has this promise gone down the drain like the Prime Minister's response to fund the Calder Highway fifty-fifty with the state government? What is happening with it? Has it disappeared like the documentation that a National Party member for North Western Province, the Honourable Damian Drum — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Ardmona Kids Town: entrance

Mrs POWELL (Shepparton) — I wish to raise a matter for the Minister for Transport. The urgent action I seek from the minister is to ask him to investigate options to improve the safety of the entrance to a community adventure playground in my electorate called Ardmona Kids Town.

Ardmona Kids Town is one of the region's biggest tourist attractions and is situated on one of the area's most dangerous stretches of road. It was the brainchild

of Mr Geoff Allemand, who in 1994 had a vision for a creative and family-oriented playground after travelling around Australia and looking at other pilot projects. It was officially opened in 1996 and has been supported by the community and by business. A lot of volunteer work has gone into the complex by service organisations, including Mooroopna Apex Club. It has grown from the original fruit bin pyramid complex to a $1 million project with an area as big as the Melbourne Cricket Ground.

Traffic counts at Ardmona Kids Town in 1997 during school holidays showed an average of 155 cars travelling along the Peter Ross-Edwards Causeway and turning into the playground. The highest number on any one day was 262. This year in the 2003 school holidays, there was an average of 317 cars travelling along the causeway and turning into Ardmona Kids Town, and on one day 491 cars turned into the facility.

The board and staff of Ardmona Kids Town are concerned that one day there will be a serious accident at the intersection. They are genuinely worried that there will be a collision between a semitrailer travelling along the causeway and a bus or a car filled with children. Surveys completed by visitors to the facility say that they want improvements at the entrance to make access easier and safer. Drivers coming from Shepparton and turning right into Ardmona Kids Town feel very vulnerable, as they have to wait in the middle of the road until it is safe to turn into the complex. It is also very dangerous at night. Visibility is poor, and there is minimum lighting and signage at the intersection. Drivers are also saying that they are too scared to turn right towards Mooroopna and instead are turning left and going into Shepparton and then travelling back along the causeway to get to Mooroopna.

Ardmona Kids Town has grown significantly over the years and traffic volumes have now increased dramatically to 150 000 visitors a year, mostly children. There has not yet been an accident at the intersection, but there is the potential for an horrific one. The Peter Ross-Edwards Causeway carries high volumes of heavy articulated vehicles, school buses, commercial vehicles, emergency vehicles, passenger cars and motorbikes on narrow, congested lanes. There is a petition circulating at the moment with up to 6000 signatures, which I will be presenting to Parliament shortly. I ask the minister to investigate the best way to make the Ardmona Kids Town intersection safer before a tragedy does occur.

Geelong bypass: funding

Mr CRUTCHFIELD (South Barwon) — I call on the Minister for Transport to continue his efforts to secure federal government funding for the Geelong bypass — in fact matching funding with the state's $190 million that was committed at the 2002 election — and also, as distinct from the Calder Highway, to get recognition of it as a road of national importance (RONI). It is not that at present. The federal government has been putting money into a number of bypasses in backwater towns in New South Wales and Queensland. The Geelong bypass should a RONI, and it should be matched with the $190 million.

In terms of an issue that resonates in the Geelong community, I can attest that the Geelong bypass is one. As ex-Liberal members in Geelong would attest, it is one that was ignored. It was one that has resonated in the community, and it is one that is still resonating. I am pleased to tell the house that I put out a survey to the 20 000 householders in South Barwon, and the replies indicated that the Geelong bypass was the major issue.

Honourable members interjecting.

Mr CRUTCHFIELD — The opposition can ridicule and ignore — —

The DEPUTY SPEAKER — Order! The member for South Barwon, without assistance from both sides of the house.

Mr CRUTCHFIELD — The current budget has some $4 million, which starts the process. We are getting on with building it; we are getting on with doing it. I am asking the nearest opposition spokesperson — coincidentally it is the opposition spokesperson on transport who uses or would use a bypass — to support this issue, to stop being a Canberran handmaiden and to push the member for Corangamite to get the matching funding. The member for Corangamite refused to support Geelong residents in respect to the Melbourne road, refused to support Geelong residents in the previous textile clothing and footwear industry — —

Mr Perton — On a point of order, Deputy Speaker, the member for South-West Coast raised a similar point of order in respect of the last contribution. In that case the member confined himself to matters of state representation. The member for South Barwon is now calling upon the shadow minister and a federal member to take action to excuse himself for his own inaction. I ask you to rule that that is out of order.

The DEPUTY SPEAKER — Order! The member for Doncaster has made a very fine debating point, but it is not a point of order.

Mr CRUTCHFIELD — As I articulated, the federal government is building bypasses everywhere in New South Wales and Queensland. I certainly call on the opposition spokesperson on transport to support the Geelong members in getting the matching funding from the federal government. This would allow the bypass to start sooner rather than later. This intransigence affects the people of Colac, and it certainly affects people in Geelong.

Eildon Reservoir: dam wall

Mr PLOWMAN (Benambra) — The issue I wish to raise is for the Minister for Environment and it relates to Eildon Reservoir.

As has been stated in this place before, the Eildon Reservoir dam wall, because of the introduction of international dam safety standards, needs to be raised to give greater freeboard, and the spillway needs to be vastly enlarged. The cost of this is about $30 million. In the past in respect of major infrastructure changes the state government has committed 50 per cent of the funds. So far the state government has not committed any funds to this project. I ask the minister to reassess his position on this and to commit those funds.

The dam is actually filling quite fast. In two months it has gone from 13 per cent to 26 per cent — in other words, the amount of water in the dam has doubled in that period — and hopefully that will continue. The issue is very urgent because under the present ruling the dam should not be allowed to go above 65 per cent of capacity because of these new dam safety standards.

Despite the fact that the wall is as safe now as when it was built it is essential that these funds are provided by the state government to match the $15 million that Goulburn-Murray Water has committed to it. It is essential that this project go ahead for two reasons. First, the downstream communities are at risk in respect of this dam safety issue. Because it is the downstream communities that are at risk this is a public safety issue. It is not going to provide more water into Eildon dam. On that basis alone the state government has a responsibility to meet a half share of the cost of meeting the dam safety standards and to look after those downstream communities.

Second, and this is the sad part of it, if the water level gets up to 65 per cent and then has to be able to spill from that stage on, we lose the opportunity to trap that water, which is vital to the economy of the Goulburn Valley. The Goulburn Valley economy is worth about $8 billion, and it is underpinned by the water that is available to it.

The government must accept its responsibility on this issue and must do as it has always done before, where the precedent has always been that 50 per cent has been contributed by the state government and 50 per cent by the water authority. Goulburn-Valley Water has committed those funds; it is now relying on the Bracks government to come up with the other 50 per cent. As I said before, I request that the minister review the position — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Deer Park bypass: funding

Mr NARDELLA (Melton) — I call on the Minister for Transport to take further and continuing action to secure federal funding for and press upon the federal minister for transport, Mr John Anderson, the need for the construction of the Deer Park bypass. The bypass will be an extremely important piece of infrastructure for the region and Victoria generally, and certainly for freight movement between Victoria, Adelaide and the west. I understand the cost-benefit ratio is — —

Dr Napthine — On a point of order, Deputy Speaker, we have raised this issue on a number of occasions. The issue of the Deer Park bypass is not even a road of national importance situation; it is 100 per cent federally funded.

An honourable member interjected.

Dr Napthine — No, it is 100 per cent federally funded, so it is not an issue other than seeking the minister to make representations to Canberra. Therefore, under the previous rulings on the adjournment debate the matter should be ruled out of order.

Mr Batchelor — On the point of order, Deputy Speaker, the member for Melton highlighted the significance of this road to the freight industry. That is important to the economy of Victoria, and it is an appropriate matter to raise on the adjournment debate.

The DEPUTY SPEAKER — Order! Both the member for South-West Coast and the Minister for Transport have made further contributions to the debate but have not raised a point of order.

Mr NARDELLA — The cost-benefit ratio is 3:8. It is a no. 1 priority for the western region and is supported by my colleagues Julia Gillard, Catherine King, Brendan O'Connor and my state colleagues within the region.

The Western Highway is a national highway — that is, it is totally the responsibility of the national Liberal Howard government to undertake the work. The Howard government ignores the west and Victoria, and this is one of the prime examples. Also, the federal government has been taking around 28 per cent of the road funding from Victoria but generally is returning about 14 per cent. Since 1996 approximately $200 million every year has gone up north. I call on the Victorian Liberals and the opposition in this place to stand up for Victoria rather than being Howard apologists.

This shortfall means that the Deer Park bypass could have been built eight times over. I have constantly written to the federal government and the federal minister on this issue with essentially the same result. The answer is no — no to saving lives, no to reducing freight costs, no to reducing avoidable congestion and no to increasing efficiency, but yes to continuing the frustration of road users!

Some 40 000 vehicles use the Western Highway between Ballarat and Melbourne. Unfortunately since 1998 there have been over 540 crashes, with 14 fatalities. That is 14 lives too many. That highlights not only the need for the Deer Park bypass but also other works at Leakes Road and Anthonys Cutting. I got a letter from Michael Lombardi the other day informing me that there has been another fatal crash at Anthonys Cutting.

John Anderson's latest response to me dated 12 August did not give a commitment to upgrade the Western Highway at Deer Park, and in fact rejected my invitation to view the excessive memorials.

Nurses Board of Victoria: registration fees

Dr NAPTHINE (South-West Coast) — I wish to raise a matter for the Minister for Health, and I seek action from her to advise the Nurses Board of Victoria in accordance with section 66(3) of the Nurses Act 1993 to reconsider its significant decision to impose a 70 per cent increase in registration fees for over 73 000 Victorian nurses.

All Victorian nurses will have recently received a letter from the Nurses Board advising of their registration fee for 2004. However, this registration fee of $80 is a massive increase from $47 in 2003; in fact it is a 70 per cent increase.

The question has got to be why there is a 70 per cent increase in Nurses Board registration fees. When you look at the last published Nurses Board report for 2001–02 you find it says, under 'Financial position':

> We are pleased to report that we have operated well within budget and are in a strong financial position with an asset to liability ratio of 1.7:1. We have kept fee increases to a minimum and our strategic imperatives have been fully funded.

And further it says, under 'Summary of financial position':

> Net assets increased during the year by $220 888 to $8 075 480 … This increase resulted from a surplus of $220 888. The main assets of the board are cash investments and land and buildings totalling $9 753 779.

Further in the notes to the financial statements the Nurses Board reports in its last published annual report that it has $4 126 437 in interest-bearing deposits — an increase from $3 111 964 in the previous year. The Nurses Board is reporting it is in a very sound financial state; it has over $4 million in investments, yet it is having a massive 70 per cent increase in fees.

The question is whether this is just another Bracks tax on nurses across Victoria, with 73 000 nurses facing a 70 per cent increase in fees. When we look at the letter they received, we see that one of the reasons given is that the board is going to be undertaking an increasing number of resource-intensive projects related to nursing.

There is real concern among many nurses that this is a form of cost shifting from the Bracks Labor government through the Department of Human Services onto the Nurses Board, which passes it on to individual nurses through a 70 per cent increase. The government is getting the Nurses Board to do research and projects that should rightly be done by the department and the government, and the nurses are paying for it with a 70 per cent fee increase.

I am asking the minister to justify a 70 per cent increase in registration fees for nurses right across Victoria. This 70 per cent increase in registration fees is a Bracks Labor government tax on nurses, but it has not been justified for the board. I am asking the minister to justify it and to ask the board to review this decision so that nurses in Victoria have fair and proper fees.

Frankston–Flinders and Mornington–Tyabb roads: safety

Ms BUCHANAN (Hastings) — I raise a matter for the attention of the Minister of Transport, and I call on him to address traffic management issues at an intersection in the Hastings electorate, the location being the intersection of Frankston–Flinders Road and Mornington–Tyabb Road in Tyabb.

Many local residents and the recently formed Tyabb Residents Action Group have made representations to me recently in respect of traffic management in the Tyabb township. This particular intersection, a crossroad, is situated in the heart of the Tyabb township. Tyabb is renowned across the region as the antique capital of the Mornington Peninsula and consequently enjoys substantial consumer patronage on every weekend.

Coupled as they are with the Tyabb airfield, which is located on the edge of the township, and the varied and popular tourist attractions in both Tyabb and across the Mornington Peninsula, these two main roads have experienced a major increase in traffic volume over the past five years.

Consequently there have been seven accident casualties at this particular intersection over the past five years. There has been a corresponding growth in the volume of truck traffic as the neighbouring Hastings township's business and retail sectors expand in conjunction with larger industries such as BHP Steel and Esso. The Bracks government has already got on with the job of addressing long-neglected traffic safety issues in the Hastings electorate with the recently constructed roundabout on Frankston–Flinders Road and the Westernport Highway between the townships of Hastings and Tyabb.

There are four schools within a 1.5-kilometre radius of this major intersection in Tyabb. These schools, Tyabb Primary School, Tyabb Railway Primary School, Flinders Christian College and Westernport Christian College, along with the Tyabb preschool, attract students from the surrounding rural properties, and subsequently many students are conveyed to their schools by cars that access this major intersection. Those four primary schools will certainly benefit from the implementation in the near future of the Arrive Alive 40-kilometre-an-hour speed zones, and any enhancements to this intersection will only build on this government's intent to reduce accidents on Victorian roads.

Residents of the Tyabb region have appreciated the road safety work already undertaken in this area this year, and the construction of the roundabout I referred to earlier has been widely applauded by community and service groups such as the police and the local Country Fire Authority brigade. I therefore request the minister to consider the opportunities for greater traffic management at this intersection as a matter of priority.

Lorne: foreshore committee revenue

Mr MULDER (Polwarth) — I wish to raise for the Minister for Environment an issue which concerns the current review of the foreshore committees within the Surf Coast Shire.

Under the former coalition government it was envisaged that the lease moneys payable by Erskine House at Lorne would be paid directly to the Lorne Foreshore Committee to be used for badly needed infrastructure and maintenance works along the Lorne foreshore, given the reduction in funding available to the foreshore committee, due in some part to the scaling down of the foreshore camping facilities from which rental was previously derived. However, since the Bracks Labor government came into office in 1999 it has not been possible to obtain an answer from successive environment ministers as to the government's plan for these lease moneys.

In May 2002 the Premier announced that Lorne, together with Geelong, had won the right to host the prestigious ILS World Life Saving Championships in 2006. We are now in the latter part of 2003, and no works or financial commitment has been made by the Bracks Labor government to an infrastructure upgrade in Lorne to prepare for this event.

Furthermore, the current review of the foreshore committees within the Surf Coast Shire is, I believe, heading down the path of amalgamation of the Lorne Foreshore Committee with committees through Torquay and Anglesea, and that path would include all caravan park revenues collected in Lorne being distributed across the coastline from the Cumberland River to Aireys Inlet inclusive. More importantly, the lease moneys from Erskine House would be paid directly to the Department of Sustainability and Environment to be shared across not only an amalgamated Surf Coast Shire foreshore committee but all foreshore committees.

The Lorne community is quite rightly most concerned that the above scenario may come to pass. Given that Lorne is acknowledged as the premier resort town along the Great Ocean Road and is currently receiving

an unacceptably low share of foreshore revenue, I ask the minister to intervene in the review currently being undertaken by, firstly, ensuring that moneys are not diverted from the Lorne township, and secondly, ensuring that the Lorne community continues to have the opportunity to be involved in its own coastal management and decision making by retaining its own properly funded committee of management.

I also ask the minister to review any proposal to assign the Erskine House money directly to the Department of Sustainability and Environment in perpetuity. Consideration needs to be given to the urgently needed infrastructure in Lorne, and it is appropriate that lease moneys from Erskine House be returned for the benefit of the Lorne community.

It is well known in that region that there are some underhanded political tactics being used by Labor members in Geelong at this time to put this process in place and to try to rob the Lorne community of the money and distribute it further on down the line into their own electorates. It is a very well-known fact that this happens. It is all right for ministers such as the responsible minister and the Minister for Transport to turn up at the Lorne Pier to Pub swim and pose for a photograph in their Speedos. If it is good enough for that, it is good enough to put some money into the Lorne township. Don't worry about the rub down — —

The DEPUTY SPEAKER — Order! The member's time has expired!

Yan Yean Road: safety

Ms GREEN (Yan Yean) — I seek action from the Minister for Transport to address an important road safety issue in my electorate. Yan Yean Road runs from Arthurs Creek Road in the north to Diamond Creek Road, Plenty, in the south. This road is carrying much greater volumes of traffic than the original design intended, as the suburbs have grown out into what was previously much more sparsely populated rural land.

Responsibility for this road is not simple. It is a declared main road from Diamond Creek Road to Kurrak Road. It is a local road north of Kurrak Road to Arthurs Creek Road, which for much of this length forms a boundary between the local government areas of Nillumbik and Whittlesea. In short, responsibility for this road is a dog's breakfast.

Blame for this mess can be laid with the Kennett government, because the careless way local government boundaries were drawn failed to address overall management for important arterial roads like Yan Yean Road. The Kennett government must also accept the blame for much of the extra traffic along Yan Yean Road, through the then planning Minister, Mr Maclellan, who called in and approved subdivisions out of sequence, which has added to traffic volume.

Traffic volume is contributed to not just by commuters accessing the Northern Ring Road but by those accessing the many excellent local recreational facilities, including two golf courses, and people using and working at the many businesses and attending the five schools that are either in or near this road.

Sadly, shortly before lunchtime on 10 July, a 19-year-old man lost his life on this dangerous road just south of the Nillumbik Shire Council depot. Since this tragic event I and local councillor and Nillumbik mayor, Lex de Man, have met with local residents and have heard truly harrowing stories of crashes and near misses. Local traffic police have advised me that in spite of their regular patrols the collision statistics are very high. They are doing a great job in a difficult area.

I commend the Minister for Transport and the Bracks government for the road funding of some $40 million it has spent in the Yan Yean electorate since coming to office, which is more than the Kennett government spent on roads in the whole state in its seven years of office. I also commend the Minister for Transport and the Bracks government for the new bus route along Yan Yean Road, which is already giving local residents transport options other than private cars. The minister should also be commended for the funding of the north-east transport study involving the local governments of both Nillumbik and Whittlesea. This study will no doubt make some recommendations regarding Yan Yean Road.

In the meantime I seek action from the minister to ensure that Vicroads works closely with the Shire of Nillumbik to do whatever is necessary in both the short and long term to make this dangerous stretch of road safer for both road users and residents. I also seek clarification on the status of the main road application that has been made by the two councils.

Responses

Mr BATCHELOR (Minister for Transport) — Roads are an important issue, as evidenced by the varying and large number of contributions about this topic in the adjournment debate tonight and of course their recurring theme of how the federal government is trying to dud Victoria — but I will come back to that.

The member for Kew raised with me a matter he described as being about public safety — debris on the Bulleen Road bridge and the possibility of that falling from the bridge onto the Eastern Freeway below. He raised this matter during members statements yesterday, and I can advise him that upon his appropriately raising the matter with me I asked Vicroads to immediately investigate the situation. I thank the member for Kew for being alert and bringing it to my attention and, through me, to the attention of Vicroads. I advise him that action has been taken.

Firstly, the debris was removed yesterday as soon as the issue was raised. An inspection was carried out with the view of removing it from the site before this morning's peak hour. Vicroads will conduct regular twice-weekly inspections of the area and any debris that appears to be left there will be removed as a result. That addresses the issue of debris collecting on the road and footpath.

In addition to that, some type of mesh screen will be fabricated and installed at the base of the bridge railing to prevent debris falling from the roadway or footpath onto the freeway below. This is a particularly important safety issue, and we expect that screen will be in place in the next two months.

Further, because of the actions of the member for Kew in highlighting that matter at that location, Vicroads will also be developing an inventory of other bridges over freeways where this is a potential problem and will see whether this is an appropriate solution to the problem at other locations.

I thank the member for Kew for raising this in relation to the Bulleen Road bridge, because it has not only provided a solution there but also has drawn the attention of Vicroads to the potential problem so it can deal with that in the appropriate way at other locations.

The member for Hastings raised with me the need for a roundabout at the intersection of Frankston–Flinders Road and Mornington–Tyabb Road in Tyabb itself. It was not a surprise that the member for Hastings raised this matter, because this is really the first time that the people of Hastings have had a member of Parliament who gets out into the community and delivers the sorts of things that it wants.

I had the pleasure recently of opening an important roundabout in Hastings. That turned out to be quite an amazing roundabout for the community and brought a lot of road safety benefits. But more importantly, it was a real demonstration of how something as simple as a roundabout can be achieved through collective community concern. The call for funding for and attention to this roundabout received very widespread support, particularly from the local service providers — the State Emergency Service, the Country Fire Authority and the police, who have done a fantastic job.

Based on the interest of the member for Hastings in this interaction and her initiative in bringing these types of issues to attention we will look very seriously at this location and the appropriate treatment required there, and give that consideration through our black spot funding program.

It is interesting to reflect on the success of the black spot program under this government as compared to the previous government. In the former Shire of Mornington, now the Shire of Mornington Peninsula, during the Kennett government's last term only about $750 000 was provided compared to some $6.5 million during the first term of the Bracks government. The contrast could not be any starker. I see a note that the member for Hastings continues to provide and seek assistance for her local community. I am sure that the community in Tyabb will be keen to hear of the result of her representations.

The member for Shepparton raised with me the issue of road safety on the Peter Ross-Edwards Causeway, and particularly the access into the children's playground there called, I think, Kids Kingdom.

An honourable member interjected.

Mr BATCHELOR — Kids Town, that's right. Thank you.

The Peter Ross-Edwards Causeway is a key road linking Mooroopna and Shepparton over the Goulburn Valley flood plain. It is a four-lane but undivided section of the Midland Highway, and it carries up to about 23 000 vehicles per day. The government has had Vicroads have a look at this area because of the traffic concerns that were so thoughtfully outlined by the member for Shepparton. A series of actions have already been taken.

Following the completion of a study Vicroads has indicated that the causeway is in need of an upgrade — there is no doubt about that. There are issues relating to shoulder sealing, lighting and signage, as was identified by the member for Shepparton. We will be developing a proposal to deal with these safety issues, not just for Kids Town, but for the causeway itself. The advice I am given is that what is needed is for all of the safety issues along the entire causeway to be dealt with.

They are a series of small issues, but when you add them together they amount to a quite significant project

cost. We will feed that into the government's future budget for this program and enable the upgrade of the Peter Ross-Edwards Causeway to be considered for funding when it is examined against other projects across the state.

I would point out that in the future the Shepparton bypass will ultimately provide an alternative route. That is the long-term solution to that. The upgrade of the Shepparton bypass has got the support of the federal government, and we hope it will provide funding in due course. That notwithstanding, it would assist by the removal of a lot of the freight traffic from the causeway and provide better local access use of the Peter Ross-Edwards Causeway. So we are happy to take that up. This is not a commitment to funding but rather a commitment to examine it against other priorities, acknowledging that it is a stretch of our road network where some very particular and localised treatments may be required. We acknowledge that and will put that into the government evaluation process.

The member for Yan Yean raised with me the status of Yan Yean Road in her electorate. She pointed out the fatality history of this road. It is another graphic illustration of why we need to take concerted action to bring down the road toll. One of the ways that can be achieved is through the upgrading of these outer metropolitan roads. In the past it was a rural road, and it has design features for much lower capacity, but with the outer metropolitan development that is now taking place in growth corridors as outlined by the member for Yan Yean, the level of population abutting the road and the dramatically increased through-traffic, it is a section of a road that does need to be addressed.

There are some complications, however. The southern section of the road is a declared road, managed by Vicroads, whilst the northern section of the road is a local road. This government is working with both the Shire of Nillumbik and the City of Whittlesea to see whether it is appropriate to make the whole length of the road a declared road. If that occurred it would enable a proposal for a major upgrade to be assessed in the medium and long term.

This is an issue that we are working through with both Nillumbik and Whittlesea councils. It will be assessed alongside other proposals requiring funding, both in those municipalities and across our road network. I can say to the member for Yan Yean that Vicroads will continue to work with the local councils to resolve those long-term matters and will also investigate any short-term options that might address the current crash history on this important road.

A number of other members — the member for Ballarat East, the member for South Barwon and the member for Melton — raised with me concerns about funding for very important roads in their areas. The Geelong bypass, the Calder Highway and the Deer Park bypass are all key and strategic parts of our road network in Victoria. The concern of the members is the lack of preparedness of the federal government to provide funds to Victoria so Vicroads can organise the construction of these important road projects. I can assure them that this government and I in particular will do everything possible to convince the federal government to contribute to these projects not only in the specific sense but also in the general sense of starting to give Victoria its fair share of road funding.

It is interesting to note that in Victoria at the moment there is only one road under construction which receives federal funding — only one. There are 10 under construction in New South Wales that receive federal funding, and in Queensland there are 16 roads currently under construction that receive funding. This is an appalling act of discrimination against Victoria. When you look at these sorts of statistics it becomes clear that Prime Minister John Howard favours his hometown of Sydney.

Here in Victoria we are being discriminated against by the federal government and by John Howard in particular. Victorians pay about 25 per cent of commonwealth fuel taxes; New South Wales pays 30 per cent. In return Victoria gets only 15 per cent of federal road funding; New South Wales gets 42 per cent. This is a staggering discrepancy, and it has got to be reversed. We have 25 per cent of the population here in Victoria, and our Victorian roads are required to deal with about 28 percent of the nation's freight traffic.

So every way you look at it, Victoria is being ripped off by the federal government. It is being ripped off by John Howard and John Anderson, who are using our fuel taxes to build roads in Sydney and to build roads in Brisbane and across Queensland. We need that road money to come here so we can build roads like the Deer Park bypass, so we can upgrade the Goulburn Valley Highway, so we can complete the duplication of the Calder, and so we can start construction of the Geelong bypass.

You would think the other parties in Victoria would assist the government in trying to secure this money for Victoria. After all, they are our road taxes, our petrol taxes that have been taken from us by the Prime Minister and used to build roads in other states. No, the opposition is not prepared to put its shoulder to the wheel to convince its colleagues to make those funds

available to Victoria; the funds would not be made available to the Bracks government but to the people of Victoria. I cannot understand why the Liberal or National parties do not use the influence they have within their own political parties to help Victoria get its fair share.

It is quite clear that John Howard hates Victoria and Victorians. It is quite clear that he loves Sydney and takes money from Victoria to build roads in his home town, where he lives and drives around. We have a Prime Minister not for Australia but for Sydney. It is an absolute disgrace. The way he discriminates against Victorians in the assessment of federal taxes is an absolute outrage.

The government will continue to ensure that these views are put before the federal minister. We have written to him on numerous occasions. We have written about these projects, and we will write to him again. We are prepared to meet him anywhere, any time. I will go to Canberra at any time; I would not mind going, because it would be money well spent on behalf of Victoria if we could get the opportunity to ask the federal government why it continues to discriminate against Victoria and why it is prepared to send our money to New South Wales to build roads there when there are so many projects in Victoria that concern either roads of national importance or roads that are part of the national road network towards which this money could be more appropriately directed.

The member for South-West Coast raised a matter for the attention of the Minister for Health regarding the Nurses Board of Victoria and registration fees. I will ask the minister to contact the member for South-West Coast.

The member for Benambra raised an issue for the Minister for Environment regarding the dam wall of the Eildon Reservoir. He acknowledged that the wall is just as safe now as when it was built. I will refer the matter to the minister.

The member for Polwarth raised a matter for the Minister for Environment regarding the review of foreshore committees in the Surf Coast Shire. I will refer the matter to the minister. The member also sought an invitation to attend the rub-down tent at the Pier to Pub swim at Lorne. I will take that up with the Lorne Surf Club and see if they are prepared to invite him.

Dr Napthine — On a point of order, Mr Deputy Speaker, this is the first week that the house has sat for this sitting, and on the third day of the sitting only one minister is present. It demonstrates the utter contempt that the Bracks Labor government has for this Parliament. The government stands condemned.

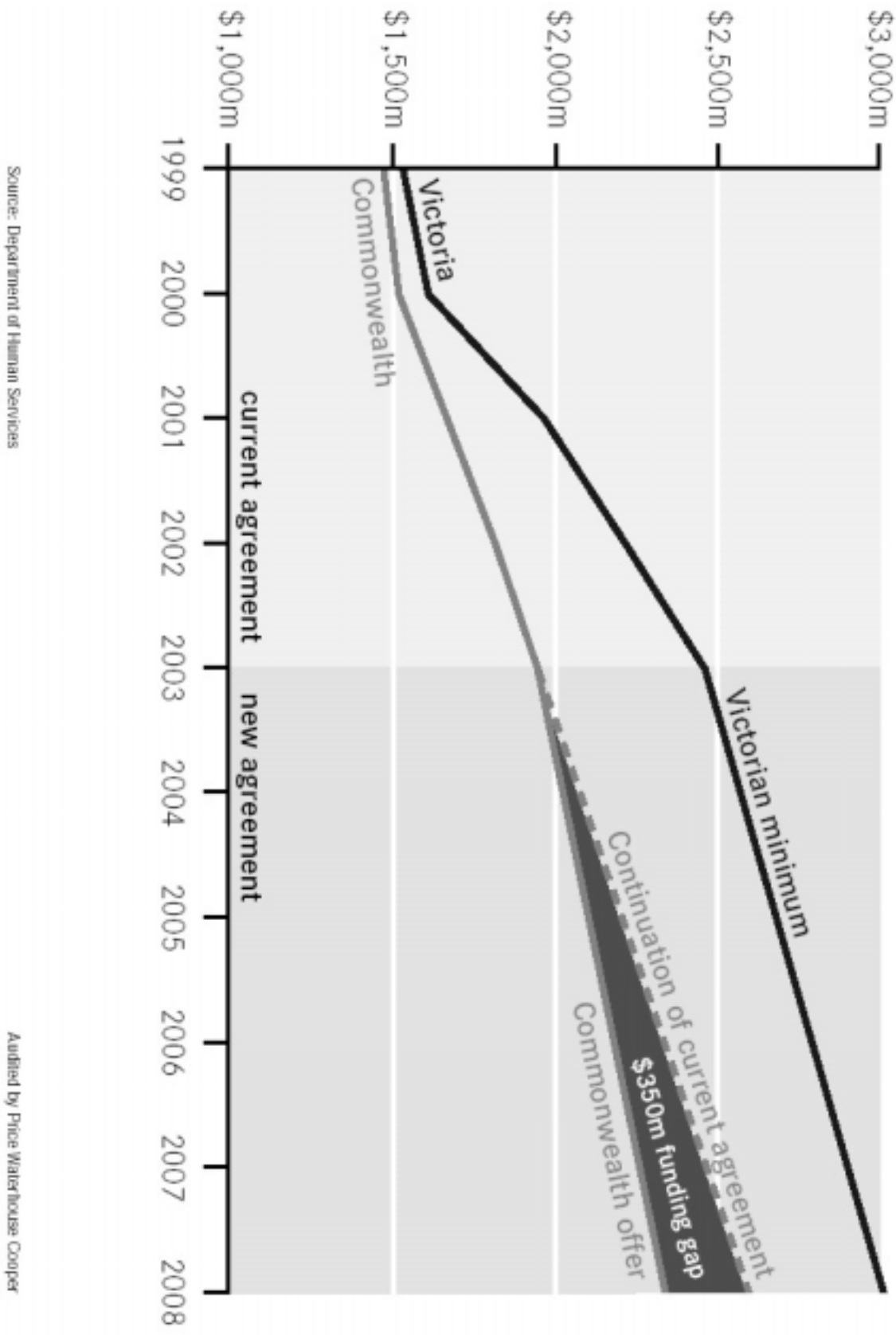
The DEPUTY SPEAKER — Order! The honourable member is aware that this matter has been raised on a number of occasions by both sides of the house about many governments, and the ruling has always been the same. The Chair has no power to direct ministers to enter the house for the adjournment debate. There is no point of order.

Mr Batchelor — On a point of order, Mr Deputy Speaker, 70 per cent of the matters raised on the adjournment debate were dealt with by the appropriate minister.

The DEPUTY SPEAKER — Order! Again there is no point of order.

Motion agreed to.

House adjourned 6.08 p.m.


Public hospital funding in Victoria
$3,000m
$2,500m
$2,000m
$1,500m
$1,000m
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
Victorian minimum
Continuation of current agreement
$350m funding gap
Commonwealth offer
Victoria
Commonwealth
current agreement
new agreement
Source: Department of Human Services
Audited by Price Waterhouse Cooper

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 Assembly.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.

Tuesday, 26 August 2003

Police and emergency services: Victoria Police vehicle fleet

7. **Mr WELLS** to ask the Honourable the Minister for Police and Emergency Services — as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002, how many operational vehicles were deployed —

(1) Across Victoria.

(2) To Traffic Operations Group duties.

ANSWER:

The number of police cars will vary from time to time according to Police requirements.

Police and emergency services: police services at Australian grands prix

14. **Mr WELLS** to ask the Honourable the Minister for Police and Emergency Services —

(1) What was the invoiced amount for police services and when were payments received in respect of each invoice for —

(a) The Australian Formula One Grand Prix held at Albert Park in 2000, 2001 and 2002;

(b) The Australian Motorcycle Grand Prix at Phillip Island in 2000, 2001 and 2002.

(2) What is the expected budgeted cost of police services in 2003 for —

(a) The Australian Formula One Grand Prix to be held at Albert Park;

(b) The Australian Motorcycle Grand Prix to be held at Phillip Island.

ANSWER:

I am advised that:

The charges for police services at these events are in accordance with the cost recovery policies that operated under both the current and previous Government.

Corrections: prisons — costs and staffing

20. **Mr WELLS** to ask the Honourable the Minister for Corrections — With reference to each of HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison —

(1) What was actual annual average cost of keeping a prisoner between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(2) How many full-time, part-time, casual and full time equivalent staff were employed as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002.

(3) What was the average staff to prisoner ratio as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002.

ANSWER:

I am advised that:

Data on the recurrent expenditure per prisoner is published in the *Report on Government Services* of the Steering Committee for the Review of Commonwealth/State Service Provisions (COAG Report) published in early February 2003.

Police and emergency services: speed camera monitoring

23. **Mr WELLS** to ask the Honourable the Minister for Police and Emergency Services — With reference to vehicle speed camera operations in Victoria, of the total number of hours of operation, how many hours, in actual number and percentage terms, were spent in monitoring 50 km/h speed limit zones, as compared to other speed limit zones, between 22 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

ANSWER:

Since the introduction of the 50 km/h speed limit on local roads by the Bracks Government on the 22nd of January 2001, the incidence of casualty crashes in Victoria decreased by 12% and the incidence of pedestrian casualties (fatalities and serious injuries) was down 40% in the first five months alone.

Improving on this, compared to the corresponding period of 2001, for the first four months of 2003, fatalities were down 8% and accidents were down 14%. Pedestrian fatalities were down a significant 32%.

The Bracks Government is committed to reducing the road toll and we will continue to monitor and enforce the 50 km/h limit on local roads as part of our wider enforcement effort. We will strive to make our roads safer for all Victorians.

Police and emergency services: traffic infringement penalty notices

24. **Mr WELLS** to ask the Honourable the Minister for Police and Emergency Services — What were the amounts of revenue generated from traffic infringement penalty notices for breaches of the 50 km/h default speed limit between 22 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–1 December 2002.

ANSWER:

The introduction of the 50 km/h default speed limit is not intended as a revenue raising measure, rather it was introduced to save lives. Since the introduction of the 50 km/h speed limit on local roads by the Bracks Government on the 22nd of January 2001, the incidence of casualty crashes in Victoria decreased by 12% and the incidence of pedestrian casualties (fatalities and serious injuries) was down 40% in the first five months alone.

Improving on this, compared to the corresponding period of 2001, for the first four months of 2003, fatalities were down 8% and accidents were down 14%. Pedestrian fatalities were down a significant 32%.

The Bracks Government is committed to reducing the road toll and we will continue to monitor and enforce the 50 km/h limit on local roads as part of our wider enforcement effort. We will strive to make our roads safer for all Victorians.

Police and emergency services: 50 km/h speed limit breaches

25. **Mr WELLS** to ask the Honourable the Minister for Police and Emergency Services — Of the total number of vehicles tested by speed measuring devices in 50 km/h speed zones, how many vehicles in actual number and in percentage terms breached the 50 km/h limit between 22 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

ANSWER:

Since the introduction of the 50 km/h speed limit on local roads by the Bracks Government on the 22nd of January 2001, the incidence of casualty crashes in Victoria decreased by 12% and the incidence of pedestrian casualties (fatalities and serious injuries) was down 40% in the first five months alone.

Improving on this, compared to the corresponding period of 2001, for the first four months of 2003, fatalities were down 8% and accidents were down 14%. Pedestrian fatalities were down a significant 32%.

The Bracks Government is committed to reducing the road toll and we will continue to monitor and enforce the 50 km/h limit on local roads as part of our wider enforcement effort. We will strive to make our roads safer for all Victorians.

Education services: telecommunications purchasing and management strategy (TPAMS)

41. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the Minister's press statement of 11 February 2003 entitled 'Faster Internet access for hundreds of Victorian schools' —

(1) Has the Minister or the Department of Education and Training been informed as to the date 'later this year' by which TPAMS is due; if not, has the Department made any inquiries as to when precisely TPAMS is due.

(2) What are the itemised, ongoing and once-off costs, if any, to the Department, to schools or to individual agencies or schools whilst TPAMS remains incomplete.

(3) Has there been a delay in the roll-out of broadband to schools caused by the wait for TPAMS; if so, how long is the delay.

(4) On what basis has the Department or the Minister formed the view that TPAMS will deliver broadband 'later this year' and how long afterward does the Department or the Minister anticipate that the 'schools not able to access the enhanced technology' will be upgraded.

(5) How many 'schools not able to access the enhanced technology' are there.

(6) What will 'schools not able to access the enhanced technology' be upgraded to.

(7) How many schools in Victoria currently rely on the completion of TPAMs before they will be eligible to be upgraded.

(8) Who will manage the supply, sourcing and provision of broadband and/or asymmetric digital subscriber line (ADSL) or some other upgrade, to these schools and which schools are not currently eligible for the ADSL technology and why are they not able to access the technology.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Education services: asymmetric digital subscriber line (ADSL)

42. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the Minister's press statement of 11 February 2003 entitled *Faster Internet Access for Hundreds of Victorian Schools* —

(1) On what basis has the Department of Education and Training or the Minister formed the view that ADSL is the most adequate technology or a better technology to meet the broadband needs of schools, students, teachers and the Department of Education and Training than cable, satellite or other broadband technologies.

(2) Is the ADSL technology 'new' or 'enhanced'.

(3) How long term is the ADSL solution.

(4) Is the ADSL solution considered to be 'future proof'.

(5) Have future costs been projected; if so, what do they amount to.

(6) What analysis has been done on the comparative benefits of ADSL, cable, satellite and other broadband technologies in delivering broadband to schools; if so —

(a) who undertook the research;

(b) what were its major findings;

(c) were they reported on; and

If not, on what basis has the Minister or the Department made the decision to proceed with this initial roll out of new technology.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Education services: bandwidth ratios

43. **Mr PERTON** to ask the Honourable the Minister for Education Services — What is the comparative difference in cost and service on a school to bandwidth and a student to bandwidth ratio between the Western Australian Government's 10 megabit per school policy and the Victorian Government's policy.

ANSWER:

I am informed as follows:

The initiative being implemented in Western Australian will not provide 10 megabits of bandwidth to all schools in Western Australia. This level of bandwidth is the maximum bandwidth available and is only available to metropolitan schools. Western Australian schools will receive bandwidths ranging from a 'Remote Data' service,

which provides a 128 kilobit link from the school with a shared satellite link back to the school, up to the maximum available bandwidth.

An analysis of school to bandwidth and student to bandwidth ratios would require detailed current knowledge of all bandwidth allocations and student numbers at each Western Australian school which the Department does not have.

The exact cost of the WA school bandwidth solution is unknown.

Education services: bandwidth needs of state school system

44. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) What analysis has the Department of Education and Training undertaken to gauge the bandwidth needs of the state school system now and into the future, taking into account curriculum changes, multimedia developments and student and teacher uptake and skills development.

(2) Has the Department or another agency undertaken a needs analysis; and —

(a) if not, why;

(b) if so, is there a report; and

(c) if there is a report, by whom has the report been written.

(3) How far into the future is the strategy projected.

(4) What key factors and limitations were considered.

(5) What will be the itemised costs.

(6) What resources are there within the Department that will meet the identified needs.

(7) What are the schools and regions most in need.

(8) What are the schools and regions least in need.

(9) What are the schools best served by the Government's broadband policy and where are they located.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Education services: Department of Education and Training telecommunications needs and purchasing

45. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) To what extent does the Department either determine or help to determine telecommunications needs and purchasing now and in the foreseeable future.

(2) What resources within the Department and in other agencies are allocated to this task.

(3) What are the key performance indicators that broadband objectives are required to meet.

(4) What are the future targets and present day outcomes for network capacity.

ANSWER:

I am informed as follows:

Under the existing VicOne contract arrangements, the Department funds a base level of bandwidth for each site within the Department, including schools and TAFE Institutes, to provide for the data communications needs of those sites. The Department monitors the utilisation of the existing telecommunications infrastructure for schools and has investigated and implemented strategies such as the provision of the VicOne Schools Asymmetric Digital Subscriber Line (ADSL) Service.

In relation to telephone calls services, Central, Regional and Agency sites are required to purchase these services from whole of government panels, and have appropriate arrangements in place. Schools and TAFE Institutes are not mandated to purchase from these panels. However, the Department uses its relationship with the panellists to negotiate improved rates for all schools and TAFE Institutes.

The Department provides central project officers and technical officers, in addition to external contractors, to deal with matters relating to telecommunications.

To support schools and school personnel the Department provides technical support officers and funding for the local requirements of individual schools.

The current use of ICT by students, teachers and administrators in schools and TAFE institutes varies enormously and a reliable model for forecasting data communications requirements in the education and training sectors is not available. This situation is reflected nationally.

Education services: centres of excellence in languages

46. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the establishment of three centres of excellence in languages —

(1) Where will the centres be established.

(2) Who will have access to these facilities.

(3) Who will not have access to these facilities.

(4) What will be the eligibility criteria.

(5) What will be the indicators of success.

(6) What will be the languages taught at each centre.

(7) Against what criteria will the languages be selected.

(8) What programs and facilities will these centres offer.

(9) How much of the $6 million allocated to language education will be allocated to the development of these programs.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and it would be more appropriately directed to the Minister for Education and Training.

Education services: Victorian schools of languages

47. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the establishment of an additional five Victorian schools of languages —

(1) What new programs or resources will these schools provide compared with the existing School of Languages.

(2) How much of the $6 million allocated to language education will be allocated to the development of these programs.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and it would be more appropriately directed to the Minister for Education and Training.

Education services: rural teachers retrain program

48. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to retraining rural teachers into language teachers through the program —

(1) What previous teaching qualifications will be required for entry into this retraining.

(2) What will be the duration of the retraining program.

(3) How much of the $6 million allocated to language education will be allocated to this program.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments. The program is not due to commence until 2004–05 financial year.

Education services: access to excellence program

49. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) What is the working definition of 'excellence' for the purpose of the program.

(2) What are the factors inhibiting teenagers' engagement at school which the program will address and how will the program address these problems.

(3) What methods will be used to gauge the effectiveness of the program on teenage engagement.

(4) What criteria define an approach as 'locally relevant' and who will undertake this assessment and make the determination.

(5) What criteria will be applied to determine if an approach is 'innovative'.

(6) Which programs have been deemed not to be 'innovative'.

(7) Which schools classify as schools in need of 'assistance to achieve outcomes' for the purposes of the program.

(8) Who in the Department of Education and Training makes these determinations.

(9) What are the criteria used to determine these decisions.

(10) What outcomes will the program help these schools achieve.

(11) What methods will be used to measure performance.

(12) What will be the ratio of teachers to students within the program.

(13) How many additional hours of contact on a per student basis does the program anticipate per year.

(14) What method or methods will be used to measure the effectiveness in the schools involved in this project of the 300 additional teachers in the system with reference to their impact on —

(a) absenteeism;

(b) literacy levels;

(c) numeracy levels;

(d) retention rates; and

(e) post-school transition.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and it would be more appropriately directed to the Minister for Education and Training.

Education services: students with disabilities and impairments

50. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the allocation of funds to be provided to students with disabilities and impairments —

(1) To what degree has the demand for services risen since 1999.

(2) What are the eligibility criteria for a student to be considered to have a disability and thus benefit from these services.

(3) How have these criteria changed since 1999.

(4) How will the additional $15 million promised in the Government's election policy be used to support these students.

ANSWER:

I am informed as follows:

(1) The Program for Students with Disabilities provides additional resources to Government schools for the support of students with disabilities. Demand for support through this program has undergone continued growth since its implementation in 1995.

(2) The Department of Education and Training eligibility criteria for the Program for Students with Disabilities are based on internationally recognised World Health Organisation definitions of disabilities. The criteria are outlined in Booklet 1 Program for Students with Disabilities Handbook which is available on the web site: http://www.sofweb.vic.edu.au/wellbeing/disabil/index.htm.

(3) The criteria for the program have remained essentially unchanged since 1999. However, all criteria are regularly reviewed in order to align them with current recommendations based on the World Health Organisation definitions of disabilities.

(4) This question relates to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: student welfare in primary schools

51. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) What qualifications will the proposed 256 primary school welfare officers be required to have.

(2) How will the needs of each school be determined when distributing the 256 welfare officers.

(3) How many welfare officers will be appointed in 2003–2004.

(4) How many schools will benefit.

(5) How many schools will not benefit.

(6) What will be the number of hours per term per school deemed to define a benefit.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: Internet costs in non-government schools

52. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the allocation of $8 million towards internet costs in non-government schools connected to the VicOne network —

(1) How will this funding be divided between the Catholic and Independent sectors.

(2) Will Catholic or Independent School funding be reduced.

(3) On what basis has funding previously been provided for this purpose in Catholic and Independent sectors.

(4) What are the itemised conditions on which the funding is contingent.

(5) For how long must schools connect.

(6) To what extent must schools match Government contributions.

(7) Are there schools in these sectors who qualify as 'schools not able to access the enhanced technology' as is the case with State schools; if so, what are the names of these schools and what provision will be made for them.

(8) Will schools not able to access the enhanced technology be eligible to access the benefits of the Telecommunications Purchasing and Management Strategy, and what are these benefits.

(9) With reference to the $8 million allocation —

(a) what is the objective of the inducement;

(b) what are the outcomes, benchmarks or targets is it designed to achieve;

(c) what is the intended public benefit; and

(d) what is the return on investment.

(10) In what ways will this initiative impact on traffic on the Government's internet system.

(11) Will this initiative reduce costs in the State school, Government and Departmental internet systems.

(12) What is the operative departmental definition of the Government's internet system.

(13) Who provides the Government's internet system.

(14) Was the VicOne contract extended, rolled over or renewed; if so, on what date did this occur.

(15) Is the Government's internet system equivalent to VicOne.

(16) What is the term of the current VicOne contract and what conditions, if any, have been varied; if so, what are the conditions.

(17) Is the funding to Independent and Catholic schools conditional on schools connecting to a preferred private sector provider or to the Government's internet system, whomever it may be provided by.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Education services: completion of new schools

53. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to each of Lynbrook Primary School located south east of Dandenong, 'Cheese Factory' Primary School located at Centre Road, Berwick, Strathaird Primary School located in Narre Warren South, Roxburgh Park North Primary School, Jamieson Way Primary School located in Point Cook, Truganina South Primary School located north of Werribee, Tarneit Primary School located north west of Werribee, Mill Park Lakes Primary School, Mill Park Lakes Secondary School, Laurimar Park Primary School located near Yan Yean, Epping North Primary School, Caroline Springs School Years 9–12 Campus, Timbarra Secondary School located in Berwick, Wallan Years 7–8 Campus, Somerville Years 7–10 Campus as announced in August 2002 and Caroline Springs Prep to Year 8 Campus as announced in August 2002 —

(1) In what time frame is the school proposed to be completed.

(2) When will works commence.

(3) How many students will be accommodated.

(4) What will be the proposed specialisations at the school.

(5) Will it be fitted with a sprinkler system.

(6) Will the buildings have security alarms.

(7) How many fire exists are proposed.

(8) What sports facilities, ovals and playgrounds are proposed.

(9) What network capacity is the school proposed to be connected to.

(10) Will the buildings have air conditioning or cooling installed.

(11) What is the proposed budget for construction of the buildings.

(12) What is the proposed budget for fittings and what itemised fittings are proposed.

(13) Are works including bus stops and crossings proposed to be funded; if not, by whom will these works be funded and under what allocation.

(14) What is the proposed life cycle of the school.

(15) Will it be built to accommodate community and further learning.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments for all schools listed except Timbarra Secondary College.

This information is available publicly and implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: class room replacement program

54. Mr PERTON to ask the Honourable the Minister for Education Services —

(1) How much of the $14 million already allocated to the relocatable upgrade program has been spent.

(2) What classifies as an 'older' portable.

(3) When will the 600 older portable classrooms be removed.

(4) Will these portables be destroyed once removed.

(5) When and how will the portables be destroyed.

(6) Against what criteria will the decision be made to provide double classroom relocatable units or to build permanent classrooms.

(7) What schools will benefit from these new classrooms.

(8) How many and which schools have applied for new classrooms.

(9) How many and which schools have applied for new relocatables.

(10) How many and which schools have applied for relocatables to replace portable stock.

(11) How many and which schools have applied for new classrooms to replace relocatable or portable stock.

(12) Is there a waiting list for relocatables; if so, what are the names of the schools on the list.

(13) Is there a waiting list for new permanent classrooms; if so, what are the names of the schools on the list and what is the average length of time schools must wait.

(14) What is the cost to —

(a) install a new relocatable;

(b) remove an older portable; and

(c) maintain an older portable.

(15) Is maintenance being undertaken on portables which Departmental management and budgeting practices would define as inefficient.

(16) What is best practice in relation to the management of relocatable and portable stock.

(17) What is the most number of older portables currently sited at a school or schools and what are the names of these school or schools.

(18) What other urgent upgrades of school facilities will be catered for with the additional funding.

ANSWER:

I am informed as follows:

The majority of these questions relate to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitment during this term of office.

In respect of the following parts of the question, I am informed as follows:

(1) The entire $14 million has been spent.

(2) Portable classrooms are single classroom relocatable buildings comprising two modular units. The age of portable classrooms vary, with the oldest buildings being constructed in the early 1960s. 'Older' portable classrooms were built in this era.

Education services: environmentally friendly schools policy

55. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) What are the design principles that will ensure new schools have a low environmental impact.

(2) In relation to the design principles —

(a) who will determine them and over what period of time;

(b) what methods of consultation will be used.

(3) What constitutes a low environmental impact for the purposes of a school.

(4) What measurements will be put in place to gauge the success of these design principles.

(5) What criteria will be used to determine environmental unfriendliness in —

(a) impact; and

(b) materials.

(6) What criteria will be used to determine environmental friendliness in materials and how will Government budgeting constrain these considerations.

(7) What is the policy on recyclable construction materials.

(8) What will be done to upgrade existing stock to ensure environmental friendliness.

(9) Against what criteria are schools currently judged to be environmental or un-environmental.

(10) Has there been an audit of all stock to determine levels of friendliness and impact; if not, will this take place; if so, who will undertake it and when will the details of such an audit be made publicly available.

ANSWER:

I am informed as follows:

A Building Quality Standards Handbook has been prepared by the Department for use by designers for all government schools. A copy of the handbook is available through www.sofweb.vic.edu.au/facility.

Education services: facilities for excellence

56. Mr PERTON to ask the Honourable the Minister for Education Services —

(1) Has any of the $80 million allocated to these facilities already been committed.

(2) In relation to facilities that have been completed or are close to completion, for each category —

(a) how many are there;

(b) when were they completed and where are they located;

(c) were these facilities completed within budget;

(d) which facilities were under budget or over budget; and

(e) are the facilities within environmental impact parameters.

(3) Have the new facilities for innovative programs been implemented; if so, where.

(4) Against what criteria is innovation measured.

(5) How are the areas of specialisation for each local community determined.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: rural campus learning program

57. Mr PERTON to ask the Honourable the Minister for Education Services —

(1) When will the two new rural learning campuses be built.

(2) On what basis will their location be chosen.

(3) What services and programs are the campuses proposed to provide.

(4) How much will each campus cost.

(5) How many students will have access to the facilities.

(6) On what basis will eligibility be determined.

(7) Will the facilities be privately managed.

(8) What will be the annual throughput of students.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: community facilities fund

58. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) Have applications from schools been sought for the use of these funds; if so, from which schools.

(2) Has the any of the $30 million in the fund been delivered to schools.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: schoolyard blitz program

59. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) By what date will an expert coordinator and maintenance crew be employed in each region.

(2) Against what criteria will their performance be measured.

(3) What will be the minimum qualifications or prerequisites for appointment.

(4) In relation to the occupational health and safety implications of the initiative —

(a) what, if any, consideration has been made; and

(b) is there a report; if so, who has undertaken this research.

(5) Does the Program supplant parent working bees.

(6) How does the Program fit with existing capital works and programs.

(7) How much of the $10 million allocated, as promised in the Government's election policy, will be wages.

(8) What are the insurance liabilities and costs and has this been budgeted for.

(9) Has the $5,000 per school, as promised in the Government's election policy, been allocated to schools for materials; if not, when will it be allocated.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments. Implementation details are in progress.

The Government will deliver on its election commitments during this term of office.

Education services: security fencing at schools

65. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the announcement by the New South Wales Government of a program for building security fences at every school by 2007 —

(1) Is there an existing program in Victoria for rolling out security fences; if so —

(a) what are the details of the program; and

(b) what schools have received security fences under the program.

(2) Has the Government examined the New South Wales plan; if so —

(a) what advice has the Government received on the program;

(b) who has given the advice; and

(c) is this advice in writing.

ANSWER:

I am informed as follows:

The Department's Emergency and Security Management Branch provides schools with a 24 hour Communications Centre to monitor and respond to school alarms and emergency management issues. The Communications Centre has direct communications with police by either phone or police radio. Victoria is the only security unit in the country to have direct communications with police on police radio and ensures that schools receive a priority response. The staff at the centre also provide advice to schools through a range of training seminars, web sites and visits to schools in matters relating to security and emergency management.

The Branch also participates in a group called National Association of School Security and Emergency Managers developed through a Victorian initiative to benchmark and compare services. Victoria has always been considered the benchmark that the other state participants including NSW strive to achieve.

Over 90% of Victorian Government Schools are alarmed with the most modern alarm equipment available. The alarm systems are monitored and responded to by the Department's 24 hour Communications Centre.

The Emergency and Security Management Branch provide a 24 hour hotline for the provision of security and emergency management advice.

Education services: school intruder laws

66. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the announcement by the New South Wales Government of new school intruder laws that will 'see people who enter schools and intimidate teachers and pupils face five new offences and a sentence of up to 12 years imprisonment' —

(1) Has the Government examined this proposal; if so, what is the Government's policy.

(2) Does the Government believe intimidation of teachers and students is a problem in Victorian schools.

(3) How many incidences of intimidation of teachers in total were reported to the Department in 2000, 2001 and 2002.

(4) How many incidences of intimidation of teachers by intruders or visitors on school premises were reported to the Department in 2000, 2001 and 2002.

(5) How many incidences of intimidation of teachers by students on school premises were reported to the Department in 2000, 2001 and 2002.

(6) How many incidences of assault of teachers in total were reported to the Department in 2000, 2001 and 2002.

(7) How many incidences of assault of teachers by intruders or visitors on school premises were reported to the Department in 2000, 2001 and 2002.

(8) How many incidences of assault of teachers by students on school premises were reported to the Department in 2000, 2001 and 2002.

(9) What training is available to school principals in handling violence.

(10) How many of the existing principals have availed themselves of this training.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Part 2 of the Question seeks an opinion and is therefore not required to be answered.

Transport: payments to public transport operators

79. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) Excluding incentive payments previously highlighted in the *Track Record* quarterly publication, what additional payments have been made for each month between January 2002 and March 2003 to —

(a) Yarra Trams;

(b) Connex;

(c) M Train;

(d) M Tram; and

(e) V/Line Passenger.

(2) What was each payment made for.

ANSWER:

Details of payments made by Government to the tram and train franchisees are published in the transport publication 'Track Record'. Additional payments are included under the heading of 'Other Contractual Payments'.

Track Record is available from the Department of Infrastructure web site www.doi.vic.gov.au or from the Public Transport Division.

Transport: M Tram DI class trams

81. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) Why are the new M Tram Siemens DI class 'Combino' three section trams still not being used in regular revenue service on Saturdays and Sundays.

(2) Were 11 DI class trams available for service at the Malvern Depot on 25 March 2003.

ANSWER:

On the advice provided to me I make the following response:

(1) The Combino Trams are being used on weekends.

(2) On 25 March 2003 all Combino Trams were operating except for the two which were being serviced.

Transport: gauge standardisation

82. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) When will gauge standardisation conversion works begin on the sections of broad gauge track between —

(a) Yelta and Dunolly;

(b) Maryborough and Gheringhap via Lal Lal;

(c) Ouyen and Pinaroo;

(d) Dunolly and Robinvale;

(e) Korong Vale and Kulwin;

(f) Mangalore and Tocumwal;

(g) Benalla and Oaklands;

(h) Shepparton and Dookie;

(i) Toolamba and Echuca;

(j) Echuca and Deniliquin;

(k) Barnes and Moulamein; and

(l) Heywood and the South Australian border.

(2) What is the currently scheduled completion date for each of these projects.

(3) How much of the 2002–2003 budgeted allocation has been spent on gauge standardisation (excluding works at the Ports of Melbourne and Geelong) to 25 March 2003.

(4) Is the Seymour to Wodonga broad gauge line still scheduled for closure and replacement by the adjacent Melbourne–Sydney standard gauge line; if so, when will this project —

(a) start; and

(b) be completed.

(5) Is the Strathmerton–Cobram line currently closed or unserviceable for traffic.

(6) Will the Strathmerton–Cobram line be gauge converted; if so, when will the works —

(a) commence; and

(b) be completed.

ANSWER:

Negotiations are continuing with Freight Australia and other rail users about cooperative arrangements for progressing standardisation, track access and other freight development issues. Details of funding and implementation arrangements for standardisation of rail lines are contained in the 2003/2004 Budget Papers and media release dated May 6, 2003.

Education services: Schools TV program

83. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the Department of Education and Training's Schools TV Program —

(1) How many staff are employed.

(2) What programs were produced in 2000, 2001, 2002 and in 2003 to date.

(3) What programs are planned for 2003 and 2004.

(4) How many hours of programming were transmitted via satellite.

(5) How many hours of programming were transmitted via broadband.

(6) How many hours of programming were transmitted via the internet other than by broadband.

(7) How many hours of videoconferenced classes were transmitted.

(8) Have there been any reviews into the performance and effectiveness of the Schools TV Program; if so, what are the reviews.

(9) What is the budget for the Schools TV Program in 2002–2003.

ANSWER:

I am informed as follows:

There are eight (8) full-time staff employed to run the schools TV program.

The Department of Education and Training conducts regular evaluations of the performance and effectiveness of Schools' Television.

The 2002–2003 budget for the Schools' Television service is $724,900 for recurrent and capital costs.

Education services: school maintenance

84. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the Minister's reply to a Question Without Notice on 20 March 2003 —

(1) What does the Minister mean by the word 'eligible' in the phrase 'eligible priority zero maintenance items'.

(2) Are there any priority zero items in the 2000 audit which have not been funded; if so, why and at what schools are such unfunded items.

(3) Has there been any increase in schools' global budget to fund priority 1 items.

(4) What criteria applies to the distribution of the supplementary funding.

(5) How many applications were made for supplementary funding in 2000, 2001, 2002 and 2003.

(6) How many applications were approved for supplementary funding in 2000, 2001, 2002 and 2003.

ANSWER:

I am informed as follows:

The word 'eligible' means those priority zero maintenance items which are not related to out-buildings, relocatable buildings or buildings which are subject to current or impending capital works projects. Those items which are not eligible have not been funded.

Supplementary funding was provided to all schools not on a capital works program, for eligible zero items which exceeded in cost the 50% of each School Global Budget allocation set aside for maintenance items identified by PRMS.

Further funding has been provided in supplementation to schools which:

– have completed capital works and have then proceeded to carry out the zero items which were not included in the capital works project;

– have had lower priority items deteriorate more rapidly than expected and have had additional supplementation allocated to carry out these works.

Education services: computer outsourcing at Belmont high school

85. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to a letter dated 17 January 2003 sent to the Minister by a Geelong resident regarding computer outsourcing at Belmont High School in Geelong in which it was alleged that —

An advertisement by a company known as ixp3.com offered the work at the rate of $21.00/hour; an earlier Time Technology Australia advertisement set out the rate at $25.00/hour and further described it as in the 'Belmont area of the Barwon South area' and both are for work at the Belmont High School in Geelong; the advertisements were both listed on the Seek web site in early December 2002; there is no disputing the fact it is the same job; there is no disputing the fact the rates are significantly different; and the vexing issue is the 'outsource food chain' and this has been confessed quite openly by ixp3.com and the practice can only be described as stunningly effective wastefulness.

Are the allegations correct; if so, what is the explanation for the matters observed by the Geelong resident.

ANSWER:

I am informed as follows:

I am advised that the situation described is part of the normal, appropriate quotation process for the procurement of Technical Support for Schools under contracts established through tendering.

Education and training: intervention in underperforming schools

86(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 relating to underperforming schools —

(1) Have any detailed criteria been prepared against which a decision to intervene will be triggered.

(2) What data or information has already been collected by the Department of Education and Training on school performance and, more specifically, underperformance, as noted that in the document where it is stated that intervention will be based on available information covering student results, participation, stakeholder surveys and relevant other indicators.

(3) Whether the Department allowed underperforming schools to continue operating without doing anything; if so, what has been the impact on students.

(4) Is any advice available to indicate that intervention is warranted in any schools; if so —

(a) what are those schools; and

(b) what discussions have begun on developing a school development strategy for those schools.

ANSWER:

I am informed as follows:

The Department uses a 'balanced scorecard' approach in assessing school performance and takes into account a range of data and relevant contextual information.

The Government is committed to maximising opportunities for all students and through a combination of support and intervention all schools are encouraged to pursue excellence.

The Department provides advice, support and a range of tools to all schools to tackle specific weaknesses and build on strengths.

Education services: intervention in underperforming schools

86(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 relating to underperforming schools —

(1) Have any detailed criteria been prepared against which a decision to intervene will be triggered.

(2) What data or information has already been collected by the Department of Education and Training on school performance and, more specifically, underperformance, as noted that in the document where it is stated that intervention will be based on available information covering student results, participation, stakeholder surveys and relevant other indicators.

(3) Whether the Department allowed underperforming schools to continue operating without doing anything; if so, what has been the impact on students.

(4) Is any advice available to indicate that intervention is warranted in any schools; if so —

(a) what are those schools; and

(b) what discussions have begun on developing a school development strategy for those schools.

ANSWER:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will respond to the Member.

Education and training: school sprinkler systems

87(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to a statement by the Minister for Education and Training that, in the light of recent schools fires, she would conduct a review of the material on the installation of sprinkler systems in all schools —

(1) What are the time lines for such a review and who will conduct it.

(2) What reports does the Minister have on the cost-benefit analysis of installing sprinklers in —

(a) existing schools;

(b) new schools; and

(c) portables.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: school sprinkler systems

87(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to a statement by the Minister for Education and Training that, in the light of recent schools fires, she would conduct a review of the material on the installation of sprinkler systems in all schools —

(1) What are the time lines for such a review and who will conduct it.

(2) What reports does the Minister have on the cost-benefit analysis of installing sprinklers in —

(a) existing schools;

(b) new schools; and

(c) portables.

ANSWER:

I am informed as follows:

The review is currently under way by the Department of Education and Training.

Education services: asbestos in schools

88. **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the announcement by Minister for Workcover that asbestos is to be banned in construction and manufacturing activities in Victoria and the New South Wales Government announcement that all New South Wales Government schools, will be subject to an asbestos audit —

(1) How many of the schools, as referred to in a 2001 statement by the then Minister for Education regarding individual asbestos management plans for all Victorian schools have complied with their asbestos management plans.

(2) How many of these schools have failed to carry out their asbestos management plans.

(3) Has there been any subsequent audit on compliance with the management plans and continuing risk to students.

(4) Is there any continuing risk to students; if so, in which schools.

ANSWER:

I am informed as follows:

All schools are required to develop and implement asbestos management plans.

Compliance with asbestos management procedures was checked in all schools in 2000/01.

All friable asbestos material has been removed. The remaining material painted and sealed and is therefore considered safe.

The Asbestos Management Plans detail procedures for schools to follow should this material be broken or disturbed.

Education services: primary school integration aides

89. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) For each of 1999–2000, 2000–2001, 2001–2002 and 2002–2003 to date —

(a) what was the budget for integration aides;

(b) how many full-time integration aides were employed; and

(c) how many part-time integration aides were employed.

(2) For each of 1999, 2000, 2001, 2002 and 2003 to date —

(a) how many applications were made for integration aides; and

(b) how many applications were made that did not receive support.

(3) How many appeals into departmental decisions were received and how many were successful.

(4) What are the criteria applied to the applications.

(5) How many students meeting World Health Organisation criteria as needing and requiring integration aides have not received aides.

(6) How many students meeting World Health Organisation criteria as needing and requiring full-time integration aides have not received full-time aides.

(7) How many of the students referred to in (5) and (6) were supported in regular or mainstream schools.

ANSWER:

I am informed as follows:

The Program for Students with Disabilities provides over $200 million per year for additional resources to Government schools for the support of students with disabilities.

Applications are made to the Program for Students with Disabilities to provide additional resources to government schools for the support of students with significant educational needs. The decision relating to the most appropriate type of support for a student is taken at the school level, with Program Support Groups providing advice to the Principal in each case. The most appropriate support for a student may, or may not include an Integration Aide. Therefore, a specific budget for Integration Aides is not provided to schools. This applies to the period of 1999–2003.

Within the Disability Program, and through school based decisions supported by the Program Support Groups, Integration Aides have been employed as follows:

– 2003 — confirmed data is unavailable.

– 2002 — approximately 4,700 Integration Aides were employed; most Aides were part time. This equated to approximately 2,850 Equivalent Full Time (EFT) Aides.

– 2001 — approximately 4,500 Integration Aides were employed; most Aides were part time. This equated to approximately 2,700 Equivalent Full Time (EFT) Aides.

– 2000 — approximately 2,900 Integration Aides were employed; most Aides were part time. This equated to approximately 1,800 Equivalent Full Time (EFT) Aides.

– 1999 — data is unavailable.

A school may appeal a decision regarding a student's eligibility for the program or the level of funding provided by submitting additional information through a reappraisal process or resubmitting an application with additional information included. In either circumstance the information is assessed against the eligibility criteria.

The Department of Education and Training's eligibility criteria for the Program for Students with Disabilities is available on the Department's web site: http://www.sofweb.vic.edu.au/wellbeing/disabil/index.htm.

Education and training: Maribyrnong Secondary College

93(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Maribyrnong Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 60 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 21.

(7) What explanation is there for the school having only two students having a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)

The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)

Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Maribyrnong Secondary College

93(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Maribyrnong Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 60 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 21.

(7) What explanation is there for the school having only two students having a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Broadmeadows, Lalor and Peter Lalor secondary colleges

94(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and each of Broadmeadows, Lalor and Peter Lalor Secondary Colleges —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in any of the schools pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the schools pursuant to any such decision to intervene.

(4) Have the interventions been assessed as successful.

(5) What explanation is there for the schools each having a 2002 VCE median study score of only 22.

(6) What explanation is there for the schools each having only one student with a 2002 VCE study score of 40 or more.

(7) In which classes at each of the schools in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(7) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Broadmeadows, Lalor and Peter Lalor secondary colleges

94(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and each of Broadmeadows, Lalor and Peter Lalor Secondary Colleges —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in any of the schools pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the schools pursuant to any such decision to intervene.

(4) Have the interventions been assessed as successful.

(5) What explanation is there for the schools each having a 2002 VCE median study score of only 22.

(6) What explanation is there for the schools each having only one student with a 2002 VCE study score of 40 or more.

(7) In which classes at each of the schools in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Box Forest Secondary College

95(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Box Forest Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 72 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 22.

(7) What explanation is there for the school having only two students with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)

The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)

Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Box Forest Secondary College

95(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Box Forest Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 72 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 22.

(7) What explanation is there for the school having only two students with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Fawkner Secondary College

96(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Fawkner Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 78 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 22.

(7) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

The performance information sought on this school is not readily available as protocols exist around the public release of the data pertaining to each of the requested items.

These protocols mean that it is the prerogative of an individual school to release such information.

The performance of all schools is analysed annually and a number of Department officers both in the central office and regional offices are engaged in school improvement work both of a policy nature and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum, School Improvement, Teacher Learning and Innovation and Excellence.

Details of the Framework for reform are available at www.det.vic.gov.au

Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Fawkner Secondary College

96(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Fawkner Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 78 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 22.

(7) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Erinbank Secondary College

99(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Erinbank Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 66 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 19.

(7) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Erinbank Secondary College

99(b). **Mr PERTON** to ask the honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Erinbank Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 66 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 19.

(7) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Merrilands Secondary College

100(a). Mr PERTON to ask the honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Merrilands Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 57 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having only one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Merrilands Secondary College

100(b). Mr PERTON to ask the honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Merrilands Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 57 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having only one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Corio Bay Secondary College

101(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Corio Bay Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 59 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Corio Bay Secondary College

101(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Corio Bay Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 59 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Westernport Secondary College

102(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document Improved Education Outcomes: A Better Reporting and Accountability System for Schools and to Initiative 7 and Westernport Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 75 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having only one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Westernport Secondary College

102(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Westernport Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 75 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having only one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Laverton Secondary College

103(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Laverton Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 71 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Laverton Secondary College

103(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Laverton Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 71 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Kealba Secondary College

104(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Kealba Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 56 per cent rate satisfactory 2002 VCE and VET completions.

(6) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5) Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(6) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Kealba Secondary College

104(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Kealba Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 56 per cent rate satisfactory 2002 VCE and VET completions.

(6) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Altona Secondary College

105(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Altona Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 67 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(7) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(7) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Altona Secondary College

105(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Altona Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 67 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having no student with a 2002 VCE study score of 40 or more.

(7) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Cleeland Secondary College

106(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Cleeland Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) What explanation is there for the school having only a 71 per cent rate satisfactory 2002 VCE and VET completions.

(3) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2) Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(3) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Cleeland Secondary College

106(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Cleeland Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) What explanation is there for the school having only a 71 per cent rate satisfactory 2002 VCE and VET completions.

(3) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Albert Park, Bayside, Copperfield, Craigieburn, Epping, Ferntree, Heatherhill, Lalor North, Reservoir District and South Oakleigh secondary colleges

108(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document Improved Education Outcomes: A Better Reporting and Accountability System for Schools and to Initiative 7 and each of Albert Park, Bayside, Copperfield, Craigieburn, Epping, Ferntree, Heatherhill, Lalor North, Reservoir District and South Oakleigh Secondary Colleges —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) In which classes at each of the schools in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on these schools is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of each individual school to release such information.

(2) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Albert Park, Bayside, Copperfield, Craigieburn, Epping, Ferntree, Heatherhill, Lalor North, Reservoir District and South Oakleigh secondary colleges

108(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and each of Albert Park, Bayside, Copperfield, Craigieburn, Epping, Ferntree, Heatherhill, Lalor North, Reservoir District and South Oakleigh Secondary Colleges —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) In which classes at each of the schools in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Mooroolbark Primary School

109(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Mooroolbark Primary School —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and a number of Department officers both in the central office and regional offices are engaged in school improvement work both of a policy nature and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

Education services: Mooroolbark Primary School

109(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Mooroolbark Primary School —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: mathematics teachers in state secondary and primary schools

110(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to each of Victorian state secondary and primary school mathematic classes what information does the Minister or the Department of Education and Training have on how many classes are been taught by teachers with —

(1) No tertiary qualifications in mathematics.

(2) No training in the teaching of mathematics.

(3) Little or no mathematics backgrounds.

ANSWER:

I am informed as follows:

I believe this question has also been directed to the Minister for Education Services who will provide a response.

Education services: mathematics teachers in state secondary and primary schools

110(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to each of Victorian state secondary and primary school mathematics classes what information does the Minister or the Department of Education and Training have on how many classes are being taught by teachers with —

(1) No tertiary qualifications in mathematics.

(2) No training in the teaching of mathematics.

(3) Little or no mathematics backgrounds.

ANSWER:

I am informed as follows:

All teachers are now required to be registered with the Victorian Institute of Teaching prior to commencing employment in Victorian schools. Teachers' personnel records, including qualifications details, are held by individual schools.

Teacher training and experience in the classroom provide teachers with the pedagogy to teach across a range of subject areas, including areas that they may not have formally trained for during their training years. In order to meet changing school community expectations and requirements and to make effective use of existing resources, principals are required to make judgments, in consultation with the teachers concerned, about how individual teaching skills and experience and qualifications can best be used to meet student needs.

There are a range of issues associated with determining appropriate qualifications necessary to teach particular subjects. These issues include the year level being taught, the needs of the students, the subject area and knowledge required to master the subject content, the competence, experience and rapport that a particular teacher may have with the students concerned and the particular learning structures in place at particular schools.

Education and training: qualified mathematics teachers

111(a). Mr PERTON to ask the Honourable the Minister for Education and Training — Whether the Government can guarantee that all Victorian secondary mathematics students are being taught by qualified mathematics teachers; if not, why.

ANSWER:

I am informed as follows:

I believe this question has also been directed to the Minister for Education Services who will provide a response.

Education services: qualified mathematics teachers

111(b). Mr PERTON to ask the Honourable the Minister for Education Services — Whether the Government can guarantee that all Victorian secondary mathematics students are being taught by qualified mathematics teachers; if not, why.

ANSWER:

I am informed as follows:

Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications; however, teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education and training: mathematics teachers in state primary schools

112(a). Mr PERTON to ask the Honourable the Minister for Education and Training — How is the Government ensuring that primary teachers have adequate mathematical skills to improve student numeracy outcomes.

ANSWER:

I am informed as follows:

Funding of $34.6 million over four years has been provided through 2003 School Global Budgets to all government schools with prep to year 4 enrolment to support the provision of early years numeracy coordination. The coordination role encompasses professional development for teachers focusing on issues relating to mathematics teaching and learning and content.

Early Years Numeracy Program Teacher Packs and Parent Packs have been distributed free to all government schools in Victoria with a prep to year 4 enrolment. Key features of these resources are mathematics teaching and learning and content. Further details about resources can be found at http://www.sofweb.vic.edu.au/eys/num/numclass.htm

To ensure that teachers of middle years students have improved skills to support students' numeracy learning, a six day professional development program in Middle Years Numeracy has been developed and delivered to regional Numeracy Leaders. Numeracy Leaders will train school based coordinators who will in turn work with their teachers. Materials that have been developed to support this professional development include a CD-ROM of the training program, and additional resources including print materials and online resources will be provided to these Leaders and to all schools progressively.

Education services: mathematics teachers in state primary schools

112(b). Mr PERTON to ask the Honourable the Minister for Education Services — How is the Government ensuring that primary teachers have adequate mathematical skills to improve student numeracy outcomes.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: mathematical literacy statistics

113(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the Organisation for Economic Cooperation and Development's (OECD) Program for International Student Assessment recent statistics —

(1) How is the Government addressing the problem of mathematical literacy from age 15 onwards, considering Victoria has one of the worst proportions of 15-year-old students at or above the OECD mean for mathematical literacy in Australia in 2000.

(2) How is the Government addressing the problem of mathematical literacy of students from low socioeconomic families, who are persistently performing lower than the state average of all students in mathematical literacy.

(3) How is the Government addressing the problem of mathematical literacy of Indigenous students, who are persistently performing lower than the national average of all students in mathematical literacy.

ANSWER:

I am informed as follows:

(1) The report of the OECD Programme for International Student Assessment (PISA) –'*How Literate are Australia's Students?'* makes the following statement about the results comparable by state and territory in relation to mathematical literacy:

> '*The chart [summarising comparative state and territory performance] shows an almost uniform pattern of performance {across Australia} except that students from the Australian Capital Territory outperformed students from Tasmania and Northern Territory, and students from NSW and Western Australia outperformed their counterparts from the Northern Territory.*' p. 122

Table 5.3 in the same report indicates that the performance of Victorian students was not statistically significantly different from that of any other state or territory, including the ACT which had the highest mean.

All Australian states and territories performed above the OECD mean which was set at 500. Victoria's mean was 528.9 with a standard error of 8.1, well above the OECD mean.

Victorian students not only equalled the mathematical literacy performances of students in other states and territories but also performed well compared to other OECD countries. Table A3.10 in the report makes it is clear that far from having 'one of the worst proportions of 15-year-old students at or above the OECD mean in Australia', Victorian students also performed at a level equivalent to or better than students in all except the two highest performing countries in the PISA survey — Japan and Korea.

(2) In spite of its excellent performance in PISA, the Government is not complacent.

Support resources are developed and distributed to all government schools in Victoria focused on supporting schools to improve numeracy teaching and learning for early years students. Schools make decisions on how best to use and implement such resources to meet the diverse needs of their students.

As part of the Innovation and Excellence in the Middle Years program, the Access to Excellence initiative is providing 300 additional teachers to be employed in 118 schools to implement innovative approaches that

recognise the need to support Year 7–10 students who are particularly at risk of not achieving expected levels in numeracy and literacy. A statewide professional development program has been implemented to improve the teaching of numeracy in the middle years — years 5–9.

Under the Strategic Partnerships Program funding, the Department is committed to provide $52,204 each financial year for a 3-year period commencing 1 January 2003. to the Mathematical Association of Victoria (MAV). Total funding over the three year period amounts to $156,612. These funds are applied to teacher professional development in mathematics education.

(3) There is a range of Koorie regional workers to provide support to schools and Indigenous students (including their families) on a range of education related issues such as curriculum and professional development, literacy and attendance support. These workers include Koorie Education Development Officers, Koorie Home School Liaison Officers and Koorie Literacy Officers.

The Koorie Numeracy Links Project focuses on students in years 5/6 and currently involves eight school communities across Victoria. The project utilises video conferencing as a numeracy tool. School communities identify and share effective practices and are enhancing the problem solving and mathematical skills of their students. Project findings will be disseminated through the Koorie web site *www.sofweb.vic.edu.au/koorie*

Koorie students, of course, also access other support programs such as the Early Numeracy Program, Access to Excellence and Schools for Innovation and Excellence programs. Teachers of Koorie students attend early years professional development programs and the middle years numeracy leaders professional development program.

Education services: mathematical literacy statistics

113(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the Organisation for Economic Cooperation and Development's (OECD) Program for International Student Assessment recent statistics —

(1) How is the Government addressing the problem of mathematical literacy from age 15 onwards, considering Victoria has one of the worst proportions of 15-year-old students at or above the OECD mean for mathematical literacy in Australia in 2000.

(2) How is the Government addressing the problem of mathematical literacy of students from low socioeconomic families, who are persistently performing lower than the state average of all students in mathematical literacy.

(3) How is the Government addressing the problem of mathematical literacy of Indigenous students, who are persistently performing lower than the national average of all students in mathematical literacy.

ANSWER:

The Honourable the Minister for Education Services: I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide an answer.

Education and training: early years numeracy program in schools

114(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) How much funding has been given to the Program as compared with the Early Years Literacy Program in 2000, 2001, 2002 and 2003.

(2) How many schools have opted to buy the Early Years Teachers and Schools Numeracy Package and what is the cost to each school.

(3) Has the global school budget in Victorian primary schools been increased to cover the costs of the Early Years Numeracy Packages.

(4) Has any extra funding been dedicated to the professional development of teachers in Victorian primary schools when implementing the Program.

(5) How many of the 150 Early Years Numeracy coordinators have been implemented in schools.

(6) Over what time period will all of these coordinators be implemented.

(7) What primary schools will be allocated coordinators.

(8) Which primary schools will not be allocated coordinators.

(9) How is the Government increasing parent involvement in the Program.

(10) How many parents have purchased an Early Years Numeracy Parent Program Package.

(11) Is the Government providing extra funding to schools so the Package can be provided to parents.

(12) What type of accountability measures are in place to ensure the Program is achieving its goals in all Victorian schools.

(13) What types of accountability measures are in place to ensure each student's numeracy outcomes are being enhanced.

ANSWER:

I am informed as follows:

(1) Substantial funding has been provided to Victorian government schools for a number of significant initiatives that reflect the strong commitment by the Bracks Government to improved student learning in the early years. In 2003, $34.6 million over four years has been allocated to support schools in the provision of early years numeracy coordination. This is in addition to $52 million allocated annually, since 1999, to support early years literacy.

(2) Early Years Numeracy Program Teacher Packs and Parent Packs have been distributed free to all government schools in Victoria with a prep to year 4 enrolment. In addition, each school has received the Early Years Numeracy Interview book and each Prep to Year 4 teacher at a government school has been given a copy of the Early Years Numeracy Electronic Interview on CD-ROM. Further details about resources can be found at http://www.sofweb.vic.edu.au/eys/num/numclass.htm

(3) Yes, School Global Budgets were increased by $34.6 million over four years.

(4) Schools will make decisions as to how the additional funding provided through School Global Budgets to support implementation of the early years numeracy is spent and the percentage of the funding spent on professional development.

(5) The funding provided is the equivalent of 150 teachers across the state. Each government school with prep to year 4 enrolment received funding through the 2003 School Global Budgets. Funding was determined through a base grant of $1000 per school plus a pro-rata rate per Prep to Year 4 student, uncapped.

(6) Funding through 2003 School Global Budgets provided to schools enabled implementation to take place.

(7) All government primary, P–12, Special and English Language schools with a Prep to Year 4 enrolment received funding to support the provision of coordination to implement early years numeracy.

(8) All government schools with a Prep to Year 4 enrolment received funding to support the provision of coordination to implement early years numeracy, however, schools make staffing decisions based on local needs.

(9) The Early Years Numeracy Program Parent Pack includes extensive advice to schools on the ways to encourage parents' involvement in their children's numeracy development. More information is available at http://www.sofweb.vic.edu.au/eys/num/numclass.htm

(10) The Early Years Numeracy Program Parent Pack are teacher resources to support schools working with parents. These materials were not developed for parents to purchase.

(11) Schools will make decisions as to how the additional funding provided through School Global Budgets to support implementation of the early years numeracy is spent and the percentage of the funding spent on implementing the Early Years Numeracy Program Parent Pack.

(12) Each government school has completed a 2003 School Compact in which they identified the nominated early numeracy coordinator and specified intended targets for numeracy achievement.

(13) Schools include the mathematics achievement of students in their Annual Report. Student outcomes are also an essential component of the Triennial Review process.

Education services: early years numeracy program in schools

114(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) How much funding has been given to the Program as compared with the Early Years Literacy Program in 2000, 2001, 2002 and 2003.

(2) How many schools have opted to buy the Early Years Teachers and Schools Numeracy Package and what is the cost to each school.

(3) Has the global school budget in Victorian primary schools been increased to cover the costs of the Early Years Numeracy Packages.

(4) Has any extra funding been dedicated to the professional development of teachers in Victorian primary schools when implementing the Program.

(5) How many of the 150 Early Years Numeracy coordinators have been implemented in schools.

(6) Over what time period will all of these coordinators be implemented.

(7) What primary schools will be allocated coordinators.

(8) Which primary schools will not be allocated coordinators.

(9) How is the Government increasing parent involvement in the Program.

(10) How many parents have purchased an Early Years Numeracy Parent Program Package.

(11) Is the Government providing extra funding to schools so the Package can be provided to parents.

(12) What type of accountability measures are in place to ensure the Program is achieving its goals in all Victorian schools.

(13) What types of accountability measures are in place to ensure each student's numeracy outcomes are being enhanced.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: middle years numeracy program in schools

115(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) Will a package be designed for the Program similar to the Early Years Numeracy Package.

(2) How many middle school numeracy coordinators or supervisors have been allocated to schools.

(3) Has any extra funding been dedicated to professional development of teachers in Victorian secondary schools to implement the Program.

(4) What type of accountability measures are in place to ensure the Program is achieving its goals in all Victorian secondary schools.

(5) What types of accountability measures are in place to ensure each individual student's numeracy outcomes are being enhanced.

ANSWER:

I am informed as follows:

(1) To ensure that teachers of middle years students have improved skills to support students' numeracy learning, a six day professional development program in Middle Years Numeracy has been developed and delivered to regional Numeracy Leaders. Numeracy Leaders will train school based coordinators who will in turn work with their teachers. Materials that have been developed to support this professional development include a CD-ROM of the training program, and additional resources including print materials and online resources will be provided to these Leaders and to all schools progressively.

(2) It is a school decision as to whether they appoint a numeracy coordinator. To this date, 228 Middle Years Numeracy Leaders have been trained, and they have in turn trained 1075 school coordinators to provide professional development support to teachers of numeracy.

(3) Professional development and materials have been provided to improve the quality of numeracy teaching in the Middle Years with the support of Commonwealth funding over three years of approximately $1.2 million through the Quality Teacher Program. This has enabled professional development materials to be developed, courses to be conducted and teachers to be released from teaching duties.

(4) School compacts have been developed that describe targets for improvement in numeracy achievement. Program reports and evaluations are completed by all teachers.

(5) Schools report against the Curriculum and Standards Framework in Annual Reports and undergo a Triennial Review through which rigorous analysis of each student's achievements are undertaken.

Education services: middle years numeracy program in schools

115(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) Will a package be designed for the Program similar to the Early Years Numeracy Package.

(2) How many middle school numeracy coordinators or supervisors have been allocated to schools.

(3) Has any extra funding been dedicated to professional development of teachers in Victorian secondary schools to implement the Program.

(4) What type of accountability measures are in place to ensure the Program is achieving its goals in all Victorian secondary schools.

(5) What types of accountability measures are in place to ensure each individual student's numeracy outcomes are being enhanced.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: VCE specialist and further mathematics

116(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) Has there been a change in the number of students undertaking VCE Specialist Mathematics for the years 1999, 2000, 2001, 2002 and 2003; if so, what is the change.

(2) Has there been a change in the number of students undertaking VCE Further Mathematics for the years 1999, 2000, 2001, 2002 and 2003; if so, what is the change.

(3) Is the Government implementing programs to encourage students to participate in advanced mathematics subjects such as Specialist Mathematics.

ANSWER:

I am informed as follows:

(1 and 2)

ENROLMENTS IN VCE SPECIALIST AND FURTHER MATHEMATICS — 1999–2003

The number of students enrolled in VCE Specialist Mathematics and Further Mathematics over the past five years is shown below in Table 1. The numbers enrolled in Further Mathematics have increased by over 30% over the period. The numbers enrolled in Specialist Mathematics have increased by over 3% over the period.

Table 1: Number of Students Enrolled in VCE Specialist and Further Mathematics — 1999–2003

	1999	2000	2001	2002	2003
Further Mathematics	16,933	18,138	19,858	21,003	22,108
Specialist Mathematics	6,173	6,050	6,165	6,229	6,376

(3) Yes, the government is committed to students participating in mathematics and science, and supports and promotes programs which encourage them.

Education services: VCE specialist and further mathematics

116(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) Has there been a change in the number of students undertaking VCE Specialist Mathematics for the years 1999, 2000, 2001, 2002 and 2003; if so, what is the change.

(2) Has there been a change in the number of students undertaking VCE Further Mathematics for the years 1999, 2000, 2001, 2002 and 2003; if so, what is the change.

(3) Is the Government implementing programs to encourage students to participate in advanced mathematics subjects such as Specialist Mathematics.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: forecasting teacher demand and casual relief teacher recruitment surveys

117(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to each of the most recent forecasting teacher demand by subject survey and casual relief teacher recruitment survey —

(1) When was the most recent survey conducted.

(2) Who conducted the survey.

(3) How many schools were involved in the survey.

(4) In what form have the survey results been stored and reported.

(5) Will the results be made public.

(6) What did the survey disclose.

(7) In respect of each school surveyed, what were the results of the survey.

(8) What advice has the Minister received on the results of the survey.

(9) What action has the Minister or the Department taken in respect of the results.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: forecasting teacher demand and casual relief teacher recruitment surveys

117(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to each of the most recent forecasting teacher demand by subject survey and casual relief teacher recruitment survey —

(1) When was the most recent survey conducted.

(2) Who conducted the survey.

(3) How many schools were involved in the survey.

(4) In what form have the survey results been stored and reported.

(5) Will the results be made public.

(6) What did the survey disclose.

(7) In respect of each school surveyed, what were the results of the survey.

(8) What advice has the Minister received on the results of the survey.

(9) What action has the Minister or the Department taken in respect of the results.

ANSWER:

I am informed as follows:

The most recent Forecasting Teacher Demand by Subject survey was conducted in October 2002 and the most recent Casual Relief Teacher Recruitment census was conducted in August 2002.

Both the Forecasting Teacher Demand by Subject survey results and the Casual Relief Teacher Recruitment census results have been included in the Teacher Supply and Demand report commissioned by the Teacher Supply and Demand Reference group and released to various external organisations including TANVIC the association of Teacher Recruitment Agencies. The information has also been used to inform Universities.

The main result from the Casual Relief Teacher Recruitment census indicated that the proportion of Difficult to fill Casual Relief Teacher positions increased from 2000 to 2001, but declined in 2002.

The Forecasting Teacher Demand by Subject survey surveyed 4,450 teachers. The Casual Relief Teacher Recruitment census received responses from 1,623 schools. The release of information on each school is not practical due to the size of information involved.

The Forecasting Teacher Demand by Subject survey results have been used to inform universities of the emerging demand for teachers by subject. As a result of the Casual Relief Teacher Recruitment census the Recruitment Online database was developed with a search function for Casual Relief teachers.

Transport: graffiti on railway station vending machines

120. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) Do the railway station vending machine operators or Connex and M Train have responsibility for cleaning graffiti off vending machines.

(2) What performance standards apply with respect to the time within which graffiti must be cleaned off vending machines.

ANSWER:

(1) Responsibility for cleaning graffiti off food and beverage station vending machines rests with Connex and M>Train. Connex and M>Train have subcontracted this responsibility to the provider of the machines.

(2) Performance standards apply for removing graffiti from food and beverage vending machines.

Education and training: mathematics teaching methods

125(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the National Centre for Education Statistics 2003 Report Teaching Mathematics in Seven Countries: Results

from the Trends in International Mathematics and Science Study (TIMSS) 1999 Video Study and specifically the reported need to analyse the effects on different teaching methods in mathematics —

(1) Has the Government conducted any research and/or has the Minister received any advice on mathematics teaching methods in Victoria and their effect on student learning as compared with other states or countries; if so —

(a) what was the purpose of the research and what was the methodology;

(b) which teacher practices were examined;

(c) what conclusions were drawn;

(d) what reports or memoranda were prepared and by whom; and

(e) are these reports or memoranda publicly available.

(2) If no such research has been conducted, will it be carried out.

(3) If no such advice has been obtained, will it be sought.

ANSWER:

The Minister has received a departmental briefing on the release of the *Trends in International Mathematics and Science Study (TIMSS) 1999 Video Study.* It should be noted that this report and a subsequent report (under preparation) will only provide aggregated Australian data as the sample size was insufficient to allow for state or system comparisons.

The Middle Years Numeracy Research Program, a partnership with RMIT, provided findings that led to the implementation of the Middle Years Numeracy Professional Development Program which is using well chosen problems which look at deep conceptual knowledge and complex reasoning to assist mathematics teaching pedagogy. This program has trained 228 Middle Years Numeracy Leaders and 1075 school based coordinators to date.

The Government has also committed $5 million over four years to conduct the School Improvement in Teaching: Science, Mathematics and Technology program. This program will commence in 2003–04 and incorporates an important mathematics research component which will be based on the three year research used in the Science in Schools Research Project, conducted by Deakin University. This study was recently completed and is the largest study of its kind in Australia. The mathematics project will make recommendations for the improvement of teaching and learning of mathematics in Victorian schools.

The Department of Education and Training is involved in a number of other activities in support of mathematics teaching and learning. These activities commence in 2003 and include:

– A partnership in a research project with Deakin University, funded by the Australian Research Council, titled *Improving middle year mathematics and science: the role of subject cultures in school and teacher change.*

– A partnership with RMIT University is researching *Scaffolding Numeracy in the Middle Years: An Investigation of a New Assessment-Guided Approach to Teaching Mathematics Using Authentic Assessment Tasks.*

Education services: mathematics teaching methods

125(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the National Centre for Education Statistics 2003 Report Teaching Mathematics in Seven Countries: Results from the Trends in International Mathematics and Science Study (TIMSS) 1999 Video Study and specifically the reported need to analyse the effects on different teaching methods in mathematics —

(1) Has the Government conducted any research and/or has the Minister received any advice on mathematics teaching methods in Victoria and their effect on student learning as compared with other states or countries; if so —

(a) what was the purpose of the research and what was the methodology;

(b) which teacher practices were examined;

(c) what conclusions were drawn;

(d) what reports or memoranda were prepared and by whom; and

(e) are these reports or memoranda publicly available.

(2) If no such research has been conducted, will it be carried out.

(3) If no such advice has been obtained, will it be sought.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: student-centred numeracy learning

126(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) Has research been conducted in Victoria on the effect of numeracy learning through student-centred learning as compared to structured curriculum learning.

(2) Has research been conducted by the Department on the effect of numeracy learning through student-centred learning as compared to structured curriculum learning.

(3) For each research specified —

(a) what was the purpose of the research and what was the methodology;

(b) which teacher practices were examined;

(c) what conclusions were drawn;

(d) what reports or memoranda were prepared and by whom; and

(e) are these reports or memoranda publicly available.

ANSWER:

I am informed as follows:

(1) Information about research on numeracy conducted in Victoria by consortiums outside the Department can be found on university web sites. A comprehensive database on numeracy research undertaken in Australia by the Commonwealth Department of Education, Science and Training will be shortly available at http://www.dest.gov.au/schools/Literacy&Numeracy/projects.htm

(2) The Department has undertaken research in early and middle years numeracy. The Early Numeracy Research Project (1999–2001) had a major focus on whole school improvement in mathematics with significant outcomes being the development of an innovative numeracy interview, used with over 13000 students, and the

identification of classroom numeracy practices from highly effective teachers. Information about this project can be found at http://www.sofweb.vic.edu.au/eys/num/enrp.htm The Researching Numeracy Teaching Approaches in Primary Schools Project (2001–2003) researched numeracy teaching practice in Prep to Year 6. More information is available at http://www.sofweb.vic.edu.au/eys/num/res.htm The Middle Years Numeracy Research Project (1999–2000) involved the collection of data on numeracy achievement in Years 5 to 9 and teaching practice in the middle years. Information is available at http://www.sofweb.vic.edu.au/mys/MYNRP/index.htm

(3) Further information about these research projects is available from the web sites listed.

Education services: student-centred numeracy learning

126(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) Has research been conducted in Victoria on the effect of numeracy learning through student-centred learning as compared to structured curriculum learning.

(2) Has research been conducted by the Department on the effect of numeracy learning through student-centred learning as compared to structured curriculum learning.

(3) For each research specified —

(a) what was the purpose of the research and what was the methodology;

(b) which teacher practices were examined;

(c) what conclusions were drawn;

(d) what reports or memoranda were prepared and by whom; and

(e) are these reports or memoranda publicly available.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: ministerial responsibilities

127. Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) What are the limits to the Minister's ministerial responsibility in respect of the Minister for Education Services.

(2) What are the shared areas of responsibility, if any, with the Minister for Education Services and what are their limits.

(3) What is the protocol for addressing the shared areas of responsibility.

(4) Does the Minister for Education and Training, as senior Minister, carry responsibility for all education-related deliverables and policy.

(5) What areas does the Minister for Education and Training carry sole responsibility for.

(6) When an issue is the responsibility of one or the other Minister —

(a) what are the protocols used within the Department to determine such responsibility;

(b) are the protocols available to be referred to; and

(c) to whom are these decisions normally charged.

ANSWER:

I am informed as follows:

The division of responsibilities between the Ministers is set out in the General Order of the Premier dated 5 December 2002 allocating responsibilities for Acts, and Administrative Arrangement Orders Number 175, 176 and 180 of 2002 made under the Administrative Arrangements Act 1983.

Education and training: school performance data

128(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document Improved Education Outcomes: A Better Reporting and Accountability System for Schools and to Initiative 7 and each of Altona Secondary College, Balwyn High School, Birchip P–12 School, Boort Secondary College, Brentwood Secondary College, Cann River P–12 College, Canterbury Girls' Secondary College, Cleeland Secondary College, Copperfield College, Donald High School, Glen Waverley Secondary College, Goroke P–12 College, Hampton Park Secondary College, Heatherhill College, McKinnon Secondary College, MacRobertson Girls' High School, Manangatang P–12 College, Melbourne Girls' College, Melbourne High School, Niddrie Secondary College, Mount Waverley Secondary College, Reservoir District Secondary College, Sunshine College, University High School and Vermont Secondary College —

(1) What are the most recent results covering all available school data including student results; past, current and projected enrolments; year 12 results, including Enter and school improvement index (compared to 'like' schools); results of the most recent triennial review (if held); participation; and stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) In which classes at each of the schools in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

The performance information sought on these 19 schools is not readily available as protocols exist around the public release of the data pertaining to each of the requested items.

These protocols mean that it is the prerogative of an individual school to release such information.

The enrolment information is as follows. In considering these figures it should be noted that the enrolment figures for 2002 and 2003 are actual enrolment counts from the annual February school census. The projected enrolments for 2004 were based on 2002 enrolments and they will be revised shortly.

SCHOOL	2002 February Census Enrolment (FTE)	2003 February Census Enrolment (FTE)	2004 Projected Enrolments (based on 2002 census data) (FTE)
Altona Secondary College (7510)	499.3	461.3	444
Balwyn High School (7550)	1760.9	1849	1881
Birchip P–12 School (8832)	217.4	207	230
Boort Secondary College (7625)	169.7	163.3	183
Brentwood Secondary College (7647)	938.5	996	1094
Cann River P–12 College (3920)	69.1	65.6	69
Canterbury Girls Secondary College (7690)	940	933.8	916
Cleeland Secondary College (7723)	629.8	662	680
Copperfield College (8799)	1409.5	1589.4	1742
Donald High School (7775)	164.9	161.9	181
Glen Waverley Secondary College (8808)	1827.3	1841	1912
Goroke P–12 College (6223)	134.8	131.2	136
Hampton Park Secondary College (8709)	1227	1180.9	1277
Heatherhill Secondary College (7903)	487.2	471.8	465
MacRobertson Girls High School (8135)	924	934.9	964
Manangatang P–12 College (6235)	119.6	135.7	117
McKinnon Secondary College (8125)	1255.4	1279.3	1332
Melbourne Girls College (8819)	1176	1184.8	1049
Melbourne High School (8025)	1361	1358	1378
Mount Waverley Secondary College (8105)	1805.4	1826.4	1896

SCHOOL	2002 February Census Enrolment (FTE)	2003 February Census Enrolment (FTE)	2004 Projected Enrolments (based on 2002 census data) (FTE)
Niddrie Secondary College (7275)	899.5	926	799
Reservoir District Secondary College (8708)	931.5	941.9	1025
Sunshine College (8790)	1160.4	1108.4	1105
University High School (8405)	1177.7	1185.7	1227
Vermont Secondary College (8420)	1293.1	1300.5	1325

Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: school performance data

128(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document Improved Education Outcomes: A Better Reporting and Accountability System for Schools and to Initiative 7 and each of Altona Secondary College, Balwyn High School, Birchip P–12 School, Boort Secondary College, Brentwood Secondary College, Cann River P–12 College, Canterbury Girls' Secondary College, Cleeland Secondary College, Copperfield College, Donald High School, Glen Waverley Secondary College, Goroke P–12 College, Hampton Park Secondary College, Heatherhill College, McKinnon Secondary College, MacRobertson Girls' High School, Manangatang P–12 College, Melbourne Girls' College, Melbourne High School, Niddrie Secondary College, Mount Waverley Secondary College, Reservoir District Secondary College, Sunshine College, University High School and Vermont Secondary College —

(1) What are the most recent results covering all available school data including student results; past, current and projected enrolments; year 12 results, including Enter and school improvement index (compared to 'like' schools); results of the most recent triennial review (if held); participation; and stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) In which classes at each of the schools in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: Maryborough education precinct

129(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) Will the Precinct be fully or partly funded in the 2003–2004 Budget.

(2) What was spent on the Precinct in 2001–2002 and 2002–2003 to date and what was such funds spent on.

(3) Has a project manager been engaged for this project; if yes, what is the salary package and budget.

(4) What functions is the project manager undertaking.

(5) Is the project manager situated in the offices of the Central Goldfields Shire at Maryborough; if so, what sum is the Shire being paid for occupancy and services provided to this office.

(6) When will the plans for the project will be 'signed off'.

(7) What is the total cost of the project.

(8) What are the time lines for the project commencement, progress dates and completion.

(9) What will be the student population at the Precinct when fully operational, and how many contact teachers will be employed at the Precinct.

(10) What will be the total number of indirect non-contact staff employed at the Precinct when fully operational.

(11) When can parents of primary and secondary school age children in Maryborough and District expect that their children will undertake their education at the Precinct.

(12) As the Precinct project involves the retirement of at least six currently used facilities, what plans does the Minister have for post-retirement use of these facilities.

ANSWER:

I am informed as follows:

(1) The Bracks Government committed approximately $20 million to this project. Currently this includes $600,000 for planning, $4 million committed in 2002–2003 and a further $3.5 million in 2003–2004 for the first stage of the Precinct.

(2) As at the end of May 2003 approximately $300,000 has been spent on the project on a range of activities including:

– community consultation

– site evaluation

– preparation of educational and design briefs

– master-planning.

(3) A Senior Education Officer, with the Department of Education and Training, has been assigned to direct the project.

The Precinct and Department of Education and Training Loddon Campaspe Mallee Regional budget provide funding for the project director's salary.

In addition a budget of $37,000 for 2002–2003 for operating purposes has been funded from central and regional Department of Education and Training funds.

(4) The function of the project manager is to direct the development of the Precinct generally, including the oversight of facilities development.

(5) The project manager has access to office space in the Central Goldfields town hall. Costs incurred for telephone expenses will be reimbursed from the Precinct operating budget.

(6) It is expected that the master-plan will be completed by the end of June, 2003.

(7) Refer to (1) above.

(8) The Government has committed to opening the first stage of the Precinct in 2005. The master-plan will address the proposed timing for construction, and those elements that will be included in the first stage.

(9) It is anticipated that the long-term enrolments for the Precinct will be in the range of 1600–1700 students based on current enrolments and anticipated enrolment patterns for the catchment area.

The number of contact teachers will be dependent on enrolments.

(10) The number of indirect non-contact staff to be employed at the Precinct has not yet been determined.

(11) The staging of the construction of the various project elements (schools and TAFE etc) is an outcome of the master-plan that will be completed by the end of June 2003.

(12) The Department is subject to certain procedural requirements as laid out by the Land Monitor (Department of Infrastructure), for the disposal of land.

Education services: Maryborough education precinct

129(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) Will the Precinct be fully or partly funded in the 2003–2004 Budget.

(2) What was spent on the Precinct in 2001–2002 and 2002–2003 to date and what was such funds spent on.

(3) Has a project manager been engaged for this project; if yes, what is the salary package and budget.

(4) What functions is the project manager undertaking.

(5) Is the project manager situated in the offices of the Central Goldfields Shire at Maryborough; if so, what sum is the Shire being paid for occupancy and services provided to this office.

(6) When will the plans for the project will be 'signed off'.

(7) What is the total cost of the project.

(8) What are the time lines for the project commencement, progress dates and completion.

(9) What will be the student population at the Precinct when fully operational, and how many contact teachers will be employed at the Precinct.

(10) What will be the total number of indirect non-contact staff employed at the Precinct when fully operational.

(11) When can parents of primary and secondary school age children in Maryborough and District expect that their children will undertake their education at the Precinct.

(12) As the Precinct project involves the retirement of at least six currently used facilities, what plans does the Minister have for post-retirement use of these facilities.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: specialist qualified art teachers

130(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to recent media comments by Tania Tickyj, Art Education Victoria President, that 'Many schools have art rooms but no art teaching specialists' —

(1) For Victorian State Primary Schools —

(a) how many specialist qualified art teachers are employed;

(b) how many specialist qualified art teachers were employed on the school census day in 1999, 2000, 2001 and 2002;

(c) how many do not employ or engage a specialist qualified art teacher; and

(d) which schools have an art room but no art teaching specialist.

(2) For Victorian State Secondary Schools —

(a) how many specialist qualified art teachers are employed;

(b) how many do not employ or engage a specialist qualified art teacher; and

(c) which schools have an art room but no art teaching specialist.

(3) How many art classes are not taught by a specialist qualified art teacher.

ANSWER:

I am informed as follows:

I believe this question has also been directed to the Minister for Education Services who will provide a response.

Education services: specialist qualified art teachers

130(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to recent media comments by Tania Tickyj, Art Education Victoria President, that 'Many schools have art rooms but no art teaching specialists' —

(1) For Victorian State Primary Schools —

(a) how many specialist qualified art teachers are employed;

(b) how many specialist qualified art teachers were employed on the school census day in 1999, 2000, 2001 and 2002;

(c) how many do not employ or engage a specialist qualified art teacher; and

(d) which schools have an art room but no art teaching specialist.

(2) For Victorian State Secondary Schools —

(a) how many specialist qualified art teachers are employed;

(b) how many do not employ or engage a specialist qualified art teacher; and

(c) which schools have an art room but no art teaching specialist.

(3) How many art classes are not taught by a specialist qualified art teacher.

ANSWER:

I am informed as follows:

The Department of Education and Training does not collect information on the number of specialist art teachers employed at Victorian Primary and Secondary schools. Decisions about the allocation of teaching responsibilities are school based decisions.

Teacher training and experience in the classroom provide teachers with the pedagogy to teach across a range of subject areas, including areas that they may not have formally trained for during their training years. In order to meet changing school community expectations and requirements and to make effective use of existing resources, principals are required to make judgments, in consultation with the teachers concerned, about how individual teaching skills and experience and qualifications can best be used to meet student needs.

There are a range of issues associated with determining appropriate qualifications necessary to teach particular subjects. These issues include the year level being taught, the needs of the students, the subject area and knowledge required to master the subject content, the competence, experience and rapport that a particular teacher may have with the students concerned and the particular learning structures in place at particular schools.

Education and training: policy analysts in Department of Education and Training

131(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) How many policy analysts are employed by the Department of Education and Training.

(2) What work does each do.

(3) How many are on secondment to the Minister's office and what are their names and roles.

(4) What is the salary range paid to policy analysts in the Department.

(5) How many were employed by the Department as at 1 July in each of 1999, 2000, 2001 and 2002.

ANSWER:

I am informed as follows:

Department of Education and Training staff are employed under the Victorian Public Service (VPS) classification and salary structure. The role of VPS staff in the Department of Education and Training may include providing policy advice, curriculum support and administrative services for schools and the training and tertiary education sector. Within the VPS structure, individual position titles and specific functions vary depending on work locations.

Details of staffing numbers as at June 30 for the years 1999 to 2002 are contained in the 2001–02 annual report of the Department of Education and Training.

One departmental officer whose duties include the provision of policy advice is on secondment to the office of the Minister for Education and Training. This officer's duties include advising on the implementation of Government policy. It would not be appropriate to reveal any of this person's personal details. No departmental staff member whose duties include the provision of policy advice are on secondment to the office of the Minister for Education Services.

Education services: policy analysts in Department of Education and Training

131(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) How many policy analysts are employed by the Department of Education and Training.

(2) What work does each do.

(3) How many are on secondment to the Minister's office and what are their names and roles.

(4) What is the salary range paid to policy analysts in the Department.

(5) How many were employed by the Department as at 1 July in each of 1999, 2000, 2001 and 2002.

ANSWER:

This question has also been directed to the Minister for Education and Training who will provide a response.

Education and training: underperforming schools

132(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the information that the Department of Education and Training has available to identify underperforming schools —

(1) Is there any Departmental officer(s) responsible for recognising and supporting more effective teaching/classroom practice, as benchmarked against 'best practice research', in such schools; if yes,

what are the officers' names and positions and what resources are available to them to undertake their task.

(2) Has a Departmental officer(s) prepared any reports or memoranda in the last three years; if yes, what are the names of the reports and memoranda and where are they made available to the public.

(3) If no such Departmental reports or memoranda have been prepared —

(a) what steps are being taken to improve standards in underperforming schools;

(b) what committees have been established;

(c) what are the terms of reference and membership of such committees; and

(d) have any committee reports or recommendations been produced.

ANSWER:

I am informed as follows:

(1) Officers of the Learning and Teaching Division of the Department, in particular those working in the Early Years and the Middle Years program areas, provide advice and support on effective teaching practice. Such information is available on the Department web site at www.sofweb.vic.edu.au

(2/3)
All schools have strengths and weaknesses. The Accountability Framework assists schools in identifying these and in targeting the most appropriate support. This performance information is not made publicly available as protocols exist around the release of the data gathered and analysed which mean that it is the prerogative of an individual school to release such information.

A number of Department officers both in the central office and regional offices are engaged in school improvement work both of a policy nature and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum, School Improvement, Workforce Development and Teacher Learning and Innovation and Excellence.

Details of my Framework for Reform statement are available at www.det.vic.gov.au

Education services: underperforming schools

132(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the information that the Department of Education and Training has available to identify underperforming schools —

(1) Is there any Departmental officer(s) responsible for recognising and supporting more effective teaching/classroom practice, as benchmarked against 'best practice research', in such schools; if yes, what are the officers' names and positions and what resources are available to them to undertake their task.

(2) Has a Departmental officer(s) prepared any reports or memoranda in the last three years; if yes, what are the names of the reports and memoranda and where are they made available to the public.

(3) If no such Departmental reports or memoranda have been prepared —

(a) what steps are being taken to improve standards in underperforming schools;

(b) what committees have been established;

(c) what are the terms of reference and membership of such committees; and

(d) have any committee reports or recommendations been produced.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: Mitcham and Surrey Hills primary schools

133(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document Improved Education Outcomes: A Better Reporting and Accountability System for Schools and to Initiative 7 and each of Mitcham and Surrey Hills Primary Schools —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys, student enrolments, projected student enrolments and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Since 1 January 2002, has assistance been given to each of the schools pursuant to the accountability system or any other policy or set of guidelines; if so, what assistance has occurred.

(3) What staff and resources have been provided to each of the schools pursuant to any such decision to assist.

(4) Has the assistance been assessed as successful.

ANSWER:

I am informed as follows:

(1) The performance information sought on these schools is not readily available as protocols exist around the public release of the data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

The following table provides information on the 2002, 2003 and the projected 2004 enrolments of the nominated government primary schools.

The enrolment figures for 2002 and 2003 are actual enrolment counts from the annual February school census.

The 2004 projected enrolments below are based on 2002 enrolments. They will be revised shortly.

SCHOOL	2002 February Census Enrolment (FTE)	2003 February Census Enrolment (FTE)	2004 Projected Enrolments (based on 2002 census data) (FTE)
Mitcham Primary School (2904)	232	232	201

SCHOOL	2002 February Census Enrolment (FTE)	2003 February Census Enrolment (FTE)	2004 Projected Enrolments (based on 2002 census data) (FTE)
Surrey Hills Primary School (2778)	471	428.4	461

(2), (3) and (4)

Following examination of triennial review outcomes and each year's annual reports all schools are provided with appropriate support from their Regional office to develop a new charter that best reflects their goals and priorities and ensures the best outcomes for their students.

Education services: Mitcham and Surrey Hills primary schools

133(b). Mr PERTON to ask the Honourable the Minister for Education Services —

With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and each of Mitcham and Surrey Hills Primary Schools —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys, student enrolments, projected student enrolments and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Since 1 January 2002, has assistance been given to each of the schools pursuant to the accountability system or any other policy or set of guidelines; if so, what assistance has occurred.

(3) What staff and resources have been provided to each of the schools pursuant to any such decision to assist.

(4) Has the assistance been assessed as successful.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education services: teacher recruitment campaign

134. Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the Minister's press release of Wednesday 5 February 2003 entitled *Teacher Recruitment Campaign a Major Success* —

(1) How many qualified teachers are registered to work in Victorian Government schools in 2003.

(2) How many of those teachers were graduates of the education faculties of Victorian universities.

(3) How did the Minister or the Department establish whether any of the newly registered teachers had been attracted to teaching by the *Help Shape the Future — Teach* campaign.

(4) How did the Minister or the Department establish that the five-week advertising campaign had been extremely successful attracting teachers into hard-to-staff subject areas and in rural and regional Victoria, where teacher shortages were looming.

(5) How did the Minister or the Department determine that 'future potential teacher shortfalls have been averted with an extra 1447 2,348 (sic) qualified teachers ready to start work in Victorian primary and secondary schools this year'.

(6) How many of those who registered had 'put their hand up to teach in' rural Victoria in —

(a) languages other than English;

(b) information technology;

(c) mathematics; and

(d) science.

(7) How many of those teachers who registered had taken redundancy packages from the Victorian education system.

(8) How much did the campaign cost.

(9) What advertising agency was used.

(10) What public relations companies or consultants were used.

ANSWER:

I am informed as follows:

All teachers teaching in Victorian government schools in 2003 are required to be registered with the Victorian Institute of Teaching.

Information on the origin of new teachers is held at the school not Department level.

A teacher recruitment database was developed in conjunction with the *Help Shape the Future — Teach* campaign.

Following the multimedia advertising campaign, prospective teachers continue to post their details on the recruitment database and, as at 17 June, there were over 3, 200 teachers who had registered their interest in teaching in Victorian Government schools.

With regard to the advertising campaign, Optimedia arranged the media under the whole of government contract. Information regarding the whole of government advertising contracts is available at www.dpc.vic.gov.au.

Education and training: children with special needs

135(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) What is the latest information that the Minister has regarding the integration of children with special needs.

(2) How many schools have a shortage of special facilities for children with special needs in their classrooms or within the school generally.

(3) Which schools have a high proportion of children with special needs.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: children with special needs

135(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) What is the latest information that the Minister has regarding the integration of children with special needs.

(2) How many schools have a shortage of special facilities for children with special needs in their classrooms or within the school generally.

(3) Which schools have a high proportion of children with special needs.

ANSWER:

I am informed as follows:

The Program for Students with Disabilities provides support to 18,566 students with mild/moderate, severe and profound disabilities. These students attend regular and specialist settings and are funded based on their level of educational need.

In addition to providing support to students through the Program for Students with Disabilities the department also makes available facilities to support these students.

The Department provides integration funding through regional offices to undertake the required works where alteration to facilities are required to meet the needs of students with disabilities.

There are 80 specialist settings, which cater for the needs of students with disabilities.

Within regular schools there are 34 schools which have more than 30 students who receive additional funding through the Program for Students with Disabilities.

Attorney-General: student action teams

136(a). Mr PERTON to ask the Honourable the Attorney-General — With reference to the Student Action Teams Program —

(1) Is the Program still being funded; if so, by which Department and how much funding did the Program receive in 1999–2000, 2000–2001, 2001–2002 and 2002–2003 to date.

(2) What reviews, reports or studies of the success or otherwise of the program have been carried out.

(3) What were the outcomes of such reviews, reports or studies.

(4) Are there any documents which report on the program; if yes, who prepared the documents and are they publicly available; if no, will they be made available to interested Members of Parliament or the public.

(5) What were the outcomes from the 12 of the original 20 participating schools that received support in 2000.

(6) Have any new schools been added to the program.

(7) What were the outcomes of the —

(a) Altona truancy project;

(b) Banksia absenteeism and handbook on teenagers and safety in the City of Banyule projects;

(c) Euroa community service project and relationship between young people and police projects;

(d) Heatherhill improving health and wellbeing project;

(e) Karingal risk behaviour project;

(f) Kyneton skate park and skating awareness issues project;

(g) Melton youth safety and safety audits of areas that are unfriendly to young people project;

(h) Mitchell civic leadership and Ovens leadership and citizenship projects;

(i) Princes Hill links between students and police and between students projects;

(j) Wanganui Park BMX track and BMX riding project; and

(k) Weerona community-based road safety campaign — Operation Driver Education for Youth project.

(8) What steps have been undertaken to integrate the teams into the *Middle Years Strategy* for Government schools by the Department of Education and Training.

ANSWER:

I am advised that this question relates to matters falling outside of my portfolio responsibilities and should be more appropriately asked of the Minister for Education.

Police and emergency services: 'Reconnecting young people to supportive learning environment' package

137. **Mr PERTON** to ask the Honourable the Minister for Police and Emergency Services — With reference to the Minister's announcement in April 2003 of a $1 million 'Reconnecting Young People to Supportive Learning Environments Package' —

(1) What programs will focus on truancy.

(2) What projects will focus on early school leaving.

(3) What projects will focus on vocational education.

(4) What are the key performance indicators of the success of the program.

ANSWER:

I am advised that:

The following programs are relevant:

- The Truancy Reduction Pilot Program
- The Early School Leavers Program

- Vocational programs include:
  - Branching out Program (Wodonga)
  - Music and Young People Program

Key performance indicators will include:

- Reduction in risk factors and increase in protective factors affecting program clients; and
- Reduced patterns of antisocial behaviour, crime and violence, including the intensity and seriousness of reoffending.

Education and training: school funding

138. **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the Minister's assertions in the *Manningham Leader* on 23 April 2003 that funding for schools in each electorate 'has increased on last year' —

(1) What is the electorate by electorate break down of these increases.

(2) By what amount or percentage or both do the increases exceed the CPI.

(3) What are the kinds and types of increased funding provided on a school by school basis.

(4) How will the $31.7 million across the ten schools in the Doncaster electorate be broken down.

(5) For each of the following schools —

(a) Beverly Hills Primary School;

(b) Birralee Primary School;

(c) Doncaster Primary School;

(d) Doncaster Gardens Primary School;

(e) Doncaster Secondary School;

(f) Donburn Primary School;

(g) Donvale Primary School;

(h) East Doncaster Secondary College;

(i) Heatherwood School; and

(j) Millgate Primary School —

(i) What is the amount of the $31.7 million each will receive; and

(ii) Which line items will be better funded and what is the increase per item up from last year's amount.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Education services: ministerial responsibilities

139. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) What are the limits to the Minister's ministerial responsibility that demarcate her from those of the Minister for Education and Training.

(2) What are the shared areas of responsibility, if any, with the Minister for Education and Training and what are their limits.

(3) What is the protocol for addressing the shared areas of responsibility.

(4) Does the Minister for Education Services, as junior Minister, carry sole responsibility or shared responsibility for all education-related deliverables and policy.

(5) What are the protocols used within the Department to determine when an issue is the responsibility of one or the other Minister.

(6) What areas does the Minister for Education Services carry sole responsibility for.

ANSWER:

I am informed as follows:

The division of responsibilities between the Ministers is set out in the General Order of the Premier dated 5 December 2002 allocating responsibilities for Acts, and Administrative Arrangement Orders Number 175, 176 and 180 of 2002 made under the Administrative Arrangements Act 1983.

Education and training: Skill Up rapid response program

140. **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the promise made in the 'Knowledge and Skills' election policy document to establish the 'Skill Up' rapid response program to retrain workers who are made redundant —

(1) How many industries is the government currently anticipating job losses in.

(2) How much of the $5 million allocation is money to be spent providing additional funding to existing vocational training programs.

(3) How much is budgeted to be spent on brochure, advertising and promotional material and how and where is it proposed to be distributed.

(4) How many people is the Government anticipating will be helped by this program each year, based on estimates and budget.

(5) How long will the 'rapid response' take to develop.

(6) What will be the full term of its life cycle.

(7) Outside of redundancy caused by 'workplace closures and industry downturn' what other limits, tests or criteria will be imposed to help determine the eligibility of applicants to participate.

(8) Will there be an age limit on applicants.

(9) Will there be defined period of unemployment before qualifying for assistance; if so, what is this period.

(10) Will previous study or qualifications act as a limit to entry.

(11) Will there be a limit imposed on the number of occasions a person may be retrained; if so, what is this limit.

(12) What kinds of retraining will be on offer, are there limits to this retraining and what kinds of retraining will not be offered.

(13) What is the operative definition of a redundancy caused through 'industry downturn' for the purposes of the program.

(14) What choice will participants have about the types of retraining they may engage in.

(15) How will the program interact with Federal Government Centrelink initiatives and what resources will ensure there is no duplication.

(16) What measures, over what time and using what methodology will be used to assess the program's effectiveness.

ANSWER:

I am informed as follows:

The State Government has allocated $5 million to Skill Up — a rapid response program designed to retrain workers who are made redundant as a result of major industry downturn or workplace closure.

Funding will be provided to TAFE institutes and other providers such as group training companies and ACE providers to deliver vocational and industry-recognised training to improve the employment prospects of workers who have been made redundant.

Participants will receive approximately 80 hours of training assistance. To increase opportunities for employment, training will be linked wherever possible to skills that are in demand and will be supported by services such as employment counselling.

An estimated 600 people will receive training assistance in 2003–04 and 1,200 in subsequent years to 2006–07.

The Office of Training and Tertiary Education is working closely with the Department of Innovation, Industry and Regional Development and the Department for Victorian Communities to facilitate the Government's rapid response to company insolvency and large scale restructuring by assisting retrenched workers.

Education and training: rural teacher retrain program

142(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

With reference to the new opportunities for regional and rural teachers through the Rural Teacher Retrain program —

(1) Does the program propose to attract more experienced teachers to teach in regional areas; if so, how.

(2) At schools experiencing trouble with staffing, are all teachers eligible to be retrained; if so —

(a) how many subjects are they eligible to be retrained in; and

(b) over what time or are there criteria which must be met and what are the criteria.

(3) What will be the key performance indicators for the program uptake or teacher retention.

(4) What resources will be available in the program to monitor its success.

(5) What criteria will define a subject area that a school has 'trouble' staffing.

(6) By what rationale does the Government define a specialist area.

(7) What new opportunities for retraining will the program provide that were not previously available.

(8) How does the option of retraining lead directly to teacher retention in rural areas.

(9) What risk factors if any, have been identified linking lack of opportunity for retraining in regional areas with difficulties in retaining staff at regional schools.

(10) What safeguards or incentives will be established to ensure that retraining in support of specialist subjects at schools experiencing troubles with staffing specific areas benefits the school at which the problem has been identified.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: rural teacher retrain program

142(b). Mr PERTON to ask the Honourable the Minister for Education Services —

With reference to the new opportunities for regional and rural teachers through the Rural Teacher Retrain program —

(1) Does the program propose to attract more experienced teachers to teach in regional areas; if so, how.

(2) At schools experiencing trouble with staffing, are all teachers eligible to be retrained; if so —

(a) how many subjects are they eligible to be retrained in; and

(b) over what time or are there criteria which must be met and what are the criteria.

(3) What will be the key performance indicators for the program uptake or teacher retention.

(4) What resources will be available in the program to monitor its success.

(5) What criteria will define a subject area that a school has 'trouble' staffing.

(6) By what rationale does the Government define a specialist area.

(7) What new opportunities for retraining will the program provide that were not previously available.

(8) How does the option of retraining lead directly to teacher retention in rural areas.

(9) What risk factors if any, have been identified linking lack of opportunity for retraining in regional areas with difficulties in retaining staff at regional schools.

(10) What safeguards or incentives will be established to ensure that retraining in support of specialist subjects at schools experiencing troubles with staffing specific areas benefits the school at which the problem has been identified.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitment of Rural Teacher Retraining.

The policy statement indicates that funding for Rural Teacher Retraining will commence in 2004–05.

Education and training: Victorian Institute of Teaching summer school

143(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the Government's statement that 'the Victorian Institute of Teaching will enter into discussions with higher education providers about the provision of a summer school, online delivery and more flexible course models and up to $20,000 will be provided for course payments, and relief teaching assistance where necessary' —

(1) What is the time line before the Victorian Institute of Teaching summer school is running.

(2) What will be the curriculum.

(3) What are the criteria used to determine necessity with respect to relief teaching assistance.

ANSWER:

I am informed as follows:

This question relates to the Government's 2002 election commitments of Rural Teacher Retraining.

The policy statement indicates that funding for Rural Teacher Retraining will commence in 2004–05.

Education services: Victorian Institute of Teaching summer school

143(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the Government's statement that 'the Victorian Institute of Teaching will enter into discussions with higher education providers about the provision of a summer school, online delivery and more flexible course models and up to $20,000 will be provided for course payments, and relief teaching assistance where necessary' —

(1) What is the time line before the Victorian Institute of Teaching summer school is running.

(2) What will be the curriculum.

(3) What are the criteria used to determine necessity with respect to relief teaching assistance.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: teacher recruitment scheme

144(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the teacher recruitment scheme —

(1) On what basis is the success of the scheme determined.

(2) If a report exists, by whom was it written.

(3) Where are teacher vacancies posted, outside of the 'Education Times' and recruitment online.

ANSWER:

I am informed as follows:

I believe this question has also been directed to the Minister for Education Services who will provide a response.

Education services: teacher recruitment scheme

144(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the teacher recruitment scheme —

(1) On what basis is the success of the scheme determined.

(2) If a report exists, by whom was it written.

(3) Where are teacher vacancies posted, outside of the 'Education Times' and recruitment online.

ANSWER:

I am informed as follows:

A teacher recruitment scheme, known as the Teaching Scholarship Scheme, forms part of the Government's teacher recruitment strategy and aims to attract high quality graduates to teach in Victorian government schools. Details of the Scheme are available at: http://www.teaching.vic.gov.au/news/scholarship/default.htm

The Teaching Scholarship Scheme has a target of 220 scholarships annually. In 2002, 248 Scholarships were awarded to graduates who completed their courses of study in that year. Seventy-nine percent of these Scholarships were appointed to schools in rural and regional Victoria, and metropolitan and curriculum areas with identified recruitment difficulties.

No report on the Teaching Scholarship Scheme exists.

Scholarship vacancies are not advertised or posted in *Education Times* or *Recruitment Online*. Principals select Scholarship applicants for specific vacancies in their schools.

Police and emergency services: Water Police emergency response times

145. Mr WELLS to ask the Honourable the Minister for Police and Emergency Services — What were the average emergency response times for the water police squad in the financial years 2000–01, 2001–02 and the period 1 July 2002 to 31 December 2002.

ANSWER:

I am advised that:

The Water Police coordinates all marine incidents in and around metropolitan Melbourne. The Water Police Squad Rescue Coordination Centre is manned 24 hours a day. Any call is subject to an immediate response where information is gathered and assessed for action. Any 'average' response time may be misleading due to the inability to incorporate any number of variables.

The provision of the data requested for the periods outlined, would require significant allocation of police resources.

Education and training: Reinventing Education initiative

166(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the 'Reinventing Education Initiative' officially launched in partnership with IBM on 8 June 2001 —

(1) What were the aims of this program.

(2) Given that the program was billed as a 'joint initiative between IBM and the Department of Education, Employments and Training [to bring] significant corporate and government investment to address equity issues that have emerged in schools' —

(a) what has been done through this program and others to address equity issues in information and communications technology education in the 2 years since this program was announced; and

(b) how much money was provided by government to fund this program and where and how was this money spent.

(3) Given that under this program pilot schools were established and funded both here and overseas, what has been done to disseminate the knowledge gained through this experiment.

(4) What have Victorian schools gained as a result of this experiment and was the pilot successful.

(5) Given that the Minister officially launched a program 'founded on the belief that improving teaching is at the heart of education reform and the most effective approach is school-based professional development' what are the details of the way in which professional development (especially in the area of information and communications technology education) has been fostered under this and similar programs.

(6) How much of an increase in funding for professional development has there been since the announcement of this 'joint initiative'.

(7) Given the acknowledgement of the previous Minister of the importance of professional development, what further money or resources have been invested in improving the professional development of Victorian teachers since June 2001.

(8) Does the current administration share the previous Minister's apparent high esteem of professional development; if so, what is being done to record and report the success rates of professional development.

(9) What is being done to increase the regard in which professional development is held within the teaching profession.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: Reinventing Education initiative

166(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the 'Reinventing Education Initiative' officially launched in partnership with IBM on 8 June 2001 —

(1) What were the aims of this program.

(2) Given that the program was billed as a 'joint initiative between IBM and the Department of Education, Employments and Training [to bring] significant corporate and government investment to address equity issues that have emerged in schools' —

(a) what has been done through this program and others to address equity issues in information and communications technology education in the 2 years since this program was announced; and

(b) how much money was provided by government to fund this program and where and how was this money spent.

(3) Given that under this program pilot schools were established and funded both here and overseas, what has been done to disseminate the knowledge gained through this experiment.

(4) What have Victorian schools gained as a result of this experiment and was the pilot successful.

(5) Given that the Minister officially launched a program 'founded on the belief that improving teaching is at the heart of education reform and the most effective approach is school-based professional development' what are the details of the way in which professional development (especially in the area of information and communications technology education) has been fostered under this and similar programs.

(6) How much of an increase in funding for professional development has there been since the announcement of this 'joint initiative'.

(7) Given the acknowledgement of the previous Minister of the importance of professional development, what further money or resources have been invested in improving the professional development of Victorian teachers since June 2001.

(8) Does the current administration share the previous Minister's apparent high esteem of professional development; if so, what is been done to record and report the success rates of professional development.

(9) What is being done to increase the regard in which professional development is held within the teaching profession.

ANSWER:

I am informed as follows:

The provision of the information requested cannot be justified on the grounds that it would require an unreasonable diversion of time and resources which are not available.

Education services: teacher employment prerequisites

167. **Mr PERTON** to ask the Honourable the Minister for Education Services — Is it a prerequisite to employment in the school system that teachers have a current qualification in cardiopulmonary resuscitation and first aid.

ANSWER:

I am informed as follows:

It is not a prerequisite to employment in the school system that teachers have a current qualification in cardio pulmonary resuscitation and first aid.

The Schools Reference Guide 2003, Section 4.5, Student Health, refers to the provision of first aid in schools.

Education services: school toilets surveys

168. **Mr PERTON** to ask the Honourable the Minister for Education Services — In relation to any state wide and regional surveys of the state of school toilets —

(1) What survey of the state of school toilets has taken place.

(2) When was the last survey of the state of school toilets.

(3) What was the result of such surveys.

(4) What schools were found to be in breach of health department requirements for the cleanliness and good repair of school toilets.

(5) What schools were found to have substandard toilets.

ANSWER:

I am informed as follows:

The two PRMS audits have included school toilets.

As a result of this survey a number of items in school toilets were identified as requiring attention.

No schools were reported by the audit to be in breach of departmental health requirements for the cleanliness and good repair of school toilets.

No schools were reported by the audit to have substandard toilets, although maintenance items were identified.

Education services: school toilet reports

169. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) What reports does the Minister have on short-term or long-term health problems, both physical and psychological, that affect health and learning due to substandard toilet facilities and substandard drinking water facilities.

(2) Does the Minister or the Department have any knowledge of a January 2003 study published by Newcastle University revealing that many children avoid using school toilets altogether, blaming the condition of the facilities and a fear of bullies with problems including urinary tract infections, constipation and incontinence; if yes, what action has the Minister taken to ensure that such problems are minimised in Victoria.

ANSWER:

I am informed as follows:

(a) I have not had any reports brought to my attention regarding the short term or long-term health problems, either physical and psychological, that affect health and learning due to substandard toilet facilities and substandard drinking water facilities in Victorian schools.

(b) I am not aware of the January 2003 study published by Newcastle University. The Department has, however, audited all school toilets in 2000/01 and identified a number of facilities requiring attention. Where the works were considered to be urgent by the independent auditors, funds have been provided. The Department has also managed to replace a number of toilet blocks in recent years as part of capital upgrade programs, representing those toilets that are in the poorest condition.

Education and training: comparison with New South Wales school security policies

171(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the school security policy in New South Wales and the recent launch of a $5.5 million dollar a year 24–hour hotline providing a direct link to police and the first stage of a $20 million dollar program to install fences to improve security at schools in New South Wales —

(1) What are the differences between the new New South Wales program and existing school security programs in Victoria.

(2) What alarm arrangements are in place in Victoria.

(3) Is there any similar hotline providing security advice to schools in Victoria; if so, what are the details.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: comparison with New South Wales school security policies

171(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the school security policy in New South Wales and the recent launch of a $5.5 million dollar a year 24–hour hotline providing a direct link to police and the first stage of a $20 million dollar program to install fences to improve security at schools in New South Wales —

(1) What are the differences between the new New South Wales program and existing school security programs in Victoria.

(2) What alarm arrangements are in place in Victoria.

(3) Is there any similar hotline providing security advice to schools in Victoria; if so, what are the details.

ANSWER:

I am informed as follows:

The Department's Emergency and Security Management Branch provides schools with a 24 hour Communications Centre to monitor and respond to school alarms and emergency management issues. The Communications Centre has direct communications with police by either phone or police radio. Victoria is the only security unit in the country to have direct communications with police on police radio and ensures that schools receive a priority response. The staff at the centre also provide advice to schools through a range of training seminars, web sites and visits to schools in matters relating to security and emergency management.

The Branch also participates in a group called National Association of School Security and Emergency Managers developed through a Victorian initiative to benchmark and compare services. Victoria has always been considered the benchmark that the other state participants including NSW strive to achieve.

Over 90% of Victorian Government Schools are alarmed with the most modern alarm equipment available. The alarm systems are monitored and responded to by the Department's 24 hour Communications Centre.

The Emergency and Security Management Branch provide a 24 hour hotline for the provision of security and emergency management advice.

Education and training: arrests, charges and convictions on school grounds

172(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) How many people were arrested on state, Catholic and independent school grounds, in each of 1999, 2000, 2001, 2002 and 2003 to date during —

(a) school terms; and

(b) school holidays.

(2) What charges were made as a result of those arrests.

(3) What convictions were obtained as a result of those arrests.

(4) What charges and convictions were obtained for other offences committed on school grounds.

(5) What arrangements are in place to ensure that there are adequate police patrols during —

(a) school terms; and

(b) school holidays.

(6) What contracts have been made for private security services to patrol school grounds.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: arrests, charges and convictions on school grounds

172(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) How many people were arrested on state, Catholic and independent school grounds, in each of 1999, 2000, 2001, 2002 and 2003 to date during —

(a) school terms; and

(b) school holidays.

(2) What charges were made as a result of those arrests.

(3) What convictions were obtained as a result of those arrests.

(4) What charges and convictions were obtained for other offences committed on school grounds.

(5) What arrangements are in place to ensure that there are adequate police patrols during —

(a) school terms; and

(b) school holidays.

(6) What contracts have been made for private security services to patrol school grounds.

ANSWER:

I am informed as follows:

In response to questions (1) to (4) the Department of Education and Training receives reports from schools in relation to criminal activity at schools but does not maintain records in relation to arrests, charges or convictions.

In response to question (5) this is an operational matter for police.

In response to question (6) schools engage patrol services to suit their own requirements.

Education services: unsafe conditions in schools

175. **Mr PERTON** to ask the Honourable the Minister for Education Services —

(1) Have any notices been served on the Department or any schools by Workcover or any other government authority as a result of any dangerous or unsafe conditions; if so, what were the notices and the conditions identified.

(2) Is the Department aware of classrooms into which water is leaking; if so, what are the names of the schools concerned.

(3) For each of the following problems in schools —

(a) leaking and broken pipes;

(b) unsafe light fittings and electric leads;

(c) inadequate ventilation;

(d) broken paths or asphalt;

(e) missing drain covers; and

(f) missing railings on stairs —

(i) what are the names of the schools concerned; and

(ii) what are the details of the problem for each school.

ANSWER:

I am informed as follows:

This Government has provided all eligible schools with sufficient funds to finance the repair of all leaking roofs prioritised as urgent by the independent PRMS auditors. Where new leaks arise due to the natural ageing process of building or unusual events and where schools are unable to finance the necessary repairs from the maintenance and minor works component of their School Global Budget, schools are able to seek supplementary PRMS funding. Where the independent PRMS auditors prioritised particular items as urgent, this Government has provided schools with sufficient funds to finance the repairs.

Education and training: drop-outs in year 12

176. **Mr PERTON** to ask the Honourable the Minister for Education and Training —

(1) How many students dropped out in Year 12 in 1999, 2000, 2001, 2002 and 2003 to date.

(2) What information can the Minister give on any investigations or surveys of student dropouts and their reasons for dropping out.

ANSWER:

I am informed as follows:

Victorian Government schools ask exit students of their intended destinations. This records intended destinations of: other government schools; non-government schools; interstate; overseas; full time employment; traineeship; seeking employment; other; unknown.

Data on student destinations is available at http://www.sofweb.vic.edu.au/standards/ and in a variety of publicly available publications.

Education and training: guidelines for purchasing of school library books

177(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) What rules and/or guidelines are there as to what books should and should not be purchased or otherwise obtained by primary or secondary school libraries.

(2) What is the content of such rules and guidelines, when were they published and how were they determined.

ANSWER:

I am informed as follows:

Primary and secondary schools develop their own purchasing policies for their school library based on the requirements of the teaching and learning program of the school and taking into account the needs of the students and the wishes of the community in which the school is located. Such policies would be approved by the school council.

The Department of Education and Training provides guidelines for school communities about suitable teaching and learning resources. These guidelines cover using teaching and learning resources to achieve educational outcomes, selecting suitable teaching and learning resources, and resolving issues concerning objections to curriculum resources. Schools are expected to follow these guidelines.

All government schools were provided with a copy of these guidelines through the Department's email system on 1 May 2003. The guidelines update previous guidelines provided to schools in 1998. The new guidelines were developed by the Department with input from principals and the Victorian Curriculum and Assessment Authority.

Education services: guidelines for purchasing of school library books

177(b). Mr PERTON to ask the Honourable the Minister for Education Services

(1) What rules and/or guidelines are there as to what books should and should not be purchased or otherwise obtained by primary or secondary school libraries.

(2) What is the content of such rules and guidelines, when were they published and how were they determined.

ANSWER:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Transport: payments to public transport operators

178. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) Excluding incentive payments previously highlighted in the *Track Record* quarterly publication, what additional payments have been made for April 2003 to —

(a) Yarra Trams;

(b) Connex;

(c) M>Train;

(d) M>Tram; and

(e) V/Line Passenger.

(2) What was each payment made for.

ANSWER:

Details of payments made by Government to the tram and train franchisees are published in the transport publication 'Track Record'. Additional payments are included under the heading of 'Other Contractual Payments'.

Track Record is available from the Department of Infrastructure web site www.doi.vic.gov.au or from the Public Transport Division.

Environment: impact of water algae

179. **Mr THOMPSON** to ask the Honourable the Minister for Environment — With reference to the impact of *caulerpa taxifolia*, an algae that now blankets 10,000 acres of seabed in the Mediterranean Sea and its spread to the United States West Coast —

(1) Has this algae been detected in Victorian coastal waters.

(2) What steps has the Government taken to prevent its introduction or spread to avoid irreparable ecological damage to the marine environment.

(3) Has the algae been listed as a noxious weed.

(4) What funds have been allocated in the 2002–2003 Budget for the purpose of studying invasive marine plants in Victorian coastal waters and limiting their ecological damage.

ANSWER:

I am informed that:

(1) The marine algae, *Caulerpa taxifolia* is native to northern Australian waters. Some genetic strains of this algae, such as that identified as the 'aquarium strain', are known to become a pest when they are introduced to new areas. To date, this algae has not been detected in Victorian marine waters.

(2) Victoria has and is continuing to work collaboratively with industry and the wider community to find practical ways to stop marine pests being introduced. The focus has been on those human activities that pose the greatest risk of introducing or spreading marine pests if they remain un-managed and includes the discharge of ballast water, the movement of aquaculture equipment and the movement of small vessels and their gear. Victoria, in collaboration with Commonwealth agencies, CSIRO Centre for Research on Introduced Marine Pests, and shipping and port sectors has recently concluded a major trial to test options to improve the management of ballast water in Australia.

(3) Through agreement by Australian Governments, the 'aquarium strain' *of Caulerpa taxifolia* is included on a list that, when it is reported at a location outside its native range, triggers an emergency response through the national Consultative Committee on Introduced Marine Pest Emergencies. The Department of Sustainability and Environment is currently working with the Department of Primary Industries to list the *Caulerpa taxifolia* species as a noxious aquatic species under the Fisheries Act thereby providing a legal basis for managing its possession and sale in Victoria.

(4) In 2002–03, funding of action to deal with marine pests, including algae such as *Caulerpa taxifolia*, formed part of the general appropriation to the then Department of Natural Resources and Environment.

Education and training: drug education and student wellbeing unit programs

184(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) What funding is to be provided in 2003–2004.

(2) What funding has been provided in 2002–2003.

(3) How many officers are employed in the programs.

(4) Where are these officers situated.

(5) What key performance indicators does each of the officers have.

(6) Has there been any audit or review of the effectiveness of these programs; if yes, what were the results.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: drug education and student wellbeing unit programs

184(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) What funding is to be provided in 2003–2004.

(2) What funding has been provided in 2002–2003.

(3) How many officers are employed in the programs.

(4) Where are these officers situated.

(5) What key performance indicators does each of the officers have.

(6) Has there been any audit or review of the effectiveness of these programs; if yes, what were the results.

ANSWER:

I am informed as follows:

Funding of $46 million will be provided for the provision of Regional student support services in 2003–04. In addition, $3.85 million will be provided for Drug Education and Student Wellbeing Unit programs.

Funding for Drug Education and Student Wellbeing Unit programs in 2002–03 has been provided as follows:

- $3.879m — Community Support Fund
- $146k — Commonwealth National School Drug Education Strategy
- $64k — Council of Australian Governments' Tough on Drugs Strategy
- $170k — Truancy and Drug Abuse Project, Victorian Drug Initiative Research and Evaluation Strategy
- $218k — School Retention Initiative, Premier's Drug Prevention Council

Student Support Service Officers include guidance officers, psychologists, social workers, speech pathologists, youth workers, counsellors and visiting teachers. In addition, 35 Officers are employed to support schools in the implementation of drug education, student wellbeing and student support programs.

A range of Student Support Service Officers are employed in each region.

The Victorian Auditor-General's Office undertook a review of drug education in 2002. The report was tabled in Parliament in March 2003 and concluded that 'almost all government schools now have an Individual School Drug Education Strategy (ISDES). These are well-designed and comply with the Department's developmental guidelines'.

Education and training: framework for student support services in government schools

185(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) How many regional student welfare and curriculum teams are there.

(2) Who are on the teams.

(3) What budget is provided to each of the teams.

(4) What are the key performance indicators for each of the teams.

(5) Has there been any audit or review of the effectiveness of these programs; if yes, what were the results.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: framework for student support services in government schools

185(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) How many regional student welfare and curriculum teams are there.

(2) Who are on the teams.

(3) What budget is provided to each of the teams.

(4) What are the key performance indicators for each of the teams.

(5) Has there been any audit or review of the effectiveness of these programs; if yes, what were the results.

ANSWER:

I am informed as follows:

There are student welfare and curriculum teams in all of the nine regions.

The regional student welfare teams (Student Support Services) include guidance officers, psychologists, social workers, speech pathologists, youth workers, counsellors and visiting teachers.

The regional curriculum teams include: curriculum consultants and school development officers.

The student welfare and curriculum (Student Support Services) 2002/03 budget is $46 million.

The performance of each student welfare team member is monitored by a principal.

Curriculum consultants and school development officers' performance is monitored by Regional Directors.

Education and training: Victorian Curriculum and Assessment Authority (VCAA) online assessment

187(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) What funding and in what budget years has the VCAA been funded to undertake work in development and/or assessment of online examinations.

(2) What work has the VCAA undertaken in respect of the development and/or assessment of online examinations.

ANSWER:

I am informed as follows:

(1) The VCAA is responsible for its own budget and publishes its Financial Report each year in the VCAA Annual Report. This is available from the VCAA web site: http://www.vcaa.vic.edu.au.

(2) In 2001, the VCAA commissioned a feasibility study into the use of online assessment for P–12.

This year the VCAA commenced pilot programs for VCE Accounting and Information Technology to trial computer based assessment tasks for Units 1 and 2, including school level examinations for Unit 1 in June.

In September this year the VCAA will undertake a limited trial of online marking of the June examination in VCE Environmental Science. This will not be a live marking trial.

Education services: Victorian Curriculum and Assessment Authority (VCAA) online assessment

187(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) What funding and in what budget years has the VCAA been funded to undertake work in development and/or assessment of online examinations.

(2) What work has the VCAA undertaken in respect of the development and/or assessment of online examinations.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: Victorian student assessment monitor (VSAM)

188(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) What work has the Victorian Curriculum Assessment Authority (VCAA) undertaken to develop the VSAM.

(2) What are the objectives and composition of the VSAM.

(3) Has work on the VSAM ceased; if so, when did it cease.

(4) What schools were the VSAM piloted in.

(5) What courses were the pilots targeted at.

(6) Have assessments of the effectiveness of the VSAM have been carried out; if so, who prepared them and what did the assessments disclose.

(7) What attempts has the VCAA made to market the VSAM and its derivatives to any other educational system or market outside Victoria.

ANSWER:

I am informed as follows:

(1) In 1999 a series of trials in computer testing (VSAM) were conducted in secondary schools.

These tests assessed students' ability in English and Mathematics. The testing system was based on a bank of over 5000 English and Mathematics questions.

In 2001 the VCAA commenced further work to significantly improve the testing system as AIM Online, adding more items and providing clearer and more user friendly interfaces.

The system has also been remodelled to allow students to write essays on computers and submit these to the VCAA for marking. This facility is currently being trialled in 10 schools and will be further trialled in August 2003 in about 70 secondary schools.

The system also enables schools to download topic tests or build their own tests and have these tests automatically marked. These new features will be trialled in a small number of schools late in 2003, in preparation for a general release in the 2004.

(2) AIM Online has been developed from VSAM to provide schools with a modern computer based assessment system which will allow schools to efficiently and accurately assess each students' ability in a range of subjects.

(3) The current AIM Online is a redesigned and improved computer testing system which replaced VSAM in 2001.

A list of the schools which took part in the 2002 trials is attached [see below].

(5) The trials in 2001 and 2002 were targeted at English and Mathematics courses derived from the Curriculum and Standards Framework.

(6) The VCAA undertook a detailed study of the computer testing in 2001 and in 2002. In 2001 the Australian Centre for Educational Research undertook a study of the tests and in 2002 the VCAA carried out a study of the testing system.

The studies indicated that the computer testing system produced results for students that were similar to those obtained by traditional pen and paper tests.

The studies also indicated that computer competence or the frequency of computer use by students did not have a significant effect on the results students achieved on the computer tests.

(7) In 1999 the Board of Studies tendered for a project to supply a computer testing system for the Oregon (USA) Department of Education. This tender was unsuccessful.

The VCAA is currently undertaking a feasibility study of the possibility of marketing AIM Online in the educational field. A study is being carried out by RMIT Test Lab and this report is due to be presented in mid-2003.

Attachment

Schools which took part in the 2002 AIM Online trials:

NAME

Alphington Grammar School

Aquinas College

Ballarat Grammar School

Ballarat High School — Assc

Bayswater Secondary College

Camberwell Grammar School

Canterbury Girls Secondary College

Carwatha College

Catholic College Wodonga

Catholic Regional College (Melton)

Chaffey Secondary College — Mildura

Cheltenham Secondary College

Cobden Technical School — Assc

Copperfield College

Craigieburn Secondary College

Croydon Secondary College

Dromana Secondary College

Drouin Secondary College

East Doncaster Secondary College

Firbank Grammar School

Flinders Peak Secondary College

Gippsland Grammar (Senior)

Girton Grammar School Ltd

Glen Waverley Secondary College

Haileybury College

Heatherhill Secondary College

Highview Christian Community College

John Paul College

Karingal Park Secondary College

Kerang Technical High School — Assc

Korowa Anglican Girls' School

Lalor Secondary College

Lorne P–12 College

Lyndale Secondary College

Mackillop College Swan Hill

Macleod College

Melbourne Grammar School — Wadhurst

Mercy Diocesan College

Monash Secondary College

Monivae College

Montmorency Secondary College

Mooroopna Secondary College

Mordialloc College

Mortlake P–12 College

Mount Erin Secondary College

Mullauna College

Myrtleford Secondary College

Nagle College

Nhill College

Niddrie Secondary College

Norlane High School — Assc

Our Lady Of Sion College

Pakenham Secondary College

Parkwood Secondary College

Red Cliffs Secondary College

Sacred Heart College Kyneton

Siena College

St James Regional College

St John's Regional College

St Joseph's College Mildura

St Kevin's College Toorak

St Michael's Grammar School

St Monica's College — Junior

St Paul's College Nth Altona

Swan Hill College

Tallangatta Secondary College

Traralgon Secondary College

Wanganui Park Secondary College

Westbourne Grammar School

Whittlesea Secondary College

Yarra Valley Grammar School

Yarram Secondary College

Education services: Victorian student assessment monitor (VSAM)

188(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) What work has the Victorian Curriculum Assessment Authority (VCAA) undertaken to develop the VSAM.

(2) What are the objectives and composition of the VSAM.

(3) Has work on the VSAM ceased; if so, when did it cease.

(4) What schools were the VSAM piloted in.

(5) What courses were the pilots targeted at.

(6) Have assessments of the effectiveness of the VSAM have been carried out; if so, who prepared them and what did the assessments disclose.

(7) What attempts has the VCAA made to market the VSAM and its derivatives to any other educational system or market outside Victoria.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: On Track program

191. **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the answer to Question on Notice no. 60 received on 20 May 2003 that, in essence, said little more than 'Implementation details are in progress'; and further that in the Victorian Budget delivered some two weeks earlier $1.4 million was allocated to the project for each of the coming Budget years; and also noting a press release dated 8 February 2003 entitled 'Government "on track" to deliver more support for school leavers through $3.5 million program' —

(1) Why would the Minister not answer the questions asked in Question on Notice No 60.

(2) What progress has been made with the Program.

(3) What are the results of the research undertaken.

(4) Will the data be released in May 2003 as promised in the press release; if yes, in what form will it be released.

(5) How many students have declined to participate in the Program in 2003.

(6) How will the data be used to affect Department policies, programs and curriculum.

(7) Over what time frame and time sequence will this research be undertaken.

(8) How will the application of the data be monitored and by whom.

(9) In relation to the collected data —

(a) what will happen to it; and

(b) will the Minister provide an assurance that data will be used for Departmental purposes only.

(10) Is the data being managed using off-the-shelf or customised data management systems.

(11) Who has authority to access the data.

(12) Will this data be capable of identifying, localising and regionalising particular systemic and academic problems.

(13) In respect of the career plans referred to in the press release —

(a) how many have been prepared;

(b) how many have been audited; and

(c) how have they been audited.

ANSWER:

I am informed as follows:

The On Track program for 2002 school leavers is nearing completion, and outcomes for Year 12 students were publicly released on June 2. Details of the program and results can be found at http://www.llen.vic.gov.au/llen/ontrack/default.htm.

The program is generating valuable data which will be used to improve provision for young people as they move through education and training towards employment.

Data collection and analysis have been managed by Professor Richard Teese of the University of Melbourne, in conjunction with the Department of Education and Training, and comply fully with privacy legislation.

On Track builds on the Managed Individual Pathways (MIPs) initiative. In 2002, 84 percent of Year 10–12 students at Government schools had Managed Individual Pathways Plans.

Education and training: vocational education and training (VET) in schools program

192(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) How many subjects are available to the 27,026 VET enrolled students in the Victorian Certificate of Education (VCE) and how many students are enrolled in each such subject.

(2) Which schools offer VET in the VCE.

(3) Which of those schools are Registered Training Organisations (RTOs).

(4) What is the subsidy from the State Government in respect of each subject offered by each school —

(a) which is an RTO.

(b) which is not an RTO.

(5) What is the State Government budget for VET subjects in 2003.

(6) How is the money divided between each individual school in 2003.

(7) What is the formula on which money is allocated to schools, subjects and/or students.

(8) What reports or studies are there on the effectiveness of VET in the VCE.

ANSWER:

I am informed as follows:

(1) In relation to VET in the VCE programs there are 32 Victorian Curriculum and Assessment Authority (VCAA) accredited programs covering 20 industry areas.

Program details are available at www.vcaa.vic.edu.au

(2 and 3)
Attachment 1 [see below] provides a list of schools that deliver VET in Schools programs in 2003 and that have RTO status.

(4) The current funding model does not distribute funds based on individual VET in the VCE programs or the RTO status of the school.

(5) (6) and (7)
VET in the VCE funding information is available at www.sofweb.vic.edu.au/voced

(8) Reports are available at www.sofweb.vic.edu.au/voced in the research section.

Attachment 1 — Schools (RTO status indicated) offering VET in Schools June 2003

Code	Name	Location	RTO ?
ADULT PROVIDERS			
11990	ADULT MULTICULTURAL EDUCATION SERVICES	MELBOURNE	Y
01120	BENDIGO REGIONAL INSTITUTE OF TAFE	BENDIGO	Y
01174	BOX HILL INSTITUTE	BOX HILL	Y
01693	CENTRAL GIPPSLAND INSTITUTE OF TAFE	NEWBOROUGH	Y
01188	CHISHOLM INSTITUTE — DANDENONG CAMPUS	DANDENONG	Y
01537	CHISHOLM INSTITUTE — FRANKSTON CAMPUS	FRANKSTON	Y
01790	COLAC ADULT AND COMMUNITY EDUCATION	COLAC	Y
01087	CONTINUING EDUCATION CENTRE	WODONGA	Y
01013	DIAMOND VALLEY LEARNING CENTRE	GREENSBOROUGH	Y
01121	GORDON INSTITUTE	GEELONG	Y
01747	GOULBURN OVENS INSTITUTE OF TAFE (SHEPPARTON CAMPUS)	SHEPPARTON	Y
01606	KANGAN INSTITUTE OF TAFE	BROADMEADOWS	Y
01017	MOUNTAIN DISTRICT WOMEN'S CO-OP	FERNTREE GULLY	Y
01697	RMIT TAFE	CARLTON	Y
01711	SOUTH WEST INSTITUTE OF TAFE	WARRNAMBOOL	Y
01056	SUNRAYSIA INSTITUTE OF TAFE	MILDURA	Y
01108	SWINBURNE UNIVERSITY OF TECHNOLOGY — TAFE	PRAHRAN	Y
01063	THE CENTRE FOR ADULT EDUCATION	MELBOURNE	Y
01377	VICTORIA UNIVERSITY OF TECHNOLOGY — TAFE	FOOTSCRAY	Y
12870	WILLIAM ANGLISS INSTITUTE OF TAFE	MELBOURNE	Y
CATHOLIC PROVIDERS			
01216	ACADEMY OF MARY IMMACULATE	FITZROY	N
01300	AQUINAS COLLEGE	RINGWOOD	N
01456	ASSUMPTION COLLEGE	KILMORE	N
01251	AVE MARIA COLLEGE	ABERFELDIE	N
01197	AVILA COLLEGE	MOUNT WAVERLEY	Y
01099	CAROLINE CHISHOLM CATHOLIC COLLEGE	BRAYBROOK	N

Code	Name	Location	RTO ?
01540	CATHOLIC COLLEGE	BENDIGO	N
01048	CATHOLIC COLLEGE	SALE	N
01033	CATHOLIC COLLEGE	WODONGA	Y
01408	CATHOLIC LADIES COLLEGE	ELTHAM	Y
01793	CATHOLIC REGIONAL COLLEGE	GEELONG	Y
01534	CATHOLIC REGIONAL COLLEGE	SYDENHAM	N
01201	CHRISTIAN BROTHERS' COLLEGE	ST KILDA	N
01275	CLONARD COLLEGE	GEELONG WEST	Y
01375	DAMASCUS COLLEGE	MOUNT CLEAR	N
01050	DE LA SALLE COLLEGE	MALVERN	Y
01410	EMMAUS COLLEGE	BURWOOD	N
01946	FCJ COLLEGE	BENALLA	N
01276	GALEN COLLEGE	WANGARATTA	N
01206	GENAZZANO FCJ COLLEGE	KEW	N
01427	JOHN PAUL COLLEGE	FRANKSTON	Y
01316	KILBREDA COLLEGE	MENTONE	N
01212	KILLESTER COLLEGE	SPRINGVALE	N
01222	LAVALLA CATHOLIC COLLEGE	TRARALGON	Y
01426	LORETO COLLEGE	BALLARAT	Y
01424	LORETO MANDEVILLE HALL	TOORAK	N
01577	LOYOLA COLLEGE	WATSONIA	N
01563	MACKILLOP CATHOLIC REGIONAL COLLEGE	WERRIBEE	Y
01729	MACKILLOP COLLEGE SWAN HILL	SWAN HILL	N
01268	MARCELLIN COLLEGE	BULLEEN	N
01105	MARIAN COLLEGE ARARAT	ARARAT	N
01178	MARIAN COLLEGE MYRTLEFORD	MYRTLEFORD	N
01734	MARIAN COLLEGE SUNSHINE	SUNSHINE WEST	N
01494	MARIST SION COLLEGE	WARRAGUL	N
01788	MARY MACKILLOP CATHOLIC REGIONAL COLLEGE	LEONGATHA	N
01431	MATER CHRISTI COLLEGE LTD	BELGRAVE	N

Code	Name	Location	RTO ?
01218	MAZENOD COLLEGE	MULGRAVE	N
01306	MCAULEY COLLEGE	DOOBOOBETIC	N
01743	MERCY DIOCESAN COLLEGE	COBURG	N
01079	MONIVAE COLLEGE	HAMILTON	N
01515	MOUNT LILYDALE MERCY COLLEGE	LILYDALE	Y
01430	MOUNT ST JOSEPH GIRLS' COLLEGE	ALTONA	N
01369	NAGLE COLLEGE	BAIRNSDALE	Y
01750	NAZARETH COLLEGE	NOBLE PARK	N
01541	NOTRE DAME COLLEGE	SHEPPARTON	N
01326	OUR LADY OF MERCY COLLEGE	HEIDELBERG	N
01379	OUR LADY OF SACRED HEART COLLEGE	BENTLEIGH	N
01274	OUR LADY OF SION COLLEGE	BOX HILL	N
01167	PADUA COLLEGE	MORNINGTON	N
01225	PARADE COLLEGE	BUNDOORA	Y
01153	PENOLA CATHOLIC COLLEGE	BROADMEADOWS	N
01020	PRESENTATION COLLEGE	WINDSOR	Y
01124	SACRE COEUR	GLEN IRIS	N
01493	SACRED HEART COLLEGE GEELONG	NEWTOWN	Y
01511	SACRED HEART COLLEGE KYNETON	KYNETON	Y
01078	SACRED HEART GIRLS' COLLEGE	OAKLEIGH	Y
01026	SALESIAN COLLEGE	CHADSTONE	N
01057	SALESIAN COLLEGE	SUNBURY	N
01279	SAMARITAN CATHOLIC COLLEGE	PRESTON	N
01070	SANTA MARIA COLLEGE	NORTHCOTE	N
01388	SIENA COLLEGE	CAMBERWELL	N
01339	ST ALOYSIUS COLLEGE	NORTH MELBOURNE	N
01237	ST BEDE'S COLLEGE	MENTONE	N
01182	ST BERNARD'S COLLEGE	ESSENDON	N
01244	ST BRIGID'S COLLEGE	HORSHAM	N
01083	ST COLUMBA'S COLLEGE	ESSENDON	N
01524	ST FRANCIS XAVIER COLLEGE	BEACONSFIELD	Y

Code	Name	Location	RTO ?
01252	ST JOHN'S REGIONAL COLLEGE	DANDENONG	Y
01412	ST JOSEPH'S COLLEGE	ECHUCA	N
01148	ST JOSEPH'S COLLEGE	NORTH MELBOURNE	N
01476	ST JOSEPH'S COLLEGE	MILDURA	N
01438	ST JOSEPH'S COLLEGE	NEWTOWN	Y
01370	ST JOSEPH'S REGIONAL COLLEGE	FERNTREE GULLY	N
01032	ST KEVIN'S COLLEGE	TOORAK	N
01028	ST MARY OF THE ANGELS SCHOOL	NATHALIA	N
01393	ST MONICA'S COLLEGE	EPPING	N
01321	ST PATRICK'S COLLEGE	BALLARAT	N
01344	ST PAUL'S COLLEGE	ALTONA NORTH	N
01884	ST PETER'S COLLEGE	CRANBOURNE	N
01285	STAR OF THE SEA COLLEGE	GARDENVALE	N
11808	THOMAS CARR COLLEGE	TARNEIT	N
01401	TRINITY COLLEGE	COLAC	N
01507	WHITEFRIARS COLLEGE	DONVALE	N
01454	XAVIER COLLEGE	KEW	N
GOVERNMENT PROVIDERS			
01621	ALBERT PARK COLLEGE	ALBERT PARK	N
01411	ALEXANDRA SECONDARY COLLEGE	ALEXANDRA	N
01495	ALTONA SECONDARY COLLEGE	ALTONA	Y
01207	ARARAT COMMUNITY COLLEGE	ARARAT	N
01337	ASHWOOD SECONDARY COLLEGE	ASHWOOD	N
01003	BACCHUS MARSH COLLEGE	BACCHUS MARSH	N
01177	BAIMBRIDGE COLLEGE	HAMILTON	N
01634	BAIRNSDALE SECONDARY COLLEGE	BAIRNSDALE	N
01060	BALLARAT HIGH SCHOOL	BALLARAT	N
01111	BALLARAT SECONDARY COLLEGE	BALLARAT	Y
01219	BALMORAL HIGH SCHOOL	BALMORAL	N
01235	BALWYN HIGH SCHOOL	BALWYN NORTH	N

Code	Name	Location	RTO ?
01748	BANKSIA SECONDARY COLLEGE	HEIDELBERG WEST	N
01387	BAYSIDE COLLEGE	NEWPORT	N
01128	BAYSWATER SECONDARY COLLEGE	BAYSWATER	N
01066	BEAUFORT SECONDARY COLLEGE	BEAUFORT	N
01486	BEECHWORTH SECONDARY COLLEGE	BEECHWORTH	N
01039	BELLARINE SECONDARY COLLEGE	DRYSDALE	N
01322	BELMONT HIGH SCHOOL	BELMONT	N
01687	BENALLA COLLEGE	BENALLA	N
01226	BENDIGO SENIOR SECONDARY COLLEGE	BENDIGO	Y
01560	BENTLEIGH SECONDARY COLLEGE	BENTLEIGH EAST	N
01878	BERENDALE SCHOOL	MOORABBIN	N
01232	BERWICK SECONDARY COLLEGE	BERWICK	N
01125	BIRCHIP P–12 SCHOOL	BIRCHIP	N
01499	BLACKBURN HIGH SCHOOL	BLACKBURN	N
01027	BOORT SECONDARY COLLEGE	BOORT	N
01638	BORONIA HEIGHTS COLLEGE	BORONIA	Y
01688	BOX FOREST SECONDARY COLLEGE	GLENROY	Y
01289	BOX HILL HIGH SCHOOL	BOX HILL	N
01639	BOX HILL SENIOR SECONDARY COLLEGE	BOX HILL NORTH	Y
01640	BRANDON PARK SECONDARY COLLEGE	WHEELERS HILL	Y
01234	BRAUER COLLEGE	WARRNAMBOOL	N
01240	BRAYBROOK COLLEGE	BRAYBROOK	N
01187	BRENTWOOD SECONDARY COLLEGE	GLEN WAVERLEY	N
01542	BRIGHT P–12 COLLEGE	BRIGHT	Y
01132	BRIGHTON SECONDARY COLLEGE	BRIGHTON EAST	N
01575	BRIMBANK COLLEGE	ST ALBANS	Y
01443	BROADFORD SECONDARY COLLEGE	BROADFORD	N
01088	BROADMEADOWS SECONDARY COLLEGE	BROADMEADOWS	N
01505	BRUNSWICK SECONDARY COLLEGE	BRUNSWICK	N
01452	BUCKLEY PARK COLLEGE	ESSENDON	N
01054	BUNDOORA SECONDARY COLLEGE	BUNDOORA	N

Code	Name	Location	RTO ?
01294	CAMBERWELL HIGH SCHOOL	CANTERBURY	N
01286	CAMPERDOWN COLLEGE	CAMPERDOWN	N
01618	CANN RIVER P–12 COLLEGE	CANN RIVER	N
01245	CANTERBURY GIRLS SECONDARY COLLEGE	CANTERBURY	N
01192	CARWATHA COLLEGE P–12	NOBLE PARK NORTH	Y
01084	CASTERTON SECONDARY COLLEGE	CASTERTON	N
01450	CASTLEMAINE SECONDARY COLLEGE	CASTLEMAINE	N
01489	CAULFIELD PARK COMMUNITY SCHOOL	CAULFIELD NORTH	N
01040	CHANDLER SECONDARY COLLEGE	KEYSBOROUGH	Y
01243	CHARLTON COLLEGE	CHARLTON	N
01459	CHELTENHAM SECONDARY COLLEGE	CHELTENHAM	N
01356	CLEELAND SECONDARY COLLEGE	DANDENONG	Y
01543	COBDEN TECHNICAL SCHOOL	COBDEN	N
01135	COBRAM SECONDARY COLLEGE	COBRAM	N
01037	COHUNA SECONDARY COLLEGE	COHUNA	N
01643	COLAC COLLEGE	COLAC	N
01455	COLAC HIGH SCHOOL	COLAC	N
01196	COLLINGWOOD COLLEGE	COLLINGWOOD	Y
01094	COOMOORA SECONDARY COLLEGE	SPRINGVALE SOUTH	N
01559	COPPERFIELD COLLEGE	DELAHEY	Y
01539	CORIO BAY SENIOR COLLEGE	CORIO	Y
01195	CORRYONG COLLEGE	CORRYONG	N
01739	CRAIGIEBURN SECONDARY COLLEGE	CRAIGIEBURN	N
11838	CROXTON SPECIAL SCHOOL	NORTHCOTE	N
01102	CROYDON COMMUNITY SCHOOL	CROYDON	N
01513	CROYDON SECONDARY COLLEGE	CROYDON	N
01301	DANDENONG HIGH SCHOOL	DANDENONG	N
01145	DAYLESFORD SECONDARY COLLEGE	DAYLESFORD	N
01407	DEBNEY PARK SECONDARY COLLEGE	FLEMINGTON	N
01358	DEER PARK SECONDARY COLLEGE	DEER PARK	N

Code	Name	Location	RTO ?
01628	DIAMOND VALLEY COLLEGE	DIAMOND CREEK	N
01465	DIMBOOLA MEMORIAL SECONDARY COLLEGE	DIMBOOLA	N
01114	DISTANCE EDUCATION CENTRE VICTORIA	THORNBURY	N
01360	DONALD HIGH SCHOOL	DONALD	N
01253	DONCASTER SECONDARY COLLEGE	DONCASTER	Y
01645	DOVETON SECONDARY COLLEGE	DOVETON	N
01646	DROMANA SECONDARY COLLEGE	DROMANA	N
01202	DROUIN SECONDARY COLLEGE	DROUIN	N
01304	EAST DONCASTER SECONDARY COLLEGE	DONCASTER EAST	N
01409	EAST LODDON P–12 COLLEGE	DINGEE	N
01051	ECHUCA HIGH SCHOOL	ECHUCA	N
01469	ECHUCA SECONDARY COLLEGE	ECHUCA	Y
01312	EDENHOPE COLLEGE	EDENHOPE	N
01208	ELTHAM HIGH SCHOOL	ELTHAM	N
01147	ELWOOD COLLEGE	ELWOOD	Y
01732	EMERALD SECONDARY COLLEGE	EMERALD	N
01098	EPPING SECONDARY COLLEGE	EPPING	Y
01553	ERINBANK SECONDARY COLLEGE	WESTMEADOWS	N
01049	ESSENDON KEILOR COLLEGE	ESSENDON	N
01334	EUMEMMERRING COLLEGE	HALLAM	Y
01106	EUROA SECONDARY COLLEGE	EUROA	N
01004	FAIRHILLS HIGH SCHOOL	KNOXFIELD	N
01467	FAWKNER SECONDARY COLLEGE	FAWKNER	Y
01420	FERNTREE GULLY COLLEGE	FERNTREE GULLY	N
01648	FOOTSCRAY CITY COLLEGE	FOOTSCRAY	Y
01398	FOREST HILL COLLEGE	BURWOOD EAST	Y
01061	FRANKSTON HIGH SCHOOL	FRANKSTON	N
01566	GALVIN PARK SECONDARY COLLEGE	WERRIBEE	N
01166	GEELONG HIGH SCHOOL	GEELONG EAST	N
01626	GISBORNE SECONDARY COLLEGE	GISBORNE	N
01205	GLADSTONE PARK SECONDARY COLLEGE	GLADSTONE PARK	N

Code	Name	Location	RTO ?
01716	GLEN EIRA COLLEGE	CAULFIELD SOUTH	Y
01103	GLEN WAVERLEY SECONDARY COLLEGE	GLEN WAVERLEY	N
01139	GREENSBOROUGH SECONDARY COLLEGE	GREENSBOROUGH	N
01562	GROVEDALE COLLEGE	GROVEDALE	Y
01785	HAMPTON PARK SECONDARY COLLEGE	HAMPTON PARK	N
01340	HAWKESDALE COLLEGE	HAWKESDALE	N
01008	HAWTHORN SECONDARY COLLEGE	HAWTHORN EAST	Y
01239	HEALESVILLE HIGH SCHOOL	HEALESVILLE	Y
01367	HEATHERHILL SECONDARY COLLEGE	SPRINGVALE SOUTH	Y
01896	HEATHERWOOD SCHOOL	DONVALE	Y
01315	HEATHMONT COLLEGE	HEATHMONT	N
01085	HEYWOOD AND DISTRICT SECONDARY COLLEGE	HEYWOOD	Y
01157	HIGHVALE SECONDARY COLLEGE	GLEN WAVERLEY	N
01600	HILLCREST SECONDARY COLLEGE	BROADMEADOWS	N
01503	HOPETOUN SECONDARY COLLEGE	HOPETOUN	N
01742	HOPPERS CROSSING SECONDARY COLLEGE	HOPPERS CROSSING	N
01395	HORSHAM COLLEGE	HORSHAM	N
01136	KANIVA P–12 COLLEGE	KANIVA	N
01011	KARINGAL PARK SECONDARY COLLEGE	FRANKSTON	N
01478	KEALBA SECONDARY COLLEGE	KEALBA	N
01740	KEILOR DOWNS COLLEGE	KEILOR DOWNS	N
01528	KENSINGTON COMMUNITY HIGH SCHOOL	KENSINGTON	N
01038	KERANG TECHNICAL HIGH SCHOOL	KERANG	N
01373	KEW HIGH SCHOOL	KEW EAST	N
01351	KOO WEE RUP SECONDARY COLLEGE	KOO WEE RUP	N
01319	KOONUNG SECONDARY COLLEGE	MONT ALBERT NORTH	N
01248	KORUMBURRA SECONDARY COLLEGE	KORUMBURRA	N
01691	KURNAI COLLEGE MARYVALE CAMPUS	MORWELL	Y
01754	KURUNJANG SECONDARY COLLEGE	MELTON	N
01141	KYABRAM SECONDARY COLLEGE	KYABRAM	Y

Code	Name	Location	RTO ?
01043	KYNETON SECONDARY COLLEGE	KYNETON	N
01611	LA TROBE SECONDARY COLLEGE	MACLEOD	N
01357	LAKE BOLAC COLLEGE	LAKE BOLAC	N
11799	LAKES ENTRANCE SECONDARY COLLEGE	LAKES ENTRANCE	N
01267	LAKESIDE SECONDARY COLLEGE	RESERVOIR	N
01163	LALOR NORTH SECONDARY COLLEGE	EPPING	N
01736	LANGWARRIN SECONDARY COLLEGE	LANGWARRIN	Y
01521	LAVERS HILL P–12 COLLEGE	LAVERS HILL	N
01302	LAVERTON SECONDARY COLLEGE	LAVERTON	N
01198	LEONGATHA SECONDARY COLLEGE	LEONGATHA	Y
01622	LILYDALE HEIGHTS SECONDARY COLLEGE	LILYDALE	N
01096	LILYDALE HIGH SCHOOL	LILYDALE	Y
01533	LORNE–AIREYS INLET P–12 COLLEGE	LORNE	N
01265	LOWANNA COLLEGE	NEWBOROUGH	Y
01536	LYNALL HALL COMMUNITY SCHOOL	RICHMOND	N
01115	LYNDALE SECONDARY COLLEGE	DANDENONG NORTH	N
01599	LYNDHURST SECONDARY COLLEGE	CRANBOURNE	Y
01064	MACLEOD COLLEGE	MACLEOD	N
01366	MACROBERTSON GIRLS HIGH SCHOOL	MELBOURNE	N
01307	MAFFRA SECONDARY COLLEGE	MAFFRA	N
01522	MALLACOOTA P–12 COLLEGE	MALLACOOTA	N
01203	MANANGATANG P–12 COLLEGE	MANANGATANG	N
01100	MANSFIELD SECONDARY COLLEGE	MANSFIELD	N
01429	MARIBYRNONG SECONDARY COLLEGE	MARIBYRNONG	N
01378	MAROONDAH SECONDARY COLLEGE	CROYDON	N
01470	MARYBOROUGH REGIONAL COLLEGE	MARYBOROUGH	N
01067	MATTHEW FLINDERS GIRLS' SECONDARY COLLEGE	GEELONG	Y
01549	MCGUIRE COLLEGE SHEPPARTON	SHEPPARTON	Y
01247	MELBOURNE GIRLS' COLLEGE	RICHMOND	N
01260	MELBOURNE HIGH SCHOOL	SOUTH YARRA	N
01313	MELTON SECONDARY COLLEGE	MELTON	N

Code	Name	Location	RTO ?
01273	MENTONE GIRLS' SECONDARY COLLEGE	MENTONE	N
01224	MERRILANDS COLLEGE PREP–12	RESERVOIR	N
01107	MILDURA SENIOR COLLEGE	MILDURA	N
01873	MILL PARK SECONDARY COLLEGE	EPPING	N
01371	MIRBOO NORTH SECONDARY COLLEGE	MIRBOO NORTH	N
01671	MITCHELL SECONDARY COLLEGE	WODONGA	N
01118	MONASH SECONDARY COLLEGE	NOTTING HILL	N
01062	MONBULK COLLEGE	MONBULK	Y
01481	MONTEREY SECONDARY COLLEGE	FRANKSTON NORTH	N
01071	MONTMORENCY SECONDARY COLLEGE	MONTMORENCY	N
01436	MOOROOLBARK HEIGHTS SECONDARY COLLEGE	MOOROOLBARK	N
01482	MOOROOPNA SECONDARY COLLEGE	MOOROOPNA	Y
01376	MORDIALLOC COLLEGE	MORDIALLOC	N
01354	MORELAND CITY COLLEGE	COBURG	N
01590	MORNINGTON SECONDARY COLLEGE	MORNINGTON	Y
01068	MORTLAKE COLLEGE	MORTLAKE	N
01329	MOUNT BEAUTY SECONDARY COLLEGE	MOUNT BEAUTY	N
01531	MOUNT CLEAR SECONDARY COLLEGE	MOUNT CLEAR	N
01228	MOUNT ELIZA SECONDARY COLLEGE	MOUNT ELIZA	N
01637	MOUNT ERIN SECONDARY COLLEGE	FRANKSTON	Y
01383	MOUNT WAVERLEY SECONDARY COLLEGE	MOUNT WAVERLEY	N
01656	MULLAUNA COLLEGE	MITCHAM	Y
01439	MURRAYVILLE COMMUNITY COLLEGE	MURRAYVILLE	Y
01335	MURTOA P–12 COLLEGE	MURTOA	N
01233	MYRTLEFORD SECONDARY COLLEGE	MYRTLEFORD	N
12566	NARRE COMMUNITY LEARNING CENTRE	NARRE WARREN	Y
01080	NATHALIA SECONDARY COLLEGE	NATHALIA	N
01149	NEERIM DISTRICT SECONDARY COLLEGE	NEERIM SOUTH	N
01487	NEWCOMB SECONDARY COLLEGE	NEWCOMB	Y
01287	NHILL COLLEGE	NHILL	N

Code	Name	Location	RTO ?
01658	NIDDRIE SECONDARY COLLEGE	NIDDRIE	N
01175	NOBLE PARK SECONDARY COLLEGE	NOBLE PARK	N
01380	NORTH GEELONG SECONDARY COLLEGE	GEELONG NORTH	N
01123	NORTHCOTE HIGH SCHOOL	NORTHCOTE	N
01596	NORTHLAND SECONDARY COLLEGE	PRESTON EAST	Y
01077	NORWOOD SECONDARY COLLEGE	RINGWOOD	N
01185	NUMURKAH SECONDARY COLLEGE	NUMURKAH	N
01328	OBERON HIGH SCHOOL	BELMONT	N
01086	ORBOST SECONDARY COLLEGE	ORBOST	N
01504	OUYEN SECONDARY COLLEGE	OUYEN	N
01594	OVENS COLLEGE	WANGARATTA	N
01396	PAKENHAM SECONDARY COLLEGE	PAKENHAM	Y
01338	PARKDALE SECONDARY COLLEGE	MORDIALLOC	N
01561	PARKWOOD SECONDARY COLLEGE	RINGWOOD NORTH	N
01284	PASCOE VALE GIRLS SECONDARY COLLEGE	PASCOE VALE	N
01466	PATTERSON RIVER SECONDARY COLLEGE	CARRUM	N
01236	PEMBROKE SECONDARY COLLEGE	MOOROOLBARK	Y
01654	PETER LALOR SECONDARY COLLEGE	LALOR	N
11878	PORT PHILLIP SPECIALIST SCHOOL	PORT MELBOURNE	N
01662	PORTLAND SECONDARY COLLEGE	PORTLAND	N
01031	PRESTON GIRLS SECONDARY COLLEGE	PRESTON	Y
01194	PRINCES HILL SECONDARY COLLEGE	CARLTON NORTH	N
01457	RAINBOW SECONDARY COLLEGE	RAINBOW	N
01352	RED CLIFFS SECONDARY COLLEGE	RED CLIFFS	N
01500	RESERVOIR DISTRICT SECONDARY COLLEGE	RESERVOIR	N
01448	RINGWOOD SECONDARY COLLEGE	RINGWOOD	N
01715	ROBINVALE SECONDARY COLLEGE	ROBINVALE	N
01142	ROCHESTER HIGH SCHOOL	ROCHESTER	N
01044	ROSEBUD SECONDARY COLLEGE	ROSEBUD	Y
01838	ROWVILLE SECONDARY COLLEGE	ROWVILLE	Y
01246	ROXBURGH COLLEGE	DALLAS	N

Code	Name	Location	RTO ?
01406	RUSHWORTH P–12 COLLEGE	RUSHWORTH	N
01303	RUTHERGLEN HIGH SCHOOL	RUTHERGLEN	N
01199	SALE COLLEGE	SALE	N
01664	SANDRINGHAM COLLEGE	SANDRINGHAM	Y
01343	SCORESBY SECONDARY COLLEGE	SCORESBY	Y
01581	SEBASTOPOL COLLEGE	SEBASTOPOL	N
01255	SEYMOUR TECHNICAL HIGH SCHOOL	SEYMOUR	N
01150	SHEPPARTON HIGH SCHOOL	SHEPPARTON	N
01731	SHERBROOKE COMMUNITY SCHOOL	SASSAFRAS	N
01264	SOUTH GIPPSLAND SECONDARY COLLEGE	FOSTER	Y
01651	SOUTH OAKLEIGH SECONDARY COLLEGE	SOUTH OAKLEIGH	N
01241	SPRINGVALE SECONDARY COLLEGE	SPRINGVALE	N
01133	ST ALBANS SECONDARY COLLEGE	ST ALBANS	N
01259	ST ARNAUD SECONDARY COLLEGE	ST ARNAUD	N
01741	ST HELENA SECONDARY COLLEGE	ELTHAM	Y
01655	STAUGHTON COLLEGE	MELTON SOUTH	Y
01681	STAWELL SECONDARY COLLEGE	STAWELL	N
01089	STRATHMORE SECONDARY COLLEGE	STRATHMORE	N
01791	SUNBURY DOWNS SECONDARY COLLEGE	SUNBURY	N
01006	SUNBURY SECONDARY COLLEGE	SUNBURY	N
01676	SUNSHINE COLLEGE	SUNSHINE	Y
01421	SWAN HILL COLLEGE	SWAN HILL	Y
01317	SWIFTS CREEK SECONDARY COLLEGE	SWIFTS CREEK	N
01565	SWINBURNE SENIOR SECONDARY COLLEGE	HAWTHORN	Y
01382	SYDNEY ROAD COMMUNITY SCHOOL	BRUNSWICK	N
01215	TALLANGATTA SECONDARY COLLEGE	TALLANGATTA	N
01889	TAYLORS LAKES SECONDARY COLLEGE	TAYLORS LAKES	N
01550	TEMPLESTOWE COLLEGE	TEMPLESTOWE LOWER	N
01113	TERANG COLLEGE	TERANG	N
01897	THE GRANGE P–12 COLLEGE	HOPPERS CROSSING	Y

Code	Name	Location	RTO ?
01349	THOMASTOWN SECONDARY COLLEGE	THOMASTOWN	N
01660	THORNBURY DAREBIN SECONDARY COLLEGE	THORNBURY	Y
01012	TIMBOON P–12 SCHOOL	TIMBOON	N
01425	TRAFALGAR HIGH SCHOOL	TRAFALGAR	N
01586	TRARALGON SECONDARY COLLEGE	TRARALGON	Y
01361	TYRRELL COLLEGE	SEA LAKE	N
01372	UNIVERSITY HIGH SCHOOL	PARKVILLE	N
01168	UPPER YARRA SECONDARY COLLEGE	YARRA JUNCTION	Y
01069	UPWEY HIGH SCHOOL	UPWEY	Y
01193	VERMONT SECONDARY COLLEGE	VERMONT	N
01899	VICTORIAN COLLEGE FOR THE DEAF	MELBOURNE	Y
01525	VICTORIAN COLLEGE OF THE ARTS SECONDARY SCHOOL	SOUTHBANK	N
01392	VIEWBANK COLLEGE	ROSANNA	N
01101	WANGANUI PARK SECONDARY COLLEGE	SHEPPARTON	N
01434	WANGARATTA HIGH SCHOOL	WANGARATTA	Y
01578	WANTIRNA COLLEGE	WANTIRNA	N
01173	WARRACKNABEAL SECONDARY COLLEGE	WARRACKNABEAL	N
01668	WARRAGUL REGIONAL COLLEGE	WARRAGUL	Y
01526	WARRANDYTE HIGH SCHOOL	WARRANDYTE	N
01385	WARRNAMBOOL COLLEGE	WARRNAMBOOL	N
01029	WEDDERBURN COLLEGE	WEDDERBURN	N
01509	WELLINGTON SECONDARY COLLEGE	MULGRAVE	Y
01446	WERRIBEE SECONDARY COLLEGE	WERRIBEE	N
01460	WESTALL SECONDARY COLLEGE	CLAYTON SOUTH	N
01719	WESTERN HEIGHTS COLLEGE	GEELONG NORTH	Y
01498	WESTERN PORT SECONDARY COLLEGE	HASTINGS	Y
01579	WHEELERS HILL SECONDARY COLLEGE	WHEELERS HILL	Y
01288	WHITTLESEA SECONDARY COLLEGE	WHITTLESEA	N
01404	WILLIAMSTOWN HIGH SCHOOL	WILLIAMSTOWN	N
01186	WODONGA HIGH SCHOOL	WODONGA	N
01131	WODONGA WEST SECONDARY COLLEGE	WODONGA	N

Code	Name	Location	RTO ?
01672	WONTHAGGI SECONDARY COLLEGE	WONTHAGGI	Y
01293	WYCHEPROOF P–12 COLLEGE	WYCHEPROOF	N
01191	YARRAM SECONDARY COLLEGE	YARRAM	N
01091	YARRAWONGA SECONDARY COLLEGE	YARRAWONGA	N
01508	YEA HIGH SCHOOL	YEA	N
INDEPENDENT PROVIDERS			
01949	AITKEN COLLEGE	GREENVALE	Y
01852	ALPHINGTON GRAMMAR SCHOOL	ALPHINGTON	Y
01799	BACCHUS MARSH GRAMMAR	BACCHUS MARSH	N
01010	BALLARAT AND CLARENDON COLLEGE	BALLARAT	N
11959	BALLARAT CHRISTIAN COLLEGE	SEBASTOPOL	N
01480	BALLARAT GRAMMAR SCHOOL	WENDOUREE	Y
01877	BAYSIDE CHRISTIAN COLLEGE	FRANKSTON	N
01137	BAYVIEW COLLEGE	PORTLAND	N
01607	BEACONHILLS CHRISTIAN COLLEGE	PAKENHAM	N
01558	BILLANOOK COLLEGE	MOOROOLBARK	Y
01397	BRAEMAR COLLEGE	WOODEND	Y
01095	BRIGHTON GRAMMAR SCHOOL	BRIGHTON	Y
01045	CAMBERWELL GRAMMAR SCHOOL	CANTERBURY	Y
01464	CAREY BAPTIST GRAMMAR SCHOOL	KEW	N
01305	CAULFIELD GRAMMAR SCHOOL — CAULFIELD CAMPUS	ST KILDA EAST	N
01629	CAULFIELD GRAMMAR SCHOOL — WHEELERS HILL CAMPUS	WHEELERS HILL	N
01890	CHAIRO CHRISTIAN SCHOOL	DROUIN	Y
01787	CHRISTIAN COLLEGE INSTITUTE OF SENIOR EDUCATION	WAURN PONDS	N
01911	COVENANT COLLEGE	BELL POST HILL	Y
01933	CRANBOURNE CHRISTIAN COLLEGE	CRANBOURNE	N
01571	DONVALE CHRISTIAN COLLEGE	DONVALE	Y
01468	ELTHAM COLLEGE OF EDUCATION	RESEARCH	Y
01310	FINTONA GIRLS SCHOOL	BALWYN	N
01258	FIRBANK GRAMMAR SCHOOL	BRIGHTON	Y

Code	Name	Location	RTO ?
01680	FLINDERS CHRISTIAN COMMUNITY COLLEGE	TYABB	Y
01516	GIPPSLAND GRAMMAR	SALE	N
01848	GIRTON GRAMMAR SCHOOL	BENDIGO	Y
13461	GLENVALE SCHOOL	GLENROY	N
01614	GOOD SHEPHERD COLLEGE	HAMILTON	N
01104	HAILEYBURY COLLEGE	KEYSBOROUGH	Y
01721	HEATHDALE CHRISTIAN COLLEGE	WERRIBEE	Y
01413	HIGHVIEW CHRISTIAN COMMUNITY COLLEGE	MARYBOROUGH	Y
01932	HILLCREST CHRISTIAN COLLEGE — AYR HILL CAMPUS	CLYDE NORTH	N
01474	HUNTINGTOWER SCHOOL	MOUNT WAVERLEY	N
11586	ISIK COLLEGE	BROADMEADOWS	Y
01368	IVANHOE GIRLS' GRAMMAR SCHOOL	IVANHOE	Y
01418	IVANHOE GRAMMAR SCHOOL	IVANHOE	Y
01905	KARDINIA INTERNATIONAL COLLEGE	BELL POST HILL	N
01110	KILVINGTON BAPTIST GIRLS' GRAMMAR SCHOOL	ORMOND	Y
11551	KINGS COLLEGE	WARRNAMBOOL	N
01059	KINGSWOOD COLLEGE	BOX HILL	Y
01009	KOROWA ANGLICAN GIRLS' SCHOOL	GLEN IRIS	N
01940	LIGHTHOUSE CHRISTIAN COLLEGE	KEYSBOROUGH	N
01355	LILYDALE ADVENTIST ACADEMY	LILYDALE	Y
11557	LITTLE YARRA STEINER SCHOOL	YARRA JUNCTION	N
01374	LOWTHER HALL ANGLICAN GRAMMAR SCHOOL	ESSENDON	N
01320	LUTHER COLLEGE	CROYDON	N
01405	MARANATHA CHRISTIAN SCHOOL	ENDEAVOUR HILLS	Y
01223	MELBOURNE GRAMMAR SCHOOL	SOUTH YARRA	N
01556	MELBOURNE RUDOLF STEINER SCHOOL	WARRANWOOD	Y
01943	MELTON CHRISTIAN COLLEGE	MELTON SOUTH	N
01065	MENTONE GIRLS' GRAMMAR SCHOOL	MENTONE	Y
01116	MENTONE GRAMMAR SCHOOL	MENTONE	Y
01015	METHODIST LADIES COLLEGE	KEW	Y
01047	MOUNT EVELYN CHRISTIAN SCHOOL	MOUNT EVELYN	Y

Code	Name	Location	RTO ?
01485	MOUNT SCOPUS MEMORIAL COLLEGE	BURWOOD	Y
01720	MOWBRAY COLLEGE	MELTON	N
01564	NEWHAVEN COLLEGE	NEWHAVEN	N
01942	NORTHSIDE CHRISTIAN COLLEGE	BUNDOORA	N
01753	OVERNEWTON ANGLICAN COMMUNITY COLLEGE	KEILOR	Y
01530	OXLEY COLLEGE	CHIRNSIDE PARK	Y
01786	PLENTY VALLEY CHRISTIAN SCHOOL	DOREEN	Y
01072	PRESBYTERIAN LADIES' COLLEGE	BURWOOD	N
01176	RUYTON GIRLS' SCHOOL	KEW	N
01497	SCOTCH COLLEGE	HAWTHORN	N
01442	SHELFORD ANGLICAN GIRLS SCHOOL	CAULFIELD	N
01915	SOUTH COAST CHRISTIAN COLLEGE	LEONGATHA	N
11926	SOUTHWOOD BOYS GRAMMAR SCHOOL — TINTERN	RINGWOOD	N
01130	ST CATHERINE'S SCHOOL	TOORAK	N
01018	ST JOHN'S GREEK ORTHODOX COLLEGE	PRESTON	N
01280	ST MARGARET'S SCHOOL	BERWICK	N
01449	ST MICHAEL'S GRAMMAR SCHOOL	ST KILDA	Y
01678	ST PAUL'S ANGLICAN GRAMMAR SCHOOL	WARRAGUL	Y
01967	STOTT'S COLLEGE	MELBOURNE	N
01290	STRATHCONA BAPTIST GIRLS GRAMMAR SCHOOL	CANTERBURY	Y
01242	TAYLORS COLLEGE	MELBOURNE	N
01227	THE GEELONG COLLEGE	NEWTOWN	N
01126	THE HAMILTON AND ALEXANDRA COLLEGE	HAMILTON	Y
01701	THE KNOX SCHOOL	WANTIRNA SOUTH	Y
01075	THE PENINSULA SCHOOL	MOUNT ELIZA	Y
01189	TINTERN GGS	RINGWOOD EAST	Y
01172	TOORAK COLLEGE	MOUNT ELIZA	N
01134	TRINITY GRAMMAR SCHOOL	KEW	N
01918	WAVERLEY CHRISTIAN COLLEGE	WANTIRNA SOUTH	N
01036	WESLEY COLLEGE	MELBOURNE	Y

Code	Name	Location	RTO ?
01816	WESLEY COLLEGE GLEN WAVERLEY CAMPUS	GLEN WAVERLEY	N
01527	WESTBOURNE GRAMMAR SCHOOL — HOPPERS CROSSING CAMPUS	TRUGANINA	N
01165	WOODLEIGH SCHOOL	BAXTER	Y
01400	YARRA VALLEY GRAMMAR SCHOOL	RINGWOOD	Y

Education services: vocational education and training (VET) in schools program

192(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) How many subjects are available to the 27,026 VET enrolled students in the Victorian Certificate of Education (VCE) and how many students are enrolled in each such subject.

(2) Which schools offer VET in the VCE.

(3) Which of those schools are Registered Training Organisations (RTOs).

(4) What is the subsidy from the State Government in respect of each subject offered by each school —

(a) which is an RTO.

(b) which is not an RTO.

(5) What is the State Government budget for VET subjects in 2003.

(6) How is the money divided between each individual school in 2003.

(7) What is the formula on which money is allocated to schools, subjects and/or students.

(8) What reports or studies are there on the effectiveness of VET in the VCE.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education and training: e-learning online strategy team

193(a). Mr PERTON to ask the Honourable the Minister for Education and Training —

(1) Is there a unit in the Department called the e-learning online strategy team; if not, is there a unit or team of a similar name or having the duties or responsibilities of working on e-learning policy or issues.

(2) How many people work in the team and what are their job descriptions.

(3) Who is the leader of the team and who does the team answer to.

(4) What are the key performance indicators of the team.

(5) What outputs has the team produced.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education Services who will provide a response.

Education services: e-learning online strategy team

193(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) Is there a unit in the Department called the e-learning online strategy team; if not, is there a unit or team of a similar name or having the duties or responsibilities of working on e-learning policy or issues.

(2) How many people work in the team and what are their job descriptions.

(3) Who is the leader of the team and who does the team answer to.

(4) What are the key performance indicators of the team.

(5) What outputs has the team produced.

ANSWER:

I am informed as follows:

There is an e-Learning Online Strategy Team within the Department of Education and Training.

The team is responsible for the development of policy and programs to support the integration of information and communication technologies into classroom practice in Victorian schools. Significant areas of work for the team include:

– the development of online content for use by students and teachers including curriculum@work and The Le@rning Federation digital content and Idea Bank and PD Bank.

– professional development for teachers on the use of ICT in their classrooms including the development of stand alone PD modules and partnership programs such as IBM Reinventing Education and the Intel Teach to the Future programs.

– establishing a research base to guide future practice including research into effective e-learning environments within schools and into teacher skill levels through activities such as the teacher capabilities guidelines and online skills audit.

Employment and youth affairs: community business employment (CBE) program report

194. Mr THOMPSON to ask the Honourable the Minister for Employment and Youth Affairs — With reference to the evaluation of the CBE program report prepared by the South Australian Centre for Economic Studies for the Victorian Department of Education, Employment and Training dated January 2002 —

(1) What was the cost of the review.

(2) Why did the Government not follow the principal recommendation in the review to retain the CBE program on the grounds of efficiency and equity, with the review also noting that if the program was discontinued, ‘many clients would be further disadvantaged’.

ANSWER:

I am informed as follows:

(1) The cost of the review was reported in the Department of Education and Training Annual Report 2001–02 in accordance with the Financial Management Act 1994.

(2) The Government has implemented a new integrated approach to employment solutions emphasising employment services as one of a broader policy response to employment growth encompassing education, training, regional industry development and community capacity building. The programs have been reformed under one new initiative, Jobs for Victoria, to ensure they are better targeted and refocused on those areas where the Government is best able to assist. This includes young people and the most disadvantaged.

Transport: graffiti at Hamilton railway station

195. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) How often is the station cleaned of graffiti.

(2) Does Victrack, Freight Australia or any other party pay for the cost of such cleaning.

(3) How often are stations like Hamilton checked for graffiti and within what time span must it be removed.

ANSWER:

(1) The station is cleaned of graffiti as required on a needs basis.

(2) Yes.

(3) Leases dictate that premises are to be kept in good repair and cleaned internally and externally. Inspections are conducted regularly.

Transport: graffiti at Prahran railway station

196. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) Does the brickwork in the former toilets on the Sandringham-bound platform of the station currently display graffiti.

(2) How long is it since graffiti has been cleaned from this area.

(3) When will this graffiti be removed by M>Train or its contractors.

ANSWER:

On the advice provided to me as at 11 June 2003 I make the following response:

(1) No

(2) 2 days

(3) Not applicable.

Education and training: mark sense procedures

198(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training —

(1) What are the mark sense procedures of the Victorian Curriculum and Assessment Authority.

(2) Are the procedures set out in any publicly available document; if so, where is the document available.

(3) Have there been any changes in the procedures in the last five years; if so, what are they.

(4) Are there any changes in the procedures planned.

ANSWER:

I am informed as follows:

(1) The mark sense procedures of the VCAA are the optical scanning processes used in VCE Assessment. The VCAA operates 8 optical scanners to read and store

(2) No documents on the VCAA's mark sense procedures are available publicly. Advice to students on how to complete mark sense sheets when answering multiple choice questions is provided in the GAT brochure and 2003 VCE Examinations and GAT Student Information Booklet and Timetable. These documents are available at www.vcaa.vic.edu.au

(3) Ongoing improvements to quality assurance have been made over the last 5 years but no major changes to the procedures have occurred.

(4) There are no planned changes to the mark sense procedures.

Education services: mark sense procedures

198(b). Mr PERTON to ask the Honourable the Minister for Education Services —

(1) What are the mark sense procedures of the Victorian Curriculum and Assessment Authority.

(2) Are the procedures set out in any publicly available document; if so, where is the document available.

(3) Have there been any changes in the procedures in the last five years; if so, what are they.

(4) Are there any changes in the procedures planned.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities and I believe it has also been directed to the Minister for Education and Training who will provide a response.

Education services: multifunction devices in schools

199. Mr PERTON to ask the Honourable the Minister for Education Services — Has the Department of Education and Training given any consideration to —

(1) Expanding the current capability of existing digital copiers in schools to enable printing.

(2) The cost saving and other benefits from using multifunction devices in Victorian schools.

ANSWER:

I am informed as follows:

The cost savings and other benefits of multifunction devices have been considered for the provisioning arrangements for schools. Multifunction devices are included on panel pricing schedules available to schools through the ICT Products and Services Pricing Schedules on the Department's Information and Communications Technology web site.

The specific requirements in relation to functionality, access and cost control, physical location and security for each of the functional parts of a multifunction device will lead to schools having varying requirements of any individual device. Schools have access to printing enabled digital copies and multifunction devices through the panels and other purchasing arrangements that allows them to implement devices that suit their needs.

Education services: capital works at state primary and secondary schools in Brighton electorate

200. **Ms ASHER** to ask the Honourable the Minister for Education Services —

(1) What is the total amount allocated and spent on capital works, including minor capital works not listed in Budget Information Paper No 1, at State primary and secondary schools within the electorate of Brighton since October 1999.

(2) For each such school —

(a) what was the amount allocated and spent;

(b) the year of the allocation; and

(c) the year/s in which the money was, or will be, spent.

ANSWER:

I am informed as follows:

(1) Since October 1999 $4,464,274 has been allocated within the electorate of Brighton. All funds have been spent except for $100,000 to be spent next financial year.

(2) Brighton Primary School:

(i) $800,327 was allocated and spent for a major construction project in the 2001/02 budget. This money was expended during 2001/02 and 2002/03.

(ii) $167,900 allocated and spent for minor capital works in 2000/01.

Brighton Beach Primary School:

(i) $906,782 was allocated and spent for a major construction project in the 2000/01 budget. This money was expended during 2000/01 and 2001/02.

(ii) $100,000 was allocated in 2001/02 for minor capital works. This work is yet to commence however the project is expected to be completed next financial year.

Hampton Primary School:

(i) $1,228,064 was allocated and spent for a major construction project in the 2001/02 budget. This money was expended during 2001/02 and 2002/03.

Brighton Secondary College:

(i) $1,261,201 was allocated and spent for a fire reinstatement and a major construction project in the 2001/02 budget. This money was expended during 2001/02 and 2002/03.

Transport: Mentone railway station

219. **Mr THOMPSON** to ask the Honourable the Minister for Transport —

(1) When will the asphalt paving on the ramps leading to the subway at the station be repaired.

(2) What was the cost of recent repairs to the subway under the rail tracks.

ANSWER:

(1) M>Train advise that there are no current plans for asphalt paving on the ramps leading to the subway as the ramps are deemed to be in good condition.

(2) M>Train advise that the cost of recent repairs to the subway under the rail tracks was approximately $3,000.

Police and emergency services: new police station in Sandringham

220. **Mr THOMPSON** to ask the Honourable the Minister for Police and Emergency Services — With reference to the election promise in 1988 that the Labor party would build a new police station, and the result of a study completed under the current Government recommending that a new station to be established on the former Abbott Street site to meet the objectives of local priority policing —

(1) What is the progress of the Government's plans to meet both an earlier election commitment to the people of Sandringham and the objectives of local priority policy by constructing a new station.

(2) Will construction be commenced in the year 2003–04.

ANSWER:

I am advised that/as follows:

The Bracks Governments' second term capital works projects were articulated in our 2002 election commitments.

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 Assembly.
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, 27 August 2003

Corrections: Correctional Services Commissioner employees

12. **Mr WELLS** to ask the Honourable the Minister for Corrections —

(1) What was the number of effective full-time employees as at 1 January 2002 and 31 December 2002.

(2) What was the actual cost of employee remuneration and entitlements as at 1 January 2002 and 31 December 2002.

(3) What was the organisational structure, indicated by means of organisational charts, of the Office as at 31 December 2002.

(4) How many employees worked in each area/unit of the Office, what were their classifications and what duties were performed by each area/unit according to the organisational structure at 31 December 2002.

(5) How many employees as at 1 January 2002 and 31 December 2002 were classified as Senior Executives.

ANSWER:

I am informed that:

Substantial, detailed information regarding staffing and employee related costs have been provided to the Public Accounts and Estimates Committee.

Collation of information in the specific format sought by the honourable member demands a significant diversion of resources by Corrections Victoria.

Corrections: prisons — capacity and population

16. **Mr WELLS** to ask the Honourable the Minister for Corrections — With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison —

(1) What was the 'design' prisoner capacity at each facility as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002.

(2) What was the actual prisoner population at each facility as at 30 June 2000, 31 December 2000, 30 June 2001, 31 December 2001, 30 June 2002 and 31 December 2002.

ANSWER:

I am advised as follows:

All the issues and available statistics around design capacity, actual capacity and prison occupancy rates were canvassed at the Public Accounts and Estimates Committee Hearing on 23 May, 2003.

I point out that comparing occupancy against design capacity is a meaningless exercise given that following major expansions the actual capacity of our prisons is now 1400 beds greater than the original design capacity.

Corrections: prisons — illicit drugs and drug treatment programs

19. **Mr WELLS** to ask the Honourable the Minister for Corrections — With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison —

(1) What was total number of prisoners at each facility that tested positive for illicit drug use between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(2) What percentage of the total prison population at each facility that tested positive for illicit drug use between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(3) What was the performance benchmark as a percentage of total prison population allowable for illicit drug use as agreed in the Service Agreement for Public Prisons and the Contract Agreement for Private Prisons at each facility between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(4) What was the total cost of drug treatments at each facility between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(5) What was the total number of prisoners treated for illicit drug use at each facility between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(6) What was the maximum number of prisoners at each facility who could access drug treatment programs between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(7) How many prisoners were unable to access drug treatment programs due to resource constraints at each facility between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(8) What was total number of prisoners who accessed drug awareness programs at each facility between 1 July 2000–30 June 2001, 1 January 2001–31 December 2001, 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

ANSWER:

I am advised that:

Information on positive urine test results returned in relation to random general testing regularly conducted at each prison, is published in the Statistical Profile of the Victorian Prison System.

The performance benchmarks for each prison are also available in the Statistical Profile of the Victorian Prison System, which is available through the Resource Centre of the Office of the Correctional Services Commissioner.

Sufficiently detailed information to answer the rest of this question is not readily available without substantially and unreasonably interfering with the functions of the Office of the Correctional Services Commissioner.

Police and emergency services: driver drug testing

21. **Mr WELLS** to ask the Honourable the Minister for Police and Emergency Services —

(1) How many drivers have been detected and charged between 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002 for driving under the influence of drugs.

(2) How many drivers have been detected and charged for driving under the influence of drugs between 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002 in each of metropolitan Melbourne and rural and regional Victoria.

(3) How many drivers have been convicted for driving under the influence of drugs between 1 July 2001–30 June 2002 and 1 January 2002–31 December 2002.

(4) How many driver offenders remain unconvicted as at 31 December 2002.

ANSWER:

I am advised that:

From 1 December 2000–31 December 2002 there were 453 suspects tested. Of those, 308 drivers in metropolitan Melbourne and 70 drivers in rural and regional Victoria were charged. 168 drivers have been convicted and 18 have been referred to Vicroads for licence review.

Treasurer: Commissioner of State Revenue

32. **Mr CLARK** to ask the Honourable the Treasurer — With reference to objections made by taxpayers to land tax assessments —

(1) How many objections remained undecided by the Commissioner as at 31 December in each year from 1999 to 2002 inclusive.

(2) What targets, benchmarks or key performance indicators (by whatever name known) does the Commissioner have in respect of the handling of objections to land tax assessments, or did the Commissioner have in respect of on or any time after 31 December 1999.

(3) What has or have been the target level or levels set for each target, benchmark or key performance indicator on and after 31 December 1999.

(4) What has been the actual performance on and after 31 December 1999 of the Commissioner against each target, benchmark or key performance indicator.

ANSWER:

I am informed that:

Question (1)

The following table indicates the number of undecided objection as at December 21 for each year from 1999 to 2002. These objections are usually the result of late lodgment of notices of acquisition by taxpayers.

	1999	2000	2001	2002
Number of undecided Land Tax objections as at 31 December	93	149	134	*110

*NB. Approximately 40 of these objections were 'on-hold' pending the outcome of litigation concerning section 51 of the *Land Tax A*ct.

Question (2)

There are no targets, benchmarks, or key performance indicators solely related to land tax objections.

Question (3)

Given the answer to question 2, this question becomes redundant.

Question (4)

Given the answer to question 2, this question becomes redundant.

Transport: boat operator licence revenue

69. **Mr DIXON** to ask the Honourable the Minister for Transport —

(1) How will the revenue from boat operator licences be spent in 2002–2003.

(2) How much revenue has the Government budgeted to be collected from boat operator licences in 2002–2003 to date.

(3) How much revenue has been collected from the boat operators' licences in 2001–2002.

ANSWER:

(1) Revenue from boat operator licensing fees is being reinvested back into the boating community via the Boating Safety Funding Program, with $15.9 million committed over 5 years, between 2001 and 2006.

In 2002–03, the program funded a variety of projects to address specific issues that affect all recreational waterway users in Victoria. Statewide initiatives in 2002–03 included:

– Navigation Aid and Boating Safety Signage Audit

– Boat safety equipment check program

– Public education campaign (Lifejackets Saves Lives)

– Boating safety research

The community grant component of the program provided funding to a wide range of organisations including:

– The provision of search and rescue vessels and equipment

– Education and training programs

– The installation of navigation aids and boating safety signs

A comprehensive listing of all grant recipients and successful projects, along with the 2002–03 Boating Safety Funding Program Guidelines and Information booklet are available on the Marine Safety Victoria web site (www.marinesafety.vic.gov.au).

(2) Anticipated licensing revenue for 2002–03 is $8.3 million.

(3) Revenue collected from boat operator licences in 2001–02 was $1,594,450.

Transport: boat trailer registrations

70. **Mr DIXON** to ask the Honourable the Minister for Transport —

(1) How is the revenue from boat trailer registrations spent.

(2) What percentage of trailer registrations are for boat trailers.

ANSWER:

(1) All fees received by Vicroads for boat trailer registrations are paid into the Consolidated Fund, in compliance with section 97 of the *Road Safety Act* 1986.

(2) As at 31 December 2002, Vicroads records held 521 324* current trailer registrations. Of this total number, 112 619 (22%) are registered as boat trailers.

* *A large number of small private trailers (less than 3 metres in length, weighing less than 200 kg, not exceeding the width of the towing vehicle, and not designed to carry a boat) are exempt from registration and are not included in this figure.*

Transport: boat registration fees revenue

71. **Mr DIXON** to ask the Honourable the Minister for Transport — What was the total amount of revenue collected from boat registration fees in 2001–2002.

ANSWER:

Please refer to the Vicroads Annual Report 2001–02.

Treasurer: property-based stamp duty

74. **Mr BAILLIEU** to ask the Honourable the Treasurer — What is the aggregate dollar amount of property based stamp duty collected from each municipality in Victoria for each of the last five years.

ANSWER:

I am informed that:

The State Revenue Office does not keep data indicating the amounts of conveyancing stamp duty collected on this basis. It is therefore not possible to respond to the question.

Manufacturing and export: Victorian companies

90. **Ms ASHER** to ask the Honourable the Minister for Manufacturing and Export — With reference to the Labor Party's election promise to double the number of Victorian companies involved in export by 2010 — How many Victorian companies does the Minister expect will be exporting by the end of 2006.

ANSWER:

I am informed as follows:

The Victorian Government is developing an *Opening Doors Export Plan*, which aims to double the number of Victorian exporters and increase exports to $30 billion per annum by 2010.

The Government is in the process of consulting with industry to identify the type of export assistance that industry needs to achieve the targets, and appropriate policies and programs will be developed in response. The details of these policies and programs will be contained in the *Opening Doors Export Plan*, which we expect to launch in early 2004.

The Government does not intend at this time to set specific intermediate targets.

Education and training: Thornbury Darebin Secondary College

98(a). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Thornbury Darebin Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 73 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having only one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

(1) The performance information sought on this school is not readily available as protocols exist around the public release of data pertaining to each of the requested items. These protocols mean that it is the prerogative of an individual school to release such information.

(2/3/4)
The performance of all schools is analysed and the Department both in the central office and regional offices are engaged in continuing school improvement work both operational policy and in providing support to schools. This support is tailored to meet the individual needs of schools.

My recent Framework for Reform has identified the next steps in school and system improvement. Leadership Groups including expert practitioners will commence work shortly on some of the key challenges facing the system. These groups have been established in Curriculum in Government Schools, School Improvement, Teacher Learning and Excellence and Innovation.

Details of the Framework for Reform are available at www.det.vic.gov.au

(5/6/7)
Individual school performance at VCE and on a range of other indicators is analysed annually by the Department. If necessary, support dedicated to improving performance is provided following this analysis.

(8) Decisions about the allocation of teaching responsibilities are school-based decisions.

Secondary school teachers have specialist curriculum teaching areas based on academic and teacher training qualifications however teacher training provides all teachers with the pedagogical skills to enable the broad application of their profession.

Depending on the demands of school communities principals are required to make decisions about teaching allotments based on the skills, both academic and pedagogical, of the staff appointed to the school. As part of that responsibility the principal must be satisfied that a teacher is competent to teach the particular subject.

Curriculum demands for subjects vary from year to year and principals use staff as necessary to meet these demands.

Education services: Thornbury Darebin Secondary College

98(b). **Mr PERTON** to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Thornbury Darebin Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) Has any decision been made to intervene in the school pursuant to the accountability system or any other policy or set of guidelines; if so, what intervention has occurred.

(3) What staff and resources have been provided to the school pursuant to any such decision to intervene.

(4) Has the intervention been assessed as successful.

(5) What explanation is there for the school having only a 73 per cent rate satisfactory 2002 VCE and VET completions.

(6) What explanation is there for the school having a 2002 VCE median study score of only 23.

(7) What explanation is there for the school having only one student with a 2002 VCE study score of 40 or more.

(8) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Education and training: Hampton Secondary College

107(a). Mr PERTON to ask the Honourable the Minister for Education and Training — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Hampton Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) What explanation is there for the school having only a 79 per cent rate satisfactory 2002 VCE and VET completions.

(3) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

The Honourable Member is asking questions regarding a school that has been closed since 1988. I am therefore unable to comment on statistics regarding results supposedly attained in 2002 in that school.

Education services: Hampton Secondary College

107(b). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to the October 2002 document *Improved Education Outcomes: A Better Reporting and Accountability System for Schools* and to Initiative 7 and Hampton Secondary College —

(1) What are the most recent results covering all available school data including student results, participation, stakeholder surveys and other relevant indicators as referred to in the document obtained by —

(a) the Department of Education and Training; and

(b) the Minister.

(2) What explanation is there for the school having only a 79 per cent rate satisfactory 2002 VCE and VET completions.

(3) In which classes at the school in the following subjects or subject areas do the teachers involved have no formal qualifications to teach —

(a) languages other than English (LOTE);

(b) information technology and technology, such as metalwork, woodwork, automotive and home economics;

(c) mathematics;

(d) science, particularly physics and chemistry;

(e) the arts, including music;

(f) English;

(g) physical education;

(h) health; and

(i) study of society and environment (SOSE), including geography and history.

ANSWER:

I am informed as follows:

This Question does not fall within my portfolio responsibilities and I believe it has been directed to the Minister for Education and Training who will provide a response.

Health: availability of mental health places/beds

124. **Mr DIXON** to ask the Honourable the Minister for Health —

(1) How many mental health places/beds are available in the Peninsula Health Network.

(2) How many mental health places/beds are available per head in —

(a) the Peninsula Health Network area; and

(b) Victoria.

ANSWER:

I am informed that:

(1) There are 112 mental health beds for adults and aged persons available in the Peninsula Health mental health service area.

(2)

(a) There are 49 mental health beds for adults and aged persons per 100,000 adult and aged population (over 16 years) available in the Peninsula Health Service area

(b) There are 44 of these mental health beds for adults and aged persons per 100,000 adult and aged population (over 16 years) available in Victoria as a whole.

Education and training: teacher offences

173(b). **Mr PERTON** to ask the Honourable the Minister for Education and Training — With reference to a recently reported case of a teacher being convicted for committing theft against her students —

(1) For 1999, 2000, 2001, 2002 and 2003 to date, how many teachers were charged with offences against their students.

(2) In every case above —

(a) what were the charges and the school involved;

(b) what convictions were obtained; and

(c) has the teacher been prevented from teaching in Victoria; if so, for what period.

ANSWER:

I am informed as follows:

I believe this question has also been directed to the Minister for Education Services who will provide a response.

Education services: teacher offences

173(c). Mr PERTON to ask the Honourable the Minister for Education Services — With reference to a recently reported case of a teacher being convicted for committing theft against her students —

(1) For 1999, 2000, 2001, 2002 and 2003 to date, how many teachers were charged with offences against their students.

(2) In every case above —

(a) what were the charges and the school involved;

(b) what convictions were obtained; and

(c) has the teacher been prevented from teaching in Victoria; if so, for what period.

ANSWER:

I am informed as follows:

During the five year period referred to by the Honourable Member I can advise that less than twenty (20) teachers have been charged by the Victoria Police with offences against students. The Government views these matters particularly seriously and where it is found that a teacher has breached his or her duty of trust to students the Department has acted quickly to remove the teacher from contact with students.

Teachers who are convicted for offences against students are dismissed and referred to the Victorian Institute of Teaching to determine the future of their registration as a teacher.

Environment: proposed Henley links golf course

180. Mr INGRAM to ask the Honourable the Minister for Environment — With reference to the proposed golf course, given that no government authority is prepared to guarantee the safety of earthwork stability on the Henley flood plain and that siltation is a major threat to the survival of the endangered Macquarie Perch and Australian Grayling fish —

(1) What guarantees will the Minister provide that no siltation will occur during and after the construction of the proposed golf course.

(2) What steps has the Government taken to protect what is possibly the only remaining viable population of the endangered fish, found adjacent to and immediately below the proposed golf course.

ANSWER:

I am informed that:

(1) All available steps have been taken to ensure that the risk of siltation creating an environmental impact has been minimised.

As a condition of the permit for the development, the developer was required to make a submission to Environment Australia under the Commonwealth's Environment Protection and Biodiversity Conservation Act

1999 outlining how fish habitat will be protected during the construction phase. Environment Australia has placed a controlled action order over the project until their environmental concerns are resolved. Their concerns relate to the potential for siltation resulting from a large flood event destroying the habitat for native fish in the existing billabongs and the Yarra River.

Melbourne Water, as the delegated floodplain manager, has applied the available development controls to ensure that siltation is adequately controlled during the construction of the Henley Golf Course. These controls include: silt fences, levee banks, hay bale and gravel filters, staged removal of vegetation and topsoils, and the immediate seeding and grassing of exposed areas after shaping.

The Shire of Nillumbik has established an Environmental Monitoring Committee to oversee the implementation of environmental controls during the construction phase. Melbourne Water will also provide surveillance of the site to ensure that the developer has implemented the controls outlined in the permit for the development.

(2) The Department of Sustainability and Environment (DSE) has primary responsibility for the conservation of native fish and their habitat. DSE works cooperatively with Water Authorities, Catchment Management Authorities and local government authorities in pursuit of this objective.

Transport: fast train service

182. **Mr MAUGHAN** to ask the Honourable the Minister for Transport — With reference to the Fast Train Service from Melbourne to Bendigo — will at least part of this route now be single track; if so, what effect will this have on tourist steam train passenger services to Bendigo and Echuca.

ANSWER:

The current proposal for the Bendigo line of the Regional Fast Rail project involves upgrading the section between Kyneton and Bendigo as a high-standard single track, with passing loops to allow trains to run frequently and safely in each direction. This was proposed by the contractor, Regional Rail Link, in its tender for the project in order to achieve the 84 minute express travel time and protect heritage bridges and tunnels along the line.

Communities along the line have since expressed concern that the proposed single track does not adequately meet their current and future transport needs. The Government has listened to the concerns and the single track is being reviewed by the Department of Infrastructure. The review is examining the various issues and the feasibility and costs of other solutions, including the possible retention of the twin tracks.

The Government will consider the outcome of the review, with a view to adopting a solution that is affordable and can meet the express travel time and operational, safety and heritage requirements. Should the single track section proceed, it will be on the basis that it best achieves these objectives and that sections of the second track would only be removed for safety and operational reasons.

No track work will be conducted on this section of the line until the outcome of the review is determined.

The proposed single track configuration would not be expected to have any impact on the operation of the steam train tourist passenger services which run to Bendigo and Echuca.

Transport: Melbourne to Bendigo regional fast rail

189. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) Are Taradale, Castlemaine and Ravenswood the locations for the proposed three crossing loops on the Kyneton to Bendigo line once it is reduced from double to single track.

(2) What is the proposed length of each crossing loop.

(3) What is the proposed number of minutes that each service will wait in any of these crossing loops when it is scheduled to meet another service travelling in the opposite direction.

(4) How many times will there be regularly scheduled crosses at each of the three crossing loops on —

(a) weekdays;

(b) Saturdays; and

(c) Sundays.

(5) What would be the estimated cost of varying the June 2002 contract to retain double tracks between Kyneton and Bendigo, upgrade the 'down' line for bi-directional 160 km/h running and convert the 'up' line to bi-directional running at the existing maximum speeds of 130 km/h for the Sprinter railcar and 115 km/h for the locomotive-hauled passenger train.

(6) Has the Department, Victrack or V/Line Passenger conducted any studies into how often trains are delayed at crossing locations such as Bank Box Loop and Bungaree Loop due to other services running late; if so, what did the studies find.

(7) When the Bendigo line is closed for nine months in 2004, what proportion of current rail passengers are expected to use the slower replacement bus services.

(8) Will there be any loss of revenue to V/Line as a result of the Bendigo line closure.

(9) Will the Minister for Transport and the Minister for Agriculture in the latter's capacity as Member for Bendigo West be attending the public meeting on 2 June 2003 to discuss this issue.

ANSWER:

(1), (2), (3) and (4)
At the time of signing the proposal for the line involves upgrading the section between Kyneton and Bendigo as a high-standard single track, with passing loops proposed at Taradale, Castlemaine and Ravenswood. This solution is currently under review by the Department of Infrastructure.

(5) At the time of signing the option of retaining the twin tracks is one of a range of options being considered in the review of the proposed single track design, as advised above. Further information will be available when the review is complete.

(6) According to monitoring and analysis of V/Line's performance, the majority of delays experienced on the Ballarat line are caused by signalling faults, which are expected to be significantly alleviated with the introduction of state-of-the-art signalling, including a new fibre optic network.

(7) A high proportion of current rail passengers are expected to use the replacement bus services.

(8) The impact on revenue is not known. However, replacement bus services will match the regular rail services as closely as possible and the same fares will apply.

(9) Neither the Minister for Transport nor the Member for Bendigo West attended the public meeting on 2nd June 2003 in Bendigo.

Transport: Windsor railway station

197. Mr MULDER to ask the Honourable the Minister for Transport —

(1) Are the rooms at street level (first floor) above the Melbourne-bound platform of the station currently vacant.

(2) What date did the Australian Railway Historical Society (Victorian Division) vacate the rooms.

(3) Is at least one window above the station's verandah, in these first floor rooms, broken.

(4) Has similar damage occurred to at least one other window at street level.

(5) How long is it since graffiti has been removed from the brickwork at first floor level above the station's verandah.

(6) Does removal of graffiti from 1880s brickwork require special measures to minimise damage; if so, what measures will be adopted.

(7) Will M>Train more closely monitor any damage to the first floor of the station in the future.

(8) What efforts are being made by M>Train, its administrators or receivers and managers or Victrack Access to find new tenants.

(9) What is the expected rental per annum for the first floor rooms.

(10) Has a sale or residential conversion of the first floor rooms been considered; if so, what action is proposed and over what timeframe.

ANSWER:

On advice provided to me as at 10 June 2003 I make the following responses:

(1) Yes.

(2) November 2002.

(3) Yes.

(4) Yes.

(5) Graffiti has not been removed from the brickwork on the first floor since the tenants vacated the building in November 2002.

(6) No special measures are used to remove graffiti from the 1880s brickwork.

(7) Yes.

(8) M>Train have approval to sign a lease on the first floor property.

(9) The expected rental is commercial in confidence.

(10) No.

Transport: Yarra Tram services

211. Mr MULDER to ask the Honourable the Minister for Transport —

(1) How many validations were made on board Yarra Tram services on each of 29 May 2003, 30 May 2003, 31 May 2003, 1 June 2003, 2 June 2003, 3 June 2003 and 4 June 2003.

(2) How many individual journeys were estimated to have been made on Yarra Trams on each of these days, including passengers who travelled free on travel passes or who failed to validate their ticket.

(3) What amount in lost revenue on Yarra Tram services is estimated from fare evasion in each of 2002–03 and 2003–04.

(4) Will the Government be appealing the recent court decision regarding a Kew commuter as to whether or not he was required to produce his ticket to inspectors after he had left the tram.

ANSWER:

1. Ticket validation data is as follows:

Date	Ticket Validations	Estimated Patronage
29 May 2003	67,244	209,200
30 May 2003	70,624	219,800
31 May 2003	35,602	110,800
1 June 2003	22,765	70,800
2 June 2003	64,175	199,700
3 June 2003	66,762	207,700
4 June 2003	67,387	209,700

2. Yarra Trams estimate of patronage based on ticket validations is shown above.

3. Yarra Trams has advised that revenue loss from fare evasion is approximately $7.5m pa.

4. No.

Transport: M>Tram services

212. Mr MULDER to ask the Honourable the Minister for Transport —

(1) How many validations were made on board M>Tram services on each of 29 May 2003, 30 May 2003, 31 May 2003, 1 June 2003, 2 June 2003, 3 June 2003 and 4 June 2003.

(2) How many individual journeys were estimated to have been made on M>Trams on each of these days, including passengers who travelled free on travel passes or who failed to validate their ticket.

(3) What amount in lost revenue on M>Tram services is estimated from fare evasion in each of 2002–03 and 2003–04.

ANSWER:

1. Ticket validation data is as follows:

Date	Ticket Validations
29 May 2003	82,556
30 May 2003	84,867

Date	Ticket Validations
31 May 2003	44,499
1 June 2003	28,048
2 June 2003	73,468
3 June 2003	78,102
4 June 2003	77,512

2. M>Tram is unable to provide.

3. M>Tram has advised that the annual value of fare evasion is estimated at approximately $15m.

Transport: M>Train services

213. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) How many validations were made at M>Train railway stations on each of 29 May 2003, 30 May 2003, 31 May 2003, 1 June 2003, 2 June 2003, 3 June 2003 and 4 June 2003.

(2) How many individual journeys were estimated to have been made on M>Train services on each of these days, including passengers who travelled free on travel passes or who failed to validate their ticket.

(3) What amount in lost revenue on M>Train services is estimated from fare evasion in each of 2002–03 and 2003–04.

ANSWER:

1. Ticket validation data is as follows:

Date	Ticket Validations
29 May 2003	170,303
30 May 2003	168,262
31 May 2003	64,374
1 June 2003	45,514
2 June 2003	159,150
3 June 2003	163,293
4 June 2003	163,542

2. M>Train is unable to provide.

3. M>Train has advised that revenue loss from fare evasion is approximately $12m pa.

Transport: Connex train services

214. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) How many validations were made at Connex railway stations on each of 29 May 2003, 30 May 2003, 31 May 2003, 1 June 2003, 2 June 2003, 3 June 2003 and 4 June 2003.

(2) How many individual journeys were estimated to have been made on Connex services on each of these days, including passengers who travelled free on travel passes or who failed to validate their ticket.

(3) What amount in lost revenue on Connex services is estimated from fare evasion in each of 2002–03 and 2003–04.

ANSWER:

1. Ticket validation data is as follows:

Date	Ticket Validations
29 May 2003	135,203
30 May 2003	134,411
31 May 2003	46,258
1 June 2003	32,614
2 June 2003	126,356
3 June 2003	129,291
4 June 2003	129,203

2. Connex is unable to provide.

3. Connex is unable to provide.

Transport: Glenhuntly and Malvern tram depots

215. **Mr MULDER** to ask the Honourable the Minister for Transport — For each depot —

(1) How many trams are required on each of weekdays, Saturdays and Sundays to run the full timetabled services.

(2) How many of each of Z1, Z2, Z3, B1/2, DI and other class trams were in passenger running at each of the above depots on each day from 29 May 2003 to 4 June 2003.

(3) In each such class of tram, how many trams allocated at each of these depots were out of service on each of the above dates.

(4) For what reason was each such tram out of service.

(5) What steps are being taken, if any, to improve the availability and punctuality of M>Tram services.

ANSWER:

Up to 46 trams are required to operate peak services from Glenhuntly depot and 72 trams from Malvern.

Occasionally trams are out of service for maintenance.

Where the number of trams available is less than requirements, standard practice is to reallocate trams from other depots.

Across the network, cancellations average less than 1% of scheduled services.

Transport: Victorian Rail Services Pty Ltd

216. **Mr MULDER** to ask the Honourable the Minister for Transport —

(1) How many staff did Victorian Rail Services Pty Ltd employ as at each of 1 March 2003 and 1 June 2003.

(2) How many of these staff were working for each of M>Train, M>Tram and V/Line Passenger at each such date.

(3) What was the fortnightly gross payroll, including superannuation and other on-costs, for Victorian Rail Services Pty Ltd's staff working for each of M>Train, M>Tram, V/Line Passenger as at each of 1 March 2003 and 1 June 2003.

ANSWER:

Victorian Rail Services Pty Ltd employed 57 staff as at 1 March 2003 and 47 staff as at 1 June 2003. These staff were allocated between M>Train, M>Tram and V/Line.

The fortnightly gross payroll, including superannuation and other on costs, for Victorian Rail Services Pty Ltd's staff at 1 March 2003 and 1 June 2003 was $236,000 and $184,000 respectively.

Transport: V/Line Speedlink service

217. **Mr MULDER** to ask the Honourable the Minister for Transport —

(a) Did the V/Line 'Speedlink' road coach service from Adelaide to Albury leave Keswick Railway Station, Adelaide, with as few as three passengers on 23 May 2003; if not, how many passengers were on board.

(b) What number of additional passengers were picked up en route to Albury and how many joined at each stop.

(c) What contract or subsidy arrangements apply for this service.

(e) What costs have been paid by the V/Line Passenger, the Director of Public Transport, or the receivers and managers or administrators to the former National Express business units to operate (net of revenue) or subsidise this service between 1 July 2002 and 4 June 2003 and who has paid these operating costs or subsidies.

(f) When are the contractual or subsidy arrangements for operating this coach service due for review.

(g) How many passengers has 'Speedlink' carried in each direction from 1 July 2002 to 4 June 2003.

ANSWER:

(a) No. 8.

(b) An additional 13 passengers joined the service en route to Albury. Passengers joined at the following stops:

Adelaide	8
Murray Bridge	1
Nyah	1
Swan Hill	8
Kerang	1
Echuca	2
Total	21

(c) The Department of Infrastructure (DOI) meets the full cost of operating the Speedlink Coach Service. This cost is mitigated by the revenue earned from passengers which is remitted to DOI.

(d) $ 409,000.

(f) Bus contracting arrangements are the subject of a current review.

(g) 14,840.

Transport: Albion railway station

218. Mr MULDER to ask the Honourable the Minister for Transport —

(1) How many car parking spaces are currently available at the station.

(2) What weekday utilisation rate have any car parking surveys undertaken by M>Train found at the station.

(3) Is it anticipated that more commuters from outlying suburbs will use the station in 2003 compared with 2002.

(4) How many ticket validations occurred at the station on Wednesday 4 June 2003 and how did this compare to a typical Wednesday in June 2002.

(5) Does M>Train have any plans to extend the car park at the station; if so, by when and how many additional car spaces will be provided.

ANSWER:

(1) 303.

(2) 100%.

(3) No.

(4) 1109. On average 1054 validations occurred on a Wednesday in June 2002.

(5) M>Train is currently planning provision of additional car parks on its network.

Environment: netting fish

222. **Mr THOMPSON** to ask the Honourable the Minister for Environment — With reference to reports from recreational anglers that commercial fishermen have been netting what is believed to be the full length of the boundary of the Ricketts Point Marine Sanctuary —

(1) Has the Minister made an assessment of this practice on fish stocks and the bi-catch.

(2) What plans has the Government to further evaluate this issue and respond to the concerns of recreational anglers.

ANSWER:

I am informed that:

This question relates to fishing activities outside of a marine sanctuary which does not fall within my portfolio responsibilities and should more appropriately be asked of the Minister for Agriculture.

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