

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE ASSEMBLY
FIFTY-FIFTH PARLIAMENT
FIRST SESSION**

Thursday, 15 September 2005

(extract from Book 4)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

Lady SOUTHEY, AM

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Parliamentary Services — Secretary: Dr S. O'Kane

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FIFTY-FIFTH PARLIAMENT — FIRST SESSION

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Mr P. J. RYAN

Deputy Leader of The Nationals:

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Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Trezise, Mr Ian Douglas	Geelong	ALP
Jenkins, Mr Brendan James	Morwell	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice	Altona	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Kotsiras, Mr Nicholas	Bulleen	LP	Wilson, Mr Dale Lester	Narre Warren South	ALP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wynne, Mr Richard William	Richmond	ALP

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Thursday, 15 September 2005

The SPEAKER (Hon. Judy Maddigan) took the chair at 9.32 a.m. and read the prayer.

NOTICES OF MOTION

Notices of motion given.

Mr LUPTON having given notice of motion:

The SPEAKER — Order! I am not sure that it is in order to reiterate a previous notice of motion, so I will have to have a look at the member for Prahran's notice.

Further notices of motion given.

PETITIONS

Following petitions presented to the house:

Rail: Gordon station

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

The humble petition of the Advancing Gordon Group and the undersigned citizens of Victoria sheweth that they request access to the train service between Ballarat and Melbourne at Gordon station.

Your petitioners therefore pray that train services be scheduled to provide a service at Gordon railway station.

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

By Mr HOWARD (Ballarat East) (558 signatures)

Preschools: accessibility

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws to the attention of the house that preschool education in Victoria needs urgent reform to ensure every Victorian child can access high-quality preschool education.

The petitioners therefore request that the Legislative Assembly of Victoria recognise that preschool is the critical first step of education and move responsibility for preschools to the Department of Education and Training.

By Mr SMITH (Bass) (22 signatures)

Ms GREEN (Yan Yean) (780 signatures)

Racial and religious tolerance: legislation

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws the attention of the house to the decision of the Victorian Civil and Administrative Tribunal in the complaint against

Catch the Fire Ministries by the Islamic Council of Victoria, dated 17 December 2004. The decision has highlighted serious flaws in the Racial and Religious Tolerance Act 2001 which restrict the basic rights of freedom of religious discussion.

The petitioners therefore request that the Legislative Assembly of Victoria remove the references to religious vilification in the Racial and Religious Tolerance Act 2001 to allow unencumbered discussion and freedom of speech regarding religion and theology.

By Dr SYKES (Benalla) (210 signatures)

Taxis: rural and regional

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws to the attention of the house the crisis with country taxis and the need for recognition that country taxis are a proxy form of public transport and provide an essential service in country communities.

The petitioners therefore request that the Legislative Assembly of Victoria immediately implement commonsense changes to reduce country taxi operator costs — e.g., allow flexible hours of service — and make available to country taxi operators the same subsidies as Melbourne taxis and public transport — e.g., subsidies for the provision of wheelchair-friendly taxi services.

By Mr RYAN (Gippsland South) (14 signatures)

Gas: Lakes Entrance supply

To the Legislative Assembly of Victoria:

The petition of Lakes Entrance, East Gippsland, Victoria, draws to the attention of the house that the citizens and ratepayers of the Shire of East Gippsland and more particularly the township of Lakes Entrance are to be denied access and supply to natural gas even though a pipeline exists adjacent to the township.

The petitioners therefore request that the Legislative Assembly of Victoria acts in support of the provision and reticulation of said natural gas to be connected to the town in early course.

By Mr RYAN (Gippsland South) (40 signatures)

Casey: administration

To the Legislative Assembly of Victoria:

The petition of residents of the City of Casey draws attention of the house and the Minister for Local Government to our request for the City of Casey to be sacked forthwith, due to excessive rate rises, spending and political infighting. The petitioners request that the Legislative Assembly of Victoria appoint an independent administrator to the City of Casey and an audit of Casey expenditure be tabled before state Parliament.

By Mr DONNELLAN (Narre Warren North) (1097 signatures)

Schools: religious instruction

To the Legislative Assembly of Victoria:

The petition of citizens of Victoria concerned to ensure the continuation of religious instruction in Victorian government schools draws out to the house that under the Bracks Labor government review of education and training legislation the future of religious instruction in Victorian schools is in question and risks becoming subject to the discretion of local school councils.

The petitioners therefore request that the Legislative Assembly of Victoria take steps to ensure that there is no change to legislation and the Victorian government schools reference guide that would diminish the status of religious instruction in Victorian government schools and, in addition, urge the government to provide additional funding for chaplaincy services in Victorian government schools.

The petition of citizens of Victoria [is] concerned to ensure the continuation of religious education in Victorian government schools, and to provide additional funding for school chaplains.

By Mr THOMPSON (Sandringham) (24 signatures)

Tabled.

Ordered that petition presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).

Ordered that petition presented by honourable member for Ballarat East be considered next day on motion of Mr HOWARD (Ballarat East).

Ordered that petition presented by honourable member for Yan Yean be considered next day on motion of Ms GREEN (Yan Yean).

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

**PUBLIC ACCOUNTS AND ESTIMATES
COMMITTEE**

**Auditor-General: parliamentary control and
management of appropriations**

**Ms CAMPBELL (Pascoe Vale) presented report,
together with appendix.**

Tabled.

Ordered to be printed.

DOCUMENTS**Tabled by Clerk:**

Commonwealth Games Arrangements Act 2001 — Orders under s 18 (two orders)

Police Regulation Act 1958 — Director, Police Integrity — Investigation into the publication of One Down, One Missing — Ordered to be printed

Victorian Law Reform Commission — Interim Report on Family Violence Police Holding Powers — Ordered to be printed.

BUSINESS OF THE HOUSE**Adjournment**

Mr CAMERON (Minister for Agriculture) — I move:

That the house, at its rising, adjourn until Tuesday, 4 October 2005.

Motion agreed to.

MEMBERS STATEMENTS**Bentleigh Bowls Club: 60th anniversary**

Mr HUDSON (Bentleigh) — Last week I had the pleasure of opening the new season for the Bentleigh Bowls Club and the celebration of its 60th anniversary. The Bentleigh Bowls Club has a fine history. It was formed in 1945 and played its first season of pennants in 1946. The land for the bowls club was purchased by Alf Higgins, who ran the local dairy. Alf must have thought he was on a good thing, as he also became the club's foundation president.

The foundation ladies president was Ivy Thomas, the mother of Dorothy Coates, who is the wife of the current president Ray Coates, so there is still a strong connection with the club's beginnings. Ray himself has just clocked up 40 years as a member of the club.

The club had a peak membership of close to 400 members — 240 men and 160 ladies — in the mid 1960s and 1970s. Playing against up to 80 other teams, the club has been divisional pennant winners on five occasions, the most recent being in 1990–91. Perhaps the club's greatest honour was in 1985 when it was chosen to host the Dewars Trophy championship, which is the Australian championship of state champions. The club received a glowing report for its facilities and the excellent state of the greens, together with the great meals that were provided by the ladies. I

can attest to the wonderful afternoon tea that is still provided by the ladies at the Bentleigh bowls club today.

The club is ably led by the president Ray Coates, vice-president Barry Munton, the ladies president Marg Carr, the treasurer Arthur Sheers, the secretary Brian Baker and the ladies' secretary Thelma Marcakis. Congratulations, Bentleigh bowls club, on 60 years of service to the Bentleigh community.

Planning: Loddon Campaspe region

Mr BAILLIEU (Hawthorn) — A recent forum of mayors and chief executive officers (CEOs) in the Loddon Campaspe region has actively expressed concerns at the state of the planning system in Victoria. In a letter dated 23 August Craig Niemann, the secretary of the Loddon Campaspe mayors and CEOs forum, reports the following conclusions from the forum:

1. In most cases councils would be lucky to recoup a third of the cost of administering its planning scheme. In many councils costs have more than doubled and income has increased only marginally.
2. Strategic planning is likewise extremely costly.
3. There are unacceptable time delays in the process which are compounded by a lack of adequately trained and available staff especially in rural and regional Victoria.
4. Many community members find the planning schemes unreasonably complex and therefore incur costs in employing professionals to complete planning applications.
5. VCAT —

Victorian Civil and Administrative Tribunal —

is now essentially a forum dominated by legal advocates which adds considerably to the cost of supporting council decisions.

6. State policies are pre-eminent in the planning schemes and in many cases councils are implementing state provisions such as Rescode and native vegetation controls on behalf of the state government with no contribution towards the cost of this service.
7. It would seem difficult to increase the cost of permits to ensure full or near full-cost recovery.
8. Whilst the recent initiatives of Better Decisions Faster has attempted to address some issues there is clearly a dilemma as the private sector is unable to respond adequately to pre-application certification or external processing due to workload/availability of qualified staff and the cost of this service to applications. These initiatives are essentially used by the major developers who can afford the service.

The Loddon Campaspe mayors and CEOs are urgently seeking a simpler, more effective and efficient planning system.

Nillumbik Tourism Association

Ms GREEN (Yan Yean) — On Monday I attended and spoke at the launch of the Nillumbik Tourism Association's new brand launch 'Where Melbourne meets the Yarra Valley' and was very impressed by the way local tourism operators and winery owners are promoting the region. This new branding will link very well into Tourism Victoria's campaign on Melbourne's Yarra Valley.

I have long advocated for the region, especially the cluster of townships including Hurstbridge, Kangaroo Ground, Panton Hill, Plenty and Smiths Gully, as a fantastic gateway to the Yarra Valley. Tourists can enjoy the spectacular scenery and produce that the green wedge has to offer while taking the most scenic route to the Yarra Valley. Traditionally Melburnians have headed straight for deep in the Yarra Valley to visit and tour the state's best wine country but a shorter drive to Nillumbik region will prove very rewarding for anyone who enjoys good food and wine.

Ken King, wine maker and owner of Kings of Kangaroo Ground, has recently proven that Victoria's best wines are grown and produced in this part of the Yarra Valley. Kings of Kangaroo Ground Di Paolo Block cabernet sauvignon will be featured in the next edition of *Winestate* — any quaffer's bible. Ken's wine has been awarded the highly coveted 5 star rating.

Evelyn County has also been successful, recently being selected as one of two demonstration sites for a new Greening Australia project. Not only are we making wine out in my electorate, we are also teaching the next generation how to make wines at Northern Melbourne Institute of Technology which has also received a number of awards recently. I encourage all my colleagues in the house to come and taste the best of the region's wines and enjoy the hospitality and atmosphere at the Nillumbik Tourism Association's cellar door open day on 23 October.

Police: four-wheel-drive vehicles

Dr SYKES (Benalla) — I wish to draw to the attention of the Minister for Police and Emergency Services an illogical and potentially dangerous policy of Victoria Police in relation to tyres on four-wheel-drive police vehicles. For reasons that defy logic four-wheel-drive police vehicles in north-east Victoria, which are committed to snowfield work

24 hours a day, seven days a week, for four months of the year, only have road tyres fitted. These tyres provide poor traction off-road in snow and ice, on rocky terrain or in muddy conditions. Given that the four-wheel-drive vehicles were purchased to enable police to access areas not accessible by conventional vehicles, it is difficult to comprehend why suitable off-road tyres are not provided.

I imagine that the police minister would be aware of the normal practice in overseas countries that are subjected to long, cold, icy winters — that is, having an additional set of winter tyres with appropriate tread or spikes. These tyres are fitted for the whole winter period. In Australia there is even a range of suitable off-road tyres which easily exceed the 120-kilometre-per-hour speed rating, meaning that one set of tyres could be suitable for use on four-wheel-drive vehicles throughout the year.

I request that the minister ask Victoria Police to ensure that police four-wheel-drive vehicles are immediately fitted with appropriate off-road tyres to enable police four-wheel-drive vehicles to safely do the work for which they were purchased.

Camberwell Junior Football Club: achievements

Mr STENSHOLT (Burwood) — I congratulate the Camberwell Sharks club for a great year of providing footy for around 340 boys at Lynden Park. In particular I congratulate Greg Tucker, the rest of his committee and the many volunteers who work so hard for the club. The club was established as the East Camberwell Football Club in the early 1970s and was part of a small feeder league to Hawthorn footy club. The club was known as the Easties, and it merged with the Highfield Sharks in the late 1990s and became known as the Camberwell Sharks. Today the club has 15 sides from under-9s through to under-15s, with over 340 kids.

There are a lot of families and it is a big community group. Everywhere you go in Camberwell you can see ‘Shark attack!’ on the bumper stickers of the cars. The kids come from all the local primary schools, and the club has a great philosophy. It believes in the participation and development of players. It does not stream the players until the under-14 level, and it is important that the kids can play in the appropriate level at each stage. This year has been a great one for the Sharks. The teams won three premierships. I congratulate the under-15s, the under-14s and the under-10 goal division sides. They had a huge awards night which was attended by more than 500 people.

The club’s legend awards were presented to Stuart Hall, Allan Bowman Scilla Dinnison, Tony Moretta and David Le Cerf, who is the Mr Fix-it around the clubrooms. I congratulate them on all the work they have done for the club over many years. It is a great club. Go Sharks!

Rosebud: foreshore reserve

Mr DIXON (Nepean) — With the Mornington Peninsula Shire Council’s imminent takeover of the Rosebud Foreshore Reserve from Parks Victoria I make the following suggestions to the shire to make the foreshore a great place to camp, recreate and swim. I ask that the state government and the Department of Sustainability and Environment give immediate approval to the construction of the planned skate park and that the shire and the DSE increase grants to the local friends groups, which work so well on the foreshore. I ask that the shire and the DSE remove the dump fill and renovate the beach from Rosebud pier to the motorboat squadron. The shire should consider leasing the camping reserve to an experienced private operator to upgrade camping infrastructure, build cabins and maintain and operate the camping reserve. The shire should also consider allowing a private operator to build, maintain and operate the planned boat ramp and establish a cafe on the foreshore.

The shire could establish a community advisory committee for the foreshore, with the majority of the members coming from the community and local stakeholders. For too long stakeholders in the community have had no say in the foreshore’s management. The shire should enhance existing playgrounds and car parks, as set out in the current master plan. It should also explore options to involve groups such as the Green Corps community service order participants in an ongoing weed removal and revegetation program to complement the work of the friends groups. The state government has ignored Rosebud foreshore. This is a great opportunity for the Shire of Mornington Peninsula to maintain and improve a Victorian icon.

Information and communications technology: international conference

Mr LEIGHTON (Preston) — Yesterday I was pleased to launch the 9th International Conference on Knowledge-based Intelligent Information and Engineering Systems, which was held in Melbourne. The conference is known as KES 2005 and is expected to attract approximately 700 delegates from 400 universities from between 40 and 50 countries. It is one of the largest international IT conferences to be

held in Melbourne, and one of the largest and most widely attended conferences in the area of intelligent systems worldwide.

This conference, which continues today, recognises Victoria's standing in information and communications technology (ICT) and in research and development. Victoria is Australia's leading state for research into ICT, accounting for 43 per cent of the nation's private sector research expenditure in this area — about \$258 million annually. We have world-class R and D organisations and facilities such as the Victorian Partnership for Advanced Computing, which combines the collective punch of Victoria's six leading universities in operating a high-performance computing research centre.

Australia's renowned CSIRO has an ICT research centre with a focus on autonomous systems, networking technologies, information engineering and wireless technologies. Last year we opened the Victorian branch of National ICT Australia, and in two years time we are looking forward to launching the Australian Synchrotron, which will attract significant levels of new investment in scientific research when it comes online. I congratulate La Trobe University on its role in hosting this conference.

Victorian certificate of education: Chinese

Mr PERTON (Doncaster) — The Victorian Department of Education and Training has breached federal human rights law. The Bracks government's eligibility criteria to study Victorian certificate of education (VCE) Chinese as a second language have been found to be in direct breach of the Commonwealth Racial Discrimination Act.

The Bracks government's strict criteria mean that students born in China are not allowed to study Chinese language subjects even if they were not raised or educated in a Chinese-speaking country. Hundreds of parents and students have protested at these changes. Yesterday the Victorian Curriculum and Assessment Authority received verbal legal advice that it was in breach of human rights law.

Several parents made formal complaints to the state Equal Opportunity Commission Victoria and the Federal Human Rights and Equal Opportunity Commission. A senior Queen's Counsel has given secret advice that the Bracks government would be found guilty if it continued to defend the claims before the human rights commission. The Bracks government proposed these changes to combat the high percentage of Chinese students gaining entrance to sought-after

university places. These changes would make it tougher for Chinese students to achieve higher marks for VCE by limiting their rights to study Chinese language subjects.

The Bracks government must reverse its racist stance and revert to criteria based on a student's competence and experience of speaking Chinese. This is best measured by the years a student has spent in a Chinese education system. This is the second example of a racist education decision made by this government. The new funding criteria for schools have actively discriminated against those schools with a large percentage of Chinese migrant students, which include schools in the member for Mulgrave's electorate.

Tibet: human rights

Mr ROBINSON (Mitcham) — In recent days a delegation of Chinese monks has been visiting state parliaments around Australia. While referred to as a group of Tibetan monks, they are differentiated by their refusal to recognise the Dalai Lama as either the political or religious leader of Tibet. The same group insists that Tibet has been part of China for 700 years. These claims are at odds with the facts. If Tibet is part of China, why have the human rights of so many Tibetans to worship in any way they see fit been trampled on so cruelly since the Chinese invasion of 1949?

If Tibet is part of China, why has the Senate in the USA passed specific resolutions seeking the release of Tibetan prisoners of conscience? If Tibet is part of China, why does Amnesty International's 2005 report refer to the continuation of severe restrictions on freedom of expression and religion in Tibet? Why is it that the same report states that international human rights non-governmental organisations continue to be denied access to Tibet to conduct independent research?

Why is it that the delegation has to travel to Australia to receive and be free to read an official copy of the Dalai Lama's March 10 statement which is delivered each year to commemorate the 1959 Tibetan uprising against the Chinese, something the delegation would not be able to do in Tibet? The Chinese government hopes that its current propaganda exercise will encourage Australians to believe the situation in Tibet has changed. It has not. The human rights of Tibetans continue to be grossly abused.

Senator Barnaby Joyce

Mr INGRAM (Gippsland East) — I wish to bring to the attention of the house the new organisation called

the Not Happy Barnaby Club. Never before in politics has one offered so much and yet delivered so little for so few. Membership of the Not Happy Barnaby Club is growing at an amazing rate particularly with the passage of the sale of Telstra legislation in federal Parliament last night.

Membership fees are currently \$4.37 but going down at a rate of knots. Members can expect the Liberal Party's philosophy of privatisation at all costs, but for The Nationals who make a pretence of representing country people, this is the ultimate sell-out. This is another example of The Nationals' philosophy of lions in the electorate and fluffy kittens in Canberra. The best comment on the performance of The Nationals was best said by a senior state Liberal. When asked if he would consider privatising the National Party, his response was, 'You can only privatise assets!'. We all know that The Nationals are a liability, not an asset, to country Victoria.

David Baker

Ms MUNT (Mordialloc) — I would like to congratulate David Baker on his book *Batons and Blockades — Policing Industrial Disputes in Australasia*. I attended the launch of this book by Leigh Hubbard last Monday evening in front of a very appreciative audience. The book covers: policing industrial disorder; the history of confrontational policing and major industrial disorder; the politics of policing industrial conflict; the battles of Burnie; the Lyttelton picket line tragedy; policing the Maritime Union of Australia community assemblies; the MUA dispute and beyond; and whether non-confrontational policing of major industrial disorder is here to stay — I hope so.

This is a thoughtful and thought-provoking book. It is highly recommended as a read. Even David's wife said to me at the launch with her tongue firmly in her cheek, 'It is bearable to read', which is a high recommendation from a wife! I believe it is more than that. It is a very good book that I have also read. It is also a timely reminder of the importance of our unions especially at this time as the federal government attacks our industrial relations. These industrial relations laws protect our workers, and workers have families. Congratulations, David Baker, on your very thoughtful book.

Biotechnology industry: government assistance

Mr KOTSIRAS (Bulleen) — The Victorian biotechnology sector is currently facing many pressures and threats. The Bracks government promised that it

would establish Melbourne as one of the leading biotechnology centres in the world, ranking us among Boston, Cambridge and San Francisco. To date, the Bracks government has failed. In a last-ditch attempt to fulfil this promise, the government had planned to pour the savings of public sector employees into our struggling biotech sector. While I support investment in the biotech sector, using public sector funds to bolster the industry is not an answer.

Ms Pike interjected.

Mr KOTSIRAS — If Victoria is to survive in our competitive world, we must work harder and smarter. We must utilise our strengths and work in partnership with other states. Australia's states must complement each other, not duplicate each other. Victoria needs a clear vision and goals in specific areas. For that we need a chief scientist in Victoria who would work with all ministers and the federal government. A Victorian biotechnology advisory council must also be established.

Ms Pike interjected.

Mr KOTSIRAS — If those simple ideas were implemented, we may be able to compete with Boston and Cambridge in the future. If the minister is interested simply in opening an office and claiming credit for it, Victoria will lag behind the other states. I appreciate that the minister is very upset and disappointed that he is not the Premier of this state, having lost the opportunity a few years ago, but he cannot just pat himself on the back every time an office is opened in this state and walk away when things have to be done.

BigPond Grand Finale V8 Supercar Championship

Ms MARSHALL (Forest Hill) — It was with great pleasure that I represented the Premier and Victorian state government at Southbank at the launch yesterday, with V8 legends Mark Skaife and Russell Ingall, of V8 supercar season. It is indeed a thrill for Victoria to host the 2005 BigPond Grand Finale V8 Supercar Championship. The Victorian government remains committed to encouraging new events in regional Victoria. The return of the premier Australian motor sport category series to Phillip Island after a two-year absence is a welcome addition to a stable of fine international events held at Victoria's famous seaside circuit. Motor sport fans worldwide instantly recognise the magnificent Phillip Island backdrop and it is an excellent opportunity to reinforce the Victorian and Melbourne branding.

The V8 supercar championship series injects millions of dollars into the Victorian economy each year, with the Victorian-based Holden Racing Team and Ford Performance Racing team employing about 1000 people directly or indirectly. Motor sport at Phillip Island has become a key regional economic driver. A recent economic impact study by Ernst & Young revealed that in the last year activity at the circuit generated \$32.9 million in direct expenditure in the Bass Coast shire. Additional employment in the Bass Coast shire attributed to circuit activity is equivalent to 674 full-time jobs. The Phillip Island circuit is utilised for motor sport on 256 days each year. It is also a popular venue for cycling events and community activities. Based on the attendance the last time V8 supercars raced at Phillip Island, the event this November is expected to generate at least \$2.26 million in direct expenditure. Events of the stature of the V8 supercar championship require meticulous planning both on and off the circuit.

Bridges: Murray River

Mr JASPER (Murray Valley) — The replacement of Murray River bridges between Victoria and New South Wales is gathering momentum, following massive representations through the 1990s and support from the federal government's Federation Fund program and the two state governments. In my electorate of Murray Valley, the new Howlong bridge was opened in 2001, the Corowa bridge was opened earlier this year and the Cobram bridge is currently under construction.

However, I am concerned about the procrastination of the Victorian and New South Wales governments on their commitment to upgrade the John Foord bridge at Corowa-Wahgunyah. During the construction period of the new Federation bridge at Corowa, the two governments agreed to completely renovate the 100-year-old bridge and to then pass it to the two local councils — that is, Indigo and Corowa — to maintain into the future. In his most recent correspondence with me, the Minister for Transport would not give a commitment to the renovation program, saying that the John Foord bridge renovations do not have as high a priority as other bridges such as Barham, Swan Hill and others. He said the road authorities will monitor the condition of the bridge and review the priority for its rehabilitation.

I have sought further support from the two local councils for the works to be undertaken urgently. The ageing bridge is in a dilapidated condition, so I am calling on the minister to honour the commitment of the two state governments and to immediately implement

the renovation program and also undertake consultation with the local councils and local business and community leaders to ensure that the renovation takes place as quickly as possible.

Brennan family

Ms LOBATO (Gembrook) — Anyone who has lived for any length of time in the Upper Yarra region would be familiar with the Brennan name. The family has lived in this tight-knit community for over 50 years and has continued to make a notable contribution to this district, with its involvement in numerous clubs, organisations and community groups.

Sally Brennan, one of the Brennan children, is currently the chief executive officer of the Upper Yarra community house, a remarkable organisation that is life changing for many disadvantaged residents in the upper Yarra.

In July her father, Niall Brennan, passed away at the age of 87 years. He was an author, an historian and a distinguished writer. He was also the son of Frank Brennan, the commonwealth Attorney-General from 1929. He was involved in theatre and outdoor sports such as mountaineering. At his funeral not only were the Brennan family out in force but people such as Fr Bob Maguire gathered from far and wide to salute this gentleman.

Soon after the recent loss of Niall the Brennan family is facing another tragedy as 82-year-old Elaine Brennan lies desperately ill in hospital after suffering burns while reading by candlelight during one of the recent storms. Yet the members of the family report that she is in high spirits, is peaceful and has great faith in the interesting journey ahead of her. The unshakable strength of this woman, her eight inspiring children and her remarkable grandchildren are testament to the character of Elaine and the faith that binds this family. My thoughts are with the Brennan family at this difficult time.

Road safety: speed cameras

Mr McINTOSH (Kew) — All members on this side of the house support tough road regulation, yet police records again demonstrate that the Bracks government's use of speed cameras is not about road safety but has more to do with a voracious appetite for cash. Police figures show that approximately 5400 traffic infringement notices were issued in the city of Boroondara in the first half of this year, and over the whole local police region there was a 22 per cent increase in speeding fines issued compared to the same

period last year. They also note that 10 per cent of all Victorians' speed camera fines occur within this region. These figures compare with the approximately 3700 traffic infringement notices issued for the same period in the city of Greater Dandenong. I note that Dandenong has a comparable population to that of Boroondara.

One could argue that people from Boroondara are bad drivers, far worse than those from Dandenong. However, when you review VicRoads crash statistics you find that in 2004 Dandenong had 10 fatal car accidents compared to 4 in Boroondara and that Dandenong also had 26.8 per cent more casualty accidents than Boroondara. So it appears that the drivers in Boroondara are on any measure far safer drivers than those in Dandenong. The only basis for the larger amount of fines in Boroondara is simply that the Bracks government sees Boroondara as a cash cow — or is it that the majority of people in Boroondara vote Liberal?

Member for Hawthorn: performance

Mr HOWARD (Ballarat East) — At this time last week I shared with the house the recent Ballarat *Courier* editorial which decried the 'constant carping of the state opposition', describing it as 'lamentable to say the least'. That commentary related to the efforts of the shadow transport spokesperson, the member for Polwarth. Today I want to talk about the lamentable efforts of the member for Hawthorn, whose whining and carping is also to be decried. While putting forward no policies in relation to renewable energy, he has regularly criticised the Bracks government in its efforts to support renewable energy, and particularly wind-generated power. For this he has received no thanks from Liberal Party members in the Waubra area.

Not content with constant carping and negativism, the member for Hawthorn recently attempted to jump the state government's decision regarding the wind farm permit application for Yaloak, south of Ballan. Readers of the *Courier* would have been interested to read the article headed 'Ballan gets nod, says Liberal MP'. In that article the member for Hawthorn is quoted as accusing the government of 'secretly giving the nod' to Pacific Hydro. Yet only a week or two later the minister involved, Minister Hulls, announced that he was not granting a permit to this applicant as he had accepted the advice of the independent panel. The member for Hawthorn clearly got it wrong and was left with egg on his face. Not accepting that, he did not bother to apologise for getting it wrong or congratulate the government for making the right decision. It is no

wonder that with no policies and only carping and negativism — —

The ACTING SPEAKER (Ms Lindell) — Order! The member's time has expired.

Heany Park Primary School: rubbish-free lunch challenge

Ms ECKSTEIN (Ferntree Gully) — I would like to congratulate all the students from Heany Park Primary School who took delight in their success as runners-up in the 2005 rubbish-free lunch challenge. The Minister for Education Services presented Heany Park students with their certificate at a function at the Melbourne Museum on 31 August.

The challenge is sponsored by EcoRecycle Victoria and encourages environmental education in schools. Victorian schools produce an average of 33 tonnes of rubbish a year, most of it coming from the school canteen and food packaging. The rubbish-free lunch challenge asks students to plan ways of preventing lunch rubbish and promoting healthy eating in schools. Students learn about the impact of their day-to-day activities on the environment and then work together to plan and develop practical and sustainable programs to reduce and better reuse and recycle resources and prevent litter in their school communities. The challenge teaches students about how everyday behaviour can affect the environment and how small steps can reduce this impact and contribute to a more sustainable future.

Congratulations again to the students from Heany Park Primary School on their important success in the rubbish-free lunch challenge and in leading the way towards a more sustainable future.

Telstra: sale

Mr MAXFIELD (Narracan) — I rise this morning to say what a sad and tragic day yesterday was for Australia. The ramming through of the Telstra legislation in the federal Parliament and the huge pressure put on Senator Barnaby Joyce by the coalition to buckle under and back down shows how out of touch coalition members are with the feelings and views of Australia.

There are certainly areas in my electorate that cannot get mobile phone coverage and cannot get broadband. With this sale, what chance have they got now? Now it will only be the shareholders who will be responsible, and that is the tragedy with this essential service. The Liberal Party is not content with selling off our

electricity, our gas and our hospitals; now it wants to sell off Telstra. Of course Telstra is planning a secret slashing of jobs — hundreds and hundreds of jobs across country Victoria will go. Not only will services get wound back, but jobs will be slashed. Coupled with the plan the Liberal Party has today to slash jobs in country Victoria — —

Mr Honeywood interjected.

The ACTING SPEAKER (Ms Lindell) — Order! The member for Warrandyte should control himself.

Mr MAXFIELD — It will shut down regional development across the state, which means the toenails party is back. The party that thinks country Victoria is the toenails has now gone to Canberra. The federal Liberal Party also thinks people in country Victoria are toenails! We will not tolerate this cutback and the selling off of our assets. It was a disgraceful day yesterday.

Bayswater Secondary College: Annie

Mr LOCKWOOD (Bayswater) — On Wednesday of last week I had the pleasure of attending a performance by Bayswater Secondary College students of the play *Annie*. It was a wonderful performance, showing the talents and enthusiasm of the students. The students created the set, the costumes, did the make-up and lighting, and handled the front of house and all the other tasks that make up a production, not to mention the acting.

There were great performances by Letticia Borroni, Lashana Shepherd, Daniel Williams, Catherine Connop, Erin Roussos — who played a guy — Sam Nealon, Jemma Thompson, Erin Andaloro, Lisa Corrie, Kim Sawyer, Madeleine Connop, Samantha Vassallo, Tayla Trask-Daye, Tamara Westra, Sonia Matharu, Alex Stroud, Melissa Curran, Aleesha Kerr and a number of others of course. The teachers and parents contributed heaps. The school is well led by principal Trish Arico and deputy Rick Emonson. The back of house was well served by Cate Watson, Lyn Doyle, Nicole Schaller, Melissa Burton, Sarah Briggs, Jessica Hall, Andrew Bronte, Bruce Garrett, Chris Williams, Chris Lawry and many others.

I always enjoy school productions, and this one did not disappoint. What the students lack in experience they make up for in enthusiasm. In some cases they discover talents they never knew they had. It is a great confidence boost for them and a great part of our education system. The production took seven months of rehearsals and involved students from years 6 to 12.

The Victorian certificate of education students deserve a special mention for taking on this task in a very busy year for them. They acquitted themselves very well.

Bayswater Secondary College is a great school with a great future, and it is about to commence a rebuilding project courtesy of the state government. It is an important part of the Bayswater community and will continue to make its contribution. On its doorstep is an industrial area that employs 35 000 people. This is a portent for its future role in the community that is Bayswater.

The ACTING SPEAKER (Ms Lindell) — Order! The member for Mulgrave has 45 seconds.

Frank Sal

Mr ANDREWS (Mulgrave) — Today I rise to put on record my gratitude and the gratitude of my local community to Mr Frank Sal, the outgoing principal of Carwatha College P–12 in Noble Park North. Mr Sal served Carwatha for six years as principal, and in that time oversaw a \$2.5 million redevelopment of facilities and secured a \$1.5 million grant under the Leading Schools Fund to build a year 7 and 8 multidisciplinary learning centre. During that time he saw enrolments and funding grow.

I know I speak for the college council president, Mrs Kerrie Dickson, acting principal, Mrs Bronwyn Hamilton, all staff and students, and the broader Noble Park community when I say thank you to Frank for his dedication, passion and hard work over six years as principal. Carwatha College enjoys a very good reputation and produces great results. That performance is in no small way due to the hard work and leadership of Mr Sal. I wish Frank and his family well and note that Carwatha's loss is most definitely Doncaster Secondary College's gain.

SPORTS ANTI-DOPING BILL

Second reading

Debate resumed from 17 August; motion of Mr THWAITES (Minister for Environment).

Mr BAILLIEU (Hawthorn) — In rising to present the opposition's response to the Sports Anti-doping Bill I remind the house that I have a keen interest in this subject. From the opposition's point of view, and I am sure from the point of view of just about every member of this Parliament, drugs should have no part whatsoever in sporting competitions. Neither performance-enhancing drugs nor what I would

describe as destructive drugs should have any part in sporting competitions. Over the years the principal focus of the movement to prevent drug use in sport has been on performance-enhancing drugs. However, there has been increasing attention on what I call destructive drugs and what many people choose to call recreational or social drugs.

We are not opposed to this legislation; we could not be more supportive of measures to outlaw drug use in sport. We want to be able to support this legislation, but we have some reservations about the way it is proceeding technically. Those reservations centre on the provisions that require the minister to prepare a sports anti-doping policy in part 2, clause 6 of the bill and the unilateral capacity which those provisions assign to the minister to alter the applicable policy pretty much at a moment's notice and without reference to Parliament. The reality is that the minister will be able to change the sports doping policy that operates in this state in a wider framework without reference to the Parliament. We think there are drawbacks to that approach.

In summary this bill replaces the Sports Drug Testing Act 1995, which while not a huge bill is significant. The bill we are currently dealing with repeals the act and defers to the provisions and protocols of the commonwealth act, the Australian Sports Drug Agency Act 1990. As I said, the bill we are dealing with re-enacts the law in regard to anti-doping in sport in this state and confers some functions on the Australian Sports Drug Agency (ASDA). In doing so the Parliament repeals the old Sports Drug Testing Act 1995.

The objects of this bill are interesting and important in themselves. Those objects are described in clause 4. The objects are to ensure that ASDA can fulfil its obligations to promote positive culture and values around sport, to protect the health of Victorian athletes, to discourage the use of drugs and doping methods in sport, to meet community expectations that athletes compete fairly and to guide sporting organisations in the preparation of their own anti-doping plans and obligations.

There also must be a Victorian sports anti-doping policy, and in clause 6 of the bill there are some further objects described for the policy which the minister is required to prepare under that provision. Those objects include the promotion and encouragement of ethical sports participation, and the discouragement of the use of drugs and doping methods. That second point is the same as in the objects of the act but the first point, in regard to the policy, is slightly different.

In terms of the bill itself, clause 3 provides some new definitions. It is interesting that in the process of providing these new definitions it substantially eliminates all the definitions which were in the old act and refers mostly to definitions in the federal act, so by reference to the federal act the definitions in the federal act have application. Clause 4, as I mentioned, is the objects clause. The curious thing about this is that the objects in clause 4 are similar to the objects in the commonwealth act yet indeed are different. In particular, in clause 4(b) there are two significant differences. Clause 4(b) says that one of the objects of this bill is:

to promote a positive culture and values around sport and recreation and protect the health of Victorian athletes by discouraging the use of drugs and doping methods

There are three other objects listed there, and I have mentioned those previously, but they are substantially the same as those in the commonwealth act. But in clause 4(b) the words 'protect the health of Victorian athletes' replace the words 'facilitate the safety of athletes participating in sport', 'facilitate the safety' being the operative words in the commonwealth act. In regard to the second point the phrase 'discouraging the use of drugs and doping methods' is used, whereas the federal act uses 'to deter the use of drugs and doping methods'.

They may be small changes but they are significant, because the federal act, certainly in regard to the use of the word 'deter', is a little stronger and provides for a broader approach rather than simply seeking to discourage. It is significant that the objects in this bill include the words 'protect the health of'. I support those words, and I will come back to that in a moment. They are the significant provisions. Clause 5 deals with the technical definitions of what constitutes state support. Clause 6, as I said, deals with the obligation on the minister to prepare a sports anti-doping policy, and I will also come back to that in a moment.

The question can be asked: to whom does this bill apply? It effectively applies to all sportspeople, regardless of age, and to their coaches and trainers in all sports in Victoria. There is no distinction. That is a very comprehensive application, although it is not spelt out in this bill. But that is the consequence of applying this legislation and conferring further powers to the federal act.

Then there is the further question: to what drugs does this act apply? In this bill that is unspoken. It relies, as I said, on the federal act, and in doing so it relies on the Australian Sports Drug Agency and in turn on the World Anti-Doping Agency (WADA) for the

proscription of drugs which are banned in the relevant sports. The reality is that under those provisions the drugs that are banned — performance-enhancing and destructive drugs — are likely to vary from sport to sport. The objects, as I mentioned earlier, refer simply in clause 4 to 'drugs', so it can have a broad application, but in the end it is dependent upon ASDA, WADA, the federal minister and the codes which emanate from there.

Obviously performance-enhancing drugs are almost universally banned, and I refer to drugs such as steroids and stimulants. It is interesting when we look back on the issue of recreational or destructive drugs to see the different views of various people in regard to whether they should be banned in sport. The issue in regard to destructive drugs is largely unresolved, and the applications vary. Let me in that regard quote from an *Age* article of Saturday, 9 September 2000. It is an indication of where we have come in this debate, and I think we have come a long way. The article by Mark Forbes, which is entitled 'Lift social drug ban, says doctor', commences:

Athletes should not be penalised for using marijuana, heroin and many other banned, non-performance-enhancing drugs, Australian Olympic medical director and chairman of the Australian Sports Drug Agency, Brian Sando has advocated.

His call comes as the White House is set to release a report attacking the International Olympic Committee for ineffectively combating performance-enhancing drugs.

He went on to say, in an exclusive interview with the *Age*:

... Dr Sando, the Australian team doctor for 20 years, said 'most social drugs' should not be on the Olympic banned list.

He further said:

I have problems with marijuana being on. I am opposed to tobacco and the use of social drugs but they are not performance-enhancing agents so they shouldn't be on the sports banned list. I think that's a social issue, not a sports issue.

'Unlike drugs such as heroin, cocaine was a stimulant and should be banned', he said. These were personal views, Dr Sando said.

That indicates where we were five years ago. We have moved on a fair way from that, and there is now a much greater call for destructive drugs to be included in the banned list for sports, and I want to come back to that in some detail.

There are a number of issues around the notion of drugs in sport, particularly in regard to this bill. There is a jurisdictional issue. Can an act of Parliament in Victoria have jurisdiction over athletes who come into our state?

That is what happens under the definitions in the bill. The definitions are very broad. Anyone participating in sport in Victoria, be they from outside or from inside Victoria, is subject to this bill. There is a second issue of the capacity for the minister to alter policy, effectively unilaterally, under clause 6, and in doing so it takes the policy decisions one step away from the scrutiny of Parliament, and we think that is a shortcoming.

As I said, there is a further issue of performance-enhancing versus so-called destructive drug bans. There are issues of whether testing should be conducted in or out of competition, and there are issues in regard to the age of athletes who can be tested. Those issues are very much in the melting pot at the moment. There is a lack of consistency and resolution right around the world, but in Australia we are probably at the forefront of the debate.

I said previously that I do not like using the phrase 'recreational drugs' or 'social drugs'. I think they are destructive drugs and we should be settling on a term like that. The use of the words 'recreational' or 'social' implies some legitimacy for those drugs, and I do not think that legitimacy is valid or appropriate; it does not help educate young people or anyone in the community about the impact of such drugs. Those destructive drugs are mind altering, they are destructive and they corrode and decay character. We should have no equivocation about that.

I want to raise an additional question. Why are we doing this? Why do we single out athletes for anti-doping measures, and how did we reach the stage where athletes bear the burden? To a large extent the focus has grown out of the Olympic movement, and there are others in this house who will comment on drug policy in the Olympic movement.

It is curious that doping issues have been around the racing industry for very much longer, probably because money was involved; and when money is involved perhaps there is a greater imperative to act. In the racing industry both stimulants and tranquillisers have been the focus of attention. But in regard to sport, the anti-doping movement has only got its legs in the last 15 or 20 years. Australia's first Australian Sports Drug Agency bill was introduced in 1990, just 15 years ago. There have been the celebrated cases of drugs in sport around the world. We all know about the East Germans, and the celebrated Ben Johnson case. But let us not be pious; we have had our own drug issues in Australia as well; we are not immune either.

It is my view that there is a general but somewhat informal community declaration that the use of performance-enhancing drugs in sport is bad for athletes, bad for sport and bad for our culture. It has been deemed to be unacceptable behaviour, albeit in many cases it is not necessarily illegal to use those drugs. But it has been unacceptable in sport, and the opposition agrees that it is unacceptable.

I suspect that we are at the stage we are now because sport has such a high profile, perhaps the highest universal profile in the world. There are economic issues, but they focus on local economics in terms of consumers. Sport is an international uniter. Sport has therefore been the target of attention, and an athlete breaching anti-doping regulations is likely to be front page news. The payout is real. It is often humiliation, and it is public shame. It can be embarrassment, and it can be loss of a career, loss of sponsorship or loss of income. Consequences such as that are the norm. We have seen it with our Olympians, our footballers and our cricketers. The reality is that a breach of the sports code in regard to drugs can be the end of a career, and have an impact on that athlete's life thereafter.

In Australia the public jumps quickly to condemn sportspeople caught using drugs, be they performance-enhancing or destructive drugs. In short, from a public perspective, when it comes to drugs in sport it is a case of zero tolerance. Sportspeople have assumed an extraordinary leadership role in this regard, and it is a role that goes far beyond any other profession or trade. Sportspeople have been subjected to, and have generally accepted, mandatory, random testing for any age in and out of the workplace at any time of the year, with severe public and very personal consequences.

If you contemplate it in those terms, it is a huge undertaking for sportspeople. I note the member for Forest Hill is in the chamber, and I assume she will speak on this bill. She will be able to speak from knowledge of the Olympic movement. But the commitment of sportspeople at the highest end to tackle their undertaking under that burden is extraordinary. I do not have a problem with that. It demonstrates the quality of people who pursue sport at the highest level.

Sportspeople should be congratulated and rewarded well for accepting such exemplary standards. It is unfortunate that sportspeople bear this burden very much alone and there is more we can do in that regard. It is not a burden shared with many other occupations or other endeavours, and I want to come back to that in a moment.

We have had a very public debate in the last 18 months to two years about the application of drugs policy to the Australian Football League (AFL) and to our footballers. It has had a lot of attention. I have mentioned it before in this house. Indeed, last year the AFL launched a draft drugs policy and it went further than probably the community expected, and certainly went further than any previous codes. It went to the issue of out-of-competition testing for footballers, which had not been contemplated before and it went to the issue of drugs other than performance-enhancing drugs. It created some consternation amongst footballers. I have noted in this house before the response of Michael Voss, the captain of the Brisbane Lions team, who in my view in a courageous stance supported that policy as it was. He did so publicly and he is to be congratulated.

Since then an issue has been raised about the AFL policy complying with World Anti-Doping Agency codes, and the ASDA act federally. In reality, the AFL has eventually settled its position and undertaken to comply with the WADA codes. I hope in the process that the AFL does not water down its provisions. I think it had an ambitious program which went further than the WADA code in some areas. It had a different view about some aspects of the WADA code, but it went further and it took the issue in and out of the workplace, and that is significant. The Australian Football League is just one example of the application of drugs policy in sport, but the consequences of drug use are well known to many.

There has certainly been a focus in sports anti-doping on performance-enhancing drugs and the consequences of the use of steroids, tranquilisers and the like. Interestingly, when it comes to destructive drugs I think there are consequences that we ought to take account of when we go back to the objects of the bill, and I refer again to the words 'protecting the health of Victorian athletes'. That is a broad phrase. I support the use of that phrase in the broad sense, and I support the use of the phrase in the federal act in terms of 'detering the use of drugs and doping methods'.

Interestingly the members of the Outer Suburban/Interface Services Development Committee are currently conducting an inquiry into the building of communities. We had as a witness in June Dr John Toumbourou, the associate professor of adolescent health at the University of Melbourne. He made a number of remarks that were fascinating, and his evidence has already received some public attention. He drew the link between cannabis use and psychosis, and he also drew the link between tobacco and depression, particularly the use of tobacco amongst

young people. Time does not allow me to quote him at length, but Dr Toumbourou's evidence is fascinating. He also very much praises the studies undertaken at the Centre for Adolescent Health. I particularly note his remarks that:

I think, yes, we probably need to get out there and be more coherent as scientists. We need to certainly get in there and do the dissemination strategies to make sure this type of information is more widely shared. Strangely enough the paper of Professor George Patton, who is my senior colleague at the centre and who was one of the first to show the link between cannabis and depression, is widely cited throughout the United States, but almost no-one in Australia knows about it. The government is making sure that every young kid knows the findings of that paper.

He went on to say, in answer to the question 'In the states?':

In the United States. It is Australian data, but we are not doing that in Australia.

I asked him some questions about that and he went on to say:

I think in the United States there has probably been more a push to an approach for complete abstinence from drug use. It has meant that there is a real clear message for young people, whereas I think that at the moment we are probably not as united about what message to send young people.

There are some fascinating things going on at the Centre for Adolescent Health. Members may have observed a segment on *60 Minutes* last Sunday. Professor Yasmin Hurd from Sweden's Karolinska Institute was quoted as saying:

The earlier you use cannabis — and kids now are using it earlier and earlier — the greater the effect on the brain.

It was a fascinating program linking cannabis use with depression and psychosis. The application of that is important, because as we test our athletes for drug use we need to have that understanding that there really is more to this issue than simply performance enhancement.

Drug testing in general applies across our community in a range of ways, but it applies in a very limited way. We have random breath-testing for our drivers, and that serves to temper the use of alcohol by drivers. We have led the way in Victoria in that regard, and it has been a bipartisan approach. We now have more advanced testing, and that is testing on a random basis for drug use, but it only applies to drivers. We have some alcohol standards for airline pilots, for police and, I believe, for some trades and professions, including crane drivers and the like, and we have some standards for what I loosely refer to as social drugs, or destructive drugs.

We have some standards that apply to the armed forces, where there is now some random testing for destructive drug use. That makes some sense, albeit that the testing is much more limited and the regime is probably not as expansive as we might hope. But the breaches do not carry the same stigma and the same consequences as those applied to sport. Those professions bear a burden, but it is not the same burden as that borne by sportspeople. I wonder whether it is time to contemplate expanding and sharing the leadership on this issue.

Should these standards be extended in and out of workplaces — alcohol, and destructive drugs and performance-enhancing drugs? Should these standards be applied to other critical professions? Should those professions be matching the challenge? Should those standards apply, for instance, to judges, doctors, nurses, surgeons, teachers, public servants and even child-care workers? We are now applying significant standards for child-care workers.

There is an issue as to whether there are other standards which might apply to some of our very responsible professions. And of course we are not immune in this Parliament. We are members of Parliament. We have a responsibility as leaders in the community and as role models to some extent, and perhaps we should contemplate being up front and not trailing quietly behind on these issues and leaving the burden for sportspeople alone. The question is: can we continue to demand a zero-tolerance policy for our athletes and at the same time continue to accept a different approach for ourselves and other professions? The reality is that the suggestion for members of Parliament has been made before. An article in the *Herald Sun* of Friday, 28 November 2003, reported a proposal put to the Northern Territory Parliament for MPs to face drug testing in a similar way in order to share the burden and the leadership on this issue. I think there is good reason to contemplate expanding our leadership and our drug-testing program in that regard.

With reference to the bill itself, we are confining ourselves to athletes, and it is a fair argument to contemplate the expansion of it. Part 3 of the bill says that whilst Victoria is going to confer powers on the Australian Sports Drug Agency it is also going to have a sports anti-doping policy which must be prepared and maintained by the Minister for Sport and Recreation. It is having a bob each way: the concern we have is that the object of the policy writing, as I mentioned earlier, is the discouragement of drugs, not deterrence, which is different from the federal code. That in itself has the potential to apply a downward pressure on the standards, and I hope that is not the case — knowing

the sports minister, I do not think that would be the case — but the opportunity arises in the future for there to be some pressure to introduce standards away from the scrutiny of the Parliament which are lesser than those we are slowly developing and on which we have the support of the community. Consequently, that has led us to be apprehensive about this policy provision in the bill. We are nevertheless supportive of anything that seeks to deter — and to discourage for that matter — the use of drugs and doping in sport and recreation in Victoria.

The broad application of the bill substantially defers to the federal provisions, and it will make the legal position a little clearer coming into testing for the Commonwealth Games, but the protocols are already there. The opportunity exists in the future to tighten those protocols and broaden their application and to send a very clear, leading message to young people that there is no value in the use of performance-enhancing drugs and no value in the use of destructive drugs.

When it comes to destructive drugs, I have long held the view that mental illness in this state is largely a consequence of destructive drug use, be it incidental or continual, and the reality is that young people in Victoria and Australia do not yet appreciate that it really is dangerous to dabble with drugs. Even a chance encounter with drugs can result in mental illness, and I fully support the commentary given in further evidence by Dr John Toumbourou about the need for a mental health strategy with a drug use policy. I trust that the Sports Anti-doping Bill will lead to more coherent testing. I hope the policy provisions are used wisely by the minister, and we are certainly not opposed to the bill.

Mr DELAHUNTY (Lowan) — I rise on behalf of The Nationals to speak on this important bill. Those of us who play sport — and a lot of people here have played sport — take a great interest in our athletes in whatever sport they play. We have just seen the finish of the Ashes in England, and obviously we are all disappointed that the Australians did not win, but from what I saw of the game the English players were the better side on the day, and we congratulate them.

This bill is the Sports Anti-doping Bill, and the purpose is to re-enact with amendments the law relating to anti-doping in sport. It confers functions on the Australian Sports Drug Agency — ASDA, as it is commonly known — and repeals the Sports Drug Testing Act 1995. I compliment the member for Hawthorn on his summation of some of the concerns held by the Liberal Party and we reiterate these concerns in relation to the codes and those types of

things that need to be done by the Minister for Sport and Recreation. The objects of the bill include ensuring that ASDA is able to fulfil its anti-doping obligations in relation to Victorian athletes and to provide for the development of a Victorian sports anti-doping policy. This is where the minister has the ultimate responsibility.

My colleague in the other place, the Honourable Damian Drum, is the spokesperson for The Nationals on this bill, and he has consulted very widely with organisations such as Athletics Australia, the Commonwealth Games Association, the Bendigo Academy of Sport and others. I have also contacted the Wimmera Regional Sports Assembly and the South West Sports Assembly Victoria, which provide enormous resources to country athletes, particularly as they are very isolated in relation to their activities, to give these athletes the opportunity to get to a higher level in their sport, be it swimming, motorbike riding or whatever. The sports assemblies have played an enormous role in relation to that.

The Nationals will be supporting this legislation, because we strongly believe that sports and sporting events should be drug free and that the athletes or teams that win should have got there on natural ability and not with the help of performance-enhancing drugs that might have assisted their performance on the day or during the event. From that point of view we are strong supporters of the legislation.

We know there are some big sporting events coming up in the next couple of weeks. There are the Australian Football League (AFL) finals — unfortunately Essendon is not there — but I also want to highlight the country football finals and netball finals that are coming up. I know it is a big time of the year for a lot of those clubs, and finals are great sporting events. Last weekend Lake Bolac-Wickliffe won the grand final in the Mininera league, and I am told there was an enormous crowd there. We also have the Spring Racing Carnival, and the racing industry is trying to make sure that the horses are not given any performance-enhancing material. The horses are scrutinised to make sure the winners get there without any performance-enhancing drugs.

As I said, and as the member for Hawthorn mentioned, we have had problems in cricket with drugs, and obviously that is part of the reason why we need this consistent policy or code that works right across Australia. Our athletes travel a lot internationally and are highly recognised for their ability, particularly in swimming but also in cricket and netball. It is important that we make sure our sport is kept drug free.

As we know, this bill is about bringing state legislation into line with the world anti-doping code and to provide scope for additional educational programs. I think it is important that this government takes on board the need to make sure this happens throughout the various organisations. It is important that this is led by the state government. The legislation will also provide the option to deepen the testing pool to incorporate state-level athletes. I know the member for Hawthorn has covered the issue of which athletes will be covered.

In the briefing The Nationals had with the departmental people we were led to understand that it will obviously be athletes at the national level but also athletes at a state level, and because those people are involved in other activities, including club activities, the implications of this bill and the code will impact on club organisations. We remember what happened when a cricketer got barred from playing international cricket for 12 months but wanted to come back and play for his club side. I think that is the wrong thing, and from our understanding any club or organisation will be bound by this legislation, so that if it gets funding from the state it will have to comply with the code and the legislation.

We think the bill is very timely and is worthy of support in its efforts to control local doping issues by way of the code, as well as widening the educational network to cover more Victorian athletes. Because athletes are coming through the system all the time, it is important that education programs should be facilitated by the state but also go back through the sporting organisations so that the athletes know that if they break these codes — or break the law — they will suffer the consequences. And not only the consequences they suffer but the impact on their clubs and their sport must be paramount.

Some Australian sporting bodies are now concerned with research that suggests that the pressure to succeed in sport is encouraging adolescents in the United States of America and particularly in Western Europe to use steroids. From an Australian point of view we believe we need to head that off, and head it off strongly. That is why we have come to the decision to support this legislation.

Victoria must support the objectives of the world anti-doping code and promote it through education programs right across Victoria. This bill will facilitate the extension of the national anti-doping program to all levels of sport where it is deemed necessary. There is a question mark over 'where it is deemed necessary' and this is where there needs to be more work done. I again thank Mark, Michael and Ben for their briefing. The

aim is to have no ambiguity in relation to drug testing, and it is important that we make sure that happens.

This bill is said to streamline the act of 1995 by making amendments to complement the federal act. I am informed that the federal government put money into the last federal budget to pay for more testing of athletes. If the federal government is going to do that work, it is important that the state government play its role. But more particularly it needs to put money into providing education on and promoting the understanding of the new codes and regulations that will apply. This bill replaces the Sport Drug Testing Act 1995, which we have covered earlier.

As I said, the bill complements the federal act and gives greater responsibility to the Australian Sports Drug Agency. The bill has two main objectives — and I go back to the second-reading speech to describe them. The first objective is to:

... empower the Victorian government to develop and publish broad-based anti-doping policies and provide for the implementation of clear guidelines for withdrawing state sport-related support from persons involved in organised sporting activity and who are sanctioned for an anti-doping rule violation under a code-compliant anti-doping policy.

On my reading of the bill that means money coming from not only the state but any state-funded organisation like VicHealth. This is pretty wide-ranging legislation that will hit most sporting groups right across Victoria. It is important that the education program not only informs the clubs and the organisations but importantly gets right down to the athletes involved. The other objective is to:

... maximise the access by ASDA to Victorian athletes for the purposes of coordinated doping control programs.

I know this is where there was some controversy, particularly with the AFL, and I will come back to that later.

I turn to the bill itself. Obviously part 1 talks about preliminaries, such as the commencement date and definitions. I note that the member for Hawthorn has picked up an issue in relation to definitions. Part 2 also deals with the Victorian sports anti-doping policy, which is to be developed. Part 3 deals with the role of the Australian Sports Drug Agency.

Firstly, I will talk about part 2, which relates to the Victorian sports anti-doping policy. The second-reading speech says the government is to gazette guidelines which:

... will specify and qualify any restriction on the sanctioned person and will generally be anticipated to concern matters such as defining:

limitations on access to and the use of a specified list of state-owned, supported or managed sports facilities ...

the nature of involvement permitted in sports events and competitions supported by the government;

restrictions on holding of office —

of any of those organisations, and —

the withdrawal of sports related funding or assistance from the state government —

or any government-funded organisations, like VicHealth.

We have talked about the role of the Australian Sports Drug Agency under part 3 of the bill. The second-reading speech says:

Most current national and international anti-doping strategies are detection and punishment-based models designed primarily to catch and sanction elite athletes and high-performance sports participants ...

Obviously that is the role of the agency, but I think it is important that we try and treat the problem with an education program up front. The second-reading speech also says:

To effectively support the objectives of the bill, as well as complement the education and information objectives of the code, new anti-doping and related drug education programs for Victoria will therefore be developed.

I know that work is going on, and I think it is important that we get that in place for the benefit of not only the athletes but also the sports that they are involved in.

At the end of the day I think the Australian public does condemn cheats. I can never forget the time when Ben Johnson won his event in world record time against some top athletes. He was put on a pedestal, but obviously the higher you get up, the further you fall. We can also remember when Raelene Boyle lost a gold medal in the Olympic Games. Many years later it was revealed that the athlete who beat her was on performance-enhancing drugs. Australia has had its problems, whether they be in cricket, cycling or with the Australian Football League. I have a couple of newspaper articles that highlight that. The first comes from the *Sunday Age* of 19 June and is headed 'AFL risks drug code funding'. It states:

The Australian Sports Commission has rejected the AFL's latest submission that its existing anti-doping codes satisfied World Anti-Doping Agency standards.

The article goes on to say:

Cricket Australia and the National Rugby League are still working on their submissions.

My understanding is that they are also now meeting the code, but it is interesting to note in the article that:

AFL chief executive Andrew Demetriou said the commission's position had not changed.

That was at that stage.

He said he would meet the AFL executive tomorrow to discuss the next move. It is believed the AFL was not prepared to make the radical changes to its codes to satisfy the WADA criteria. The AFL's main concerns are WADA's ability to amend the banned substances list annually without consultation and the rigid set penalties.

The article goes on to say:

Cannabinoids are on the WADA's prohibited list, but are not banned by the AFL out of competition.

It is interesting to note an article in the *Herald Sun* of 23 August headed 'Pep pills used often'. It states:

Most AFL players have used caffeine tablets in search of pre-game pep-up.

A *Herald Sun*-AFL Players Association survey of 549 league footballers has revealed almost 60 per cent have taken NoDoz or a similar product.

And 10 per cent have suffered side effects, a finding described as 'disturbing' by AFL chief executive Alex Demetriou.

Demetriou is further quoted as having said that:

... confirmation that 321 — or 58 per cent — of players had used caffeine tablets harmed the public perception of the sport.

I would have to agree strongly with that. I was fortunate enough to play a few Victorian Football League games, and I can remember being given vitamin C tablets to try and make sure we kept away colds, flu and those types of things. A couple of times on very cold days when I was playing with the reserves, at three-quarter time the coach brought out a certain type of alcohol to try and keep us warm — although I think it might have been to try and enhance the performance of the players.

Mr Loney — Stone's Green Ginger Wine.

Mr DELAHUNTY — It was, too! As the member for Lara informs me, it was green ginger wine that was brought out wrapped in newspaper to try and keep us warm, but as I said, I think it was more about trying to enhance performance. At the end of the day we have to make sure that all athletes, including AFL footballers,

are not using performance-enhancing drugs. It really is disturbing to see that these people are taking caffeine tablets or NoDoz or similar products. I do not think it is good for the sport, and in particular it is not good for the health of the athletes.

It is interesting to note another newspaper article in the *Age* of 17 August, which is headed 'Slate wiped clean before league introduces tough, international drug policy'. It is good to see that the AFL has fallen into line with all the other elite sports across Australia and is now going to adopt the World Anti-Doping Agency code, which the federal government uses. I will not go through that at this late stage.

Drugs are used for performance enhancement and even for recreation. I agree with the member for Hawthorn. I also think that the term 'recreational drugs' tends to legitimise drug taking, and I do not agree with it in any way, shape or form. There is no doubt that most of those drugs — in fact just about all of them — could cause long-term damage to a person's health. In life I have been fortunate enough not to have used drugs or alcohol, and I have got a lot out of sport and out of life. It is commonly known that I do not drink alcohol. The reality is that I can remember the great activities that have gone on the night before. There is only one down side. They tell me that when I wake up in the morning that is the best I am going to feel, because as the day goes on I deteriorate. However, when a person wakes up with a hangover they improve as the day goes on. I do not work to that theory at all.

The Commonwealth Games are coming up next year. Part of the reason for this legislation and, importantly, for the code is to make sure that the athletes competing in those games, coming as they do from 71 countries, are drug free and that performance-enhancing substances are not welcome.

I wish the best to some of these people. I got this information from the South-West Sports Assembly. Athletes from my area will be competing in the Commonwealth Games. Lauren Hewitt comes from up near Warracknabeal; and Baden Cooke is a road cyclist from Benalla, and we wish him all the best. In track cycling we have Shane Kelly from Ararat and Brett Lancaster from Shepparton. In swimming we have Shayne Reese, a Ballarat-based lady. She came up to Horsham to help promote fundraising for the new sports and aquatic centre which is being built. I was disappointed that Melissa Tapper, a South-West Sports Assembly junior female award winner of 2005 — a table tennis player — is not on the list at the moment, but we wish her all the best and hope she gets there.

To finish, The Nationals are strong supporters of athletes competing fairly and without the use of prohibited drugs or doping methods. With a lot of media coverage and credit being given to winners the drive to win is now becoming more important — unfortunately, in my view — so there is cheating going on. The probability of long-term harm to the health of the athlete should be paramount, and I think this legislation covers that.

The Nationals will be supporting the legislation, because we want to compliment not only the winners but all athletes who get to an elite level. Any athlete competing should be complimented. With concerns about obesity and mental health and wellbeing we should remember that participating in sport is a great activity, but it must be done without drugs.

Ms GILLETT (Tarnet) — It is my privilege to be able to make a contribution to debate on the Sports Anti-doping Bill. At the outset I thank the members for Lowan and Hawthorn for their contributions and for their indication that their parties are not opposing this bill. I will be bold, indeed, and say they are actually supportive of the bill.

There were a couple of issues raised by both members that I would like to quickly touch on before I speak about the bill in detail. The member for Hawthorn indicated he had some reservations in that clause 6 requires the minister to prepare an anti-doping policy and that the minister may change that policy without reference to the Parliament. I would like to reassure the member for Hawthorn that the bill also requires the minister to consult with a wide range of sporting bodies in the making of that policy and it is important to be able to move quickly because of the constant quest against drug cheats. Members will know that when drugs have been identified as performance enhancing and banned in the past, people who we can only call drug cheats quickly find another substance that has not been banned and use that. It is important that clause 6 provides for the minister to be able to move swiftly as new drugs are identified.

As Australians and as Victorians, it is important that we take a nationally consistent approach to how we deal with the elimination of drugs in sport. That is why it is important that the bill formally establishes a legislative connection between itself and the commonwealth's legislation. The member for Lowan also had some concerns about clause 6. I hope he is reassured that the motivation behind the minister being able to move swiftly is not in any way, shape or form designed to be deceitful, but merely — and on the contrary — to keep up with deceitful drug cheats.

It is terribly important that we have this legislation enacted as we move quickly — I feel sometimes far too quickly — towards the Commonwealth Games in March 2006. It is important that as a government, as a Parliament and as a state we give and send the right messages and provide the legislative and regulatory framework to deal with drugs in sport. The Commonwealth Games in March 2006 will showcase our state, athletes, community and culture. Part of our sporting culture requires us to demonstrate clearly and loudly that we do not accept drug cheats amongst our own or any other country's athletes. This piece of legislation sends the message loudly and clearly that as Victorians, we do not support drugs in sport. But it also importantly provides the legislative and regulatory framework to move towards the practice of eliminating drugs in sport.

The minister, in his second-reading speech, succinctly outlined the government's motivation for putting this legislation before the Parliament. The minister said in his second-reading speech:

The government introduces this bill with a determination to see the underlying objectives of the world anti-doping code clearly supported and promoted in Victoria.

The purposes of the Sports Anti-doping Bill are to implement a legislative framework to facilitate the extension of national anti-doping programs to all levels of Victorian sport when deemed necessary and to support the intent of the code at the subelite level of sport through a policy and education-based approach.

The development of a revised legislative framework for anti-doping in Victoria has become necessary as a result of the introduction of the code and the ongoing amendments to commonwealth legislation.

He went on to say:

The bill reflects the Victorian government's resolve to ensure that:

the positive culture and values around sport and recreation are protected and promoted;

the use of prohibited drugs and doping methods in sport is discouraged; and

the Australian Sports Drug Agency (ASDA) is able to fulfil its doping-control functions and its national anti-doping organisation obligations in Victoria.

That in essence is what the bill is designed to do. But it comes to members with a very long and detailed history.

That history goes back to 1989 when the Australian Senate standing committee inquiry into drugs in sport recommended the creation of an independent Australian sports drug agency. In 1990 the Australian

Sports Drug Agency was established by an act of the commonwealth Parliament. In 1995 the national sports drug framework was established by the standing committee on recreation and sport. Also in 1995 the Victorian Parliament enacted the Sports Drugs Testing Act 1995 which permitted ASDA to test state-level athletes. In 1996 the Victorian Drugs in Sport policy was released, but it was not widely promoted and never invoked. In 1999 the Commonwealth government released its national Tough on Drugs in Sport anti-doping strategy.

On 10 November of the same year the World Anti-Doping Agency (WADA) was established as a foundation under the initiative of the International Olympic Committee, with the support and participation of intergovernmental organisations, governments, public authorities and other public and private bodies that were fighting against drugs in sport. In 2000, the national drugs in sport framework working party was dissolved by the sport and recreation ministers council. In that same year, Queensland and the Australian Capital Territory contracted ASDA to undertake additional drug testing of open-level state competitors. In 2001 we in Victoria reviewed our Drugs in Sport policy.

In 2000 the first draft of the world anti-doping code was released. In 2003 that code was adopted at the World Conference on Doping in Sport, held in Copenhagen in March 2003. In the same year the Copenhagen Declaration on Doping in Sport was signed by the Australian government, committing it to support the code. In 2004 the Commonwealth amended the ASDA act to provide for code compliance, and the Australian Sports Commission (ASC) released both the national anti-doping template for sport and its own anti-doping policy.

Now, in 2005, all Olympic sports are code compliant. The ASC continues to negotiate with other major professional sports organisations in the hope that that message and the code will be accepted and implemented at every level of sport, so showing our young people who aspire to have a professional life in sport that there will be absolutely no acceptance of any drugs in sport. Elite athletes hold a very special place, but if you are the mother of children who play sport you have your own sporting heroes as well and you want them to know that they are heroes — that the legends of Australian sport are clean. The central tenet of sport and our culture in Australia is that people are given a fair go. Australians do not like the idea of somebody cheating or trying to get an additional edge by deceitful, deceptive and — it has to be said — harmful means. As I said, the bill sends some very clear messages to all

those who compete in sport, and I can only commend it to the house.

Mr KOTSIRAS (Bulleen) — It is a pleasure to stand to speak briefly on the bill. The purpose of the bill is to re-enact with amendments the law relating to anti-doping in sport, confer functions on the Australian Sports Drug Agency and repeal the Sports Drug Testing Act 1995.

One must wonder what convinces sports stars or athletes to take enhancing drugs. Some would say that doping brings medals, fame and lots of money at many levels. I suppose that every medal helps the entire club. Trainers might get a bonus and clubs might acquire more sponsors and they might also get government subsidies and grants. There is an old saying that a sporting club without medals or premiership cups is like a bank without money. People tend to forget that sport is intended to be fun and that it should be for enjoyment. Children should be taught that competition is good and healthy. Sport also makes strong individuals. It contributes to their physical and social development and to a healthy lifestyle. We all have a role to play in protecting the integrity of sport, protecting young people and their health and protecting individuals from the unethical practice of doping. In the long run no-one wins when individuals take enhancing drugs to perform better.

It is interesting to consider the history of what led to the banning of drugs in sport. The first death was recorded in 1886, when a cyclist, Linton, died from an overdose of trimethyl. The first near death in modern Olympics was recorded in 1904, when a marathon runner, Thomas Hicks, used a mixture of brandy and strychnine. In the 1930s amphetamines were produced and quickly became the drugs of choice. In the 1950s the then Soviet Union team used male hormones to increase power and strength and the Americans developed steroids as a response. At the 1960 Olympics, a cyclist collapsed and died from an amphetamine overdose. In 1963 pressure started to mount on the International Olympic Committee (IOC) and the Council of Europe set up a committee on drugs but could not decide on a definition of doping.

In 1964 there was a noticeable increase in the muscular appearance of athletes at the Olympics and drug use was suspected. In 1967 the IOC took action after the death of Tommy Simpson in the Tour de France. At the 1988 Seoul Olympics, Ben Johnson tested positive for a prohibited anabolic steroid. In 1989 an interim report of the Senate standing committee on environment, recreation and the arts was established and in 1990 a second report was published. In that same year the

Australian Sports Drug Agency was established. In 1991 ASDA became a statutory authority. In 1999 the World Anti-Doping Agency was formed. In 2003 the Copenhagen declaration was signed. It is interesting also to consider the anti-doping violations. There are a few. The first is the presence of a prohibited substance. The second is the use or attempted use of a prohibited substance. The third is refusing or failing without compelling justification to submit to sample. The fourth is violation of applicable requirements regarding athlete availability for out-of-competition testing.

As I said, we all have a role to play in protecting the integrity of sport. Anti-doping efforts require public accountability, transparency and openness to scrutiny in order to achieve the confidence of the public. The fight against doping in sport requires a comprehensive approach, involving education, detection and deterrence. A person's achievement attained through fair and healthy means must be promoted at all times. That attitude is held also in other parts of the world. During the last Olympic Games I was in Athens where I saw first hand the disappointment of many Greeks in the two athletes who were banned from taking part in the games. Those two top athletes were earning large sums of money from sponsorship and from the government. When they avoided the tests the whole country was very disappointed because they had let everyone down. In fact others were involved as well. Charges were laid against five other people, including doctors at the hospital who falsely claimed that the two athletes had been involved in a car accident.

It was very disappointing to see some people in Australia trying to portray the taking of drugs as not that important. We all remember when Shane Warne was banned for taking drugs and people tried to find excuses for him. Instead of supporting the ban, members of the Victorian Bushrangers attempted to find a loophole in the regulations, and this does not look good to young people. We have to send a strong message to young people that taking drugs is harmful and not in their best interests. Unfortunately this has not occurred. If we look at the situation in Western Australia, where cannabis use has been linked to teen suicide, we see that young people are more prone to take cannabis if they see their heroes taking it. So it is very important that we introduce and pass legislation that sends a strong message that taking drugs is not accepted.

There are a number of concerns with the legislation, one of which is that this government has made no effort to consult with the key stakeholders. It has spoken with them in the past, but when it came to this legislation it

refused to speak to them. The other concern is that it gives the Minister for Sport and Recreation in the other place the power to establish and vary the policy without referring back to Parliament. This is a concern, and I hope the minister uses this power wisely. I think it is important that we stamp out the use of drugs in sport. Apart from the concerns I have outlined, I believe this legislation will go some way towards making sure that this happens.

Ms OVERINGTON (Ballarat West) — I too am pleased to support the Sports Anti-doping Bill, which will see the underlying objectives of the world anti-doping code supported and promoted in Victoria. In the lead-up to the Melbourne Commonwealth Games discussions about anti-doping measures and the doping of athletes have become quite topical. The strategy of most current national and international anti-doping programs is based on detection and sanctions. The programs are primarily focused on catching and punishing elite athletes. This bill provides more appropriate anti-doping and education programs that are aimed at subelite and community-based sport and recreation participants.

An issue that is of great concern to me is the misuse of performance-enhancing substances by young people in search of body image enhancement. Extensive research in America and Western Europe shows that numbers of adolescents are using and abusing steroids to succeed on the sports field or simply to look better. We must take positive steps to ensure that our top athletes and aspiring athletes know the value of themselves and their contribution to their particular sports — in other words, that they are valued for doing the best they can without resorting to or needing any substance that might enhance their ability to succeed. Unfortunately there have been many reported cases of sporting drug abuse both here and around the world. The individuals involved may have believed they were enhancing their skills for their country, their sport and, in most cases, themselves. The reality is that they were cheating.

The government is pleased that this bill is another measure designed to advance Victoria's commitment to protecting the spirit of sport from drug use. I commend the bill to the house.

Mr MULDER (Polwarth) — I rise to make a brief contribution on the Sports Anti-doping Bill. The name of the bill almost suggests that at some stage there has been a pro-doping bill.

The purpose of the bill is to repeal the Sports Drug Testing Act 1995 and replace it with streamlined, less prescriptive legislation that relies on the world

anti-doping code and the Victorian sports anti-doping policy that will be prepared by the Minister for Sport and Recreation — or that is what we are led to believe. The legislation provides that the minister will prepare and maintain the Victorian sports anti-doping policy, which will be consistent with the world anti-doping code. The minister may authorise guidelines for the withdrawal of state support, including bans from facilities, for a person who is sanctioned under the drug code, and the bill requires the minister to consult with sports organisations in preparing his policy or future amendments to it. The minister is also required by the legislation to publish his policy on the Internet and in the *Government Gazette*.

The opposition has some concerns about the Sports Anti-doping Bill in respect of the issue I have just raised, where the minister is to consult with sports organisations when preparing his policy or future amendments to his policy on doping in sports. It is somewhat amazing to the opposition that there seems to have been no specific process for consultation on the drafting of the bill before the house. What we are saying is that we are relying on the minister to go out and consult with sporting organisations in the future in developing his policy on anti-doping; however, we have a bill before the house that has turned up without any, or very little, consultation with organisations associated with sport.

This raises concern as to whether the bill has been put together in such a manner that the minister can twist and turn and duck and dive with his policy and his guidelines. It raises the concern that perhaps the minister put this bill together with the assistance of a few mates and people who may have a direct interest in the outcome of the bill and may not wish to have matters discussed at length or to have this bill out in the community for an extensive consultation process. How can one expect that the minister's policy and future amendments will be the subject of a thorough consultation process with sporting bodies across the state if he is not prepared to go out and consult with these organisations and groups on the bill before the house?

This bill has the hallmarks of providing for knee-jerk reactions from interest groups, high-profile sports personalities and clubs knocking on the minister's door and holding secret meetings in relation to practices they may consider to be borderline. Let us face it: if the minister's old club, Carlton, comes knocking for a shift in relation to the anti-doping policy and the guidelines he is going to produce, is he going to tap it down an easy outcome?

The Liberal Party has concerns about a process where the minister has so much power in developing policy and guidelines and then making amendments to them into the future in an area about which the community has great concern, particularly in relation to some of the instances we have seen recently — and I will get to that later in my contribution to the debate. An example is the consumption of caffeine as an enhancer and the flow-on effects of that on young people who idolise their sports stars and tend to mimic their behaviour.

Generally Australians and Victorians think drug dopes should be caught and banned. That is our opinion. We do not want them in any form of sport. To understand why you only have to look at the amount of money that is involved in sport today and the influence it has over children and younger people who play sport. They idolise their sports stars and mimic their behaviour. If you have sports stars or organisations becoming involved in any form of doping scandal there is always a flow-on effect. It is damaging to the sport, but it is more damaging in the influence it has on younger people.

I spoke to a sports coach at a secondary college in the metropolitan area after the issue of caffeine tablets being taken by Australian Football League (AFL) players was raised, and she was alarmed. She told me that since the media had highlighted that that was taking place, a whole host of younger people at the school who were involved in sport had started buying and taking caffeine tablets. It is shocking that younger people would mimic that type of behaviour. Elite sportspeople have a role to play and a responsibility to make sure they conduct their affairs and activities in such a manner that they do not have a negative impact on young people who are going to mimic their behaviour.

An article published in the *Herald Sun* of Tuesday, 23 August, under the heading 'Pep pills used often' states:

Most AFL players have used caffeine tablets in search of a pre-game pep-up.

A *Herald Sun*-AFL Players Association survey of 549 league footballers has revealed almost 60 per cent have taken NoDoz or a similar product.

And 10 per cent have suffered side effects, a finding described as 'disturbing' by AFL chief executive Andrew Demetriou.

'I don't know what side effects they are talking about, but that number in isolation seems to be quite disturbing', Demetriou said.

'If that's the case, it's probably telling them something. They've probably taken sound advice since then'.

Demetriou said confirmation that 321 — or 58 per cent — of players had used caffeine tablets harmed the public perception of the sport.

'From an image perspective, it's not a great number. I don't necessarily think it sends a great message' ...

I could not agree more than with Mr Demetriou.

In light of my involvement with the racing industry and the codes it operates under in relation to drugs with animals, it has always amazed me that there seems to be a relaxed attitude when it comes to people in sport. A mate of mine said, 'I play footy every weekend, but I have to get a needle in the hip because I have a bit of arthritis there. That gets me through, and I go along all right'. As I said, I am involved in the racing industry, and I cannot even shout my horse a milkshake on the way to the races, yet you have a footballer who can take a stab in the rump to get him through a game of football. People who have musculoskeletal disorders will turn up at work having taken all sorts of painkillers to get them through a day's work.

I have had a look at the list of substances that are banned in the racing industry, and they include analgesics and anti-inflammatory agents. Even vitamins administered by injection are not allowed. They are prohibited, yet we seem to have a much softer approach when it comes to dealing with the human race. I raise that issue as a point of debate, because it has always amazed me that we seem to take such a lax approach.

I do not know that this bill is going to do an awful lot. A lot of power rests with the minister and his ability to amend policy and to sit down with whomever he decides to discuss how that policy is going to work and be adopted in Victoria. All I would say is that a lot more work needs to be done in relation to educating younger people who are going to play sport, at a high level in particular, that if they start on drugs they stay on drugs and it is downhill from that point onwards. On that note I wish the bill a speedy passage.

Mr WILSON (Narre Warren South) — I rise to speak in support of the Sports Anti-doping Bill which sets out to uphold the underlying objectives of the world anti-doping code. Many people ask: what is doping? Doping is defined as the use of a substance or a method potentially dangerous to athletes' health and/or capable of enhancing their performances. Doping is widely recognised as the biggest threat to the value of sport in the 21st century.

What is the world anti-doping code that we are supporting with this bill? The world anti-doping code is part of the worldwide anti-doping program, whose purpose is to protect the fundamental right of athletes to participate in sports that are free of doping and thus promote health, fairness and equality for athletes worldwide. It also has the purpose of ensuring harmonised, coordinated and effective anti-doping programs at the international and national levels with regard to detection, deterrence and prevention of doping.

The code is the core document that provides the framework for anti-doping policies, rules, and regulations within sporting organisations and amongst public authorities. The code's development occurred in several stages over several years under the direction of a project group created by the World Anti-Doping Agency and in collaboration with agency stakeholders. As part of the extensive and unprecedented consultation process, the World Anti-Doping Agency solicited comments from stakeholders at every step throughout the code's development and incorporated many of those suggestions in the final document.

The world anti-doping code was adopted by attendees at the second world conference on doping in sport in March 2003. Some 1200 delegates representing 80 governments, the International Olympic Committee, all Olympic sports, national Olympic and Paralympic committees, athletes, national anti-doping organisations and international agencies unanimously agreed to adopt the code as the basis of the fight against doping in sport. The drafting, acceptance and adoption of uniform anti-doping rules in the world anti-doping code has been one of the more important achievements to date in this fight against doping in sport.

Previous speakers today have noted the longstanding nature of the use of drugs in sport. Interestingly enough, the first recorded death due to drugs in sport that I am aware of was in 1886 when a cyclist, Arthur Linton, died from an overdose of trimethyl. Many individuals apparently take drugs in sport — and why do they take them? It is my view that sport has developed into a significant social institution and that to succeed in sport has become highly valued. This has placed unreasonable pressure on sportspeople to become not only successful but the best — the best in the nation; the best in the world. This pressure has contributed to the escalation in the incidence of drug taking and the number of drug-related deaths within the sporting community. Australia is a sports-loving nation. With Melbourne as the sports capital of Australia, the Victorian government needs to ensure a fundamental commitment to safeguard the integrity and values of

sport and to protect the health of individuals from the unethical practice of doping.

Sport should be fun. It helps build strong individuals and vibrant communities. It contributes to individual, social and character development. It contributes to a health lifestyle and helps prevent disease and injury caused by inactivity. Sport is an important part of our culture in this great nation. Doping is contrary to the essential spirit of sport.

During the Family and Community Development Committee inquiry into issues relating to the development of body image amongst young people and associated effects on their health and wellbeing, the issue of steroid abuse was raised. Recent research indicates that men can be dissatisfied and preoccupied with their bodies. One study of men in Austria, France and the USA reported a desired increase in muscle mass of 12 kilograms. The research indicates that in young men the desire for muscularity can lead to exercise addiction, abuse of anabolic steroids and human growth hormone, along with the overuse of nutritional supplements.

Information about the extent of anabolic steroid use is difficult to obtain due to the fact that it is an illegal substance. Statistics provided by the Australian Institute of Health and Welfare in 2003 indicate that less than 3 per cent of adolescents between the ages of 12 and 17 had used anabolic steroids. This compares with 35 per cent of 15 to 17-year-olds and 15 per cent of 12 to 14-year-olds who have used cannabis.

The committee received evidence during the course of the inquiry that steroid use is prevalent amongst a small section of young males as a response to the desire to add musculature and bulk. The parliamentary committee also noted that obesity is a huge problem in this state and across the nation. Promotion of reasonable physical activity can substantially reduce the level of obesity. With the passing of this bill the Sports Drug Testing Act will be repealed, and the minister will be required to maintain a sports anti-doping policy consistent with the purpose and intent of the world anti-doping code. The minister will also be empowered to issue guidelines for the withdrawal of sports-related state support from a person sanctioned for a doping violation. This supports the underlying principle of safety, health and fairness in sport.

I am pleased that this bill will not be opposed in this house. As I have already said, sport is an important part of our culture in this state, and doping is contrary to the essential spirit of sport. I commend the bill to the house.

Mr THOMPSON (Sandringham) — There are many great legends in Australian sport who have achieved success in their chosen field without the assistance of drugs to enhance their performance. There was the magnificent performance of Herb Elliott in the 1960 Rome Olympics, where he won in a time of 3.35.6 and streeted the field by over 200 metres. He trained hard and relied upon adrenalin, talent and physical prowess. There are the great achievements of Australian swimmers at successive Olympics, who have achieved recognition through hard training and wise coaching. There are the Australian tennis players, cricketers and footballers who have left their mark on the landscape of Australian sport through their contributions. Their efforts have all been inspired by training, skill and adrenalin as they have achieved great heights in their chosen fields. There have been memorable moments in Australian sport in the realm of football — for example, Blight's 80-metre goal at Princes Park in 1976, Manassa's run around the boundary line in the 1977 grand final replay, and Jesaulenko's mark in the 1970 grand final, as well as the courage and determination of the Carlton team in that 1970 grand final, when they came back to win after being 44 points down at half-time.

The achievements of those who have gone before them are marvellous examples for young Australians to contemplate. Regrettably in the realms of international sport there have been people who have lost opportunities due to the drug-cheating activities of other athletes. Raelene Boyle picked up a silver medal at the Munich Olympic Games in 1972, but the winner of the event was subsequently established to have been a drug cheat. There have been a number of North American athletes who have shown sudden improvements in performance but who have later been shown to have used unauthorised substances to assist their performance. Two of the star Greek athletes selected for the Athens Olympic Games, a 200-metre male runner and a female hurdler, failed to attend drug tests and forfeited the opportunity to compete at those Olympics.

It is important that there be excellent role-modelling for young Australians. The legislation before the house introduces a number of measures in that regard. The opposition is concerned that although anti-doping measures have been discussed with sporting bodies since 2001, there was no specific consultation on the bill before the house. Another concern of the opposition is that the legislation removes all powers and scrutiny in relation to drug testing in sport from the Parliament. Instead that is to be undertaken under an administrative framework that gives the minister and the government an unfettered opportunity to establish and vary policy.

There may be reasons why this was done, perhaps to provide some flexibility in the administration of the new arrangements, but it is of concern when any legislation has an administrative structure that circumvents the scrutiny of Parliament.

While regarding the legislation as being of great importance in encouraging ethical participation in sport and recreation in Victoria, and while recognising that it is important to not just discourage but condemn outright the use of drugs and doping, the opposition is concerned that the bill before the house was not discussed fully with all stakeholders.

Mr JENKINS (Morwell) — It gives me a great deal of pleasure to support the Sports Anti-doping Bill. It is good to follow a speaker from the opposition who is supporting the government and governments right across Australia in doing what we can to ensure not only that sportsmen and women are unable to use performance-enhancing drugs but also that the clear message we give to young people in our community is that the use of drugs for this purpose is abhorrent and will damage them in the future. That is what I would like to speak about.

Many young people in our society see sportsmen and women as role models, and if they see them using drugs it legitimises that activity. We see time and again the advertising industry using body image to promote such things as health supplements and fashion. The advertisements put forward an image which is unreal and create expectations which are unreal. What we need to do as a community is spell out clearly that there are certain lifestyles and ways of behaving to achieve a certain body shape. We need to say that some substances may benefit you but that in the long term they will damage you — and ultimately they are illegal and it is inappropriate for them to be used. This bill spells out that message.

We as a community do not believe drug use is right for sportspeople at the elite level or the subelite level, and we do not believe it is appropriate broadly in the community. For those reasons we need to be united across the political spectrum to ensure that we give that clear message. It is good that we are also talking about the subelite level. Those of us who have had anything to do with sport at a regional level would know that there have been occasions where performance-enhancing drugs have been used — and they continue to be used to this day — whether to bring people back from injury far too early, to allow them to play with injuries they should not be playing with or purely to enhance performance on the day.

While those occasions are few and far between, they still occur and we need to make sure that sporting associations right across Victoria take this seriously, not just at the elite level but at the subelite level as well. For instance, questions have been asked about the performance of the Buchan cavemen a couple of weeks ago in their winning grand final — —

Mr Hulls interjected.

Mr JENKINS — I am disappointed that the member for Gippsland East is not here because questions have been raised. I hope he comes in to speak in support of this legislation. We need to make sure that doping is unacceptable not just at the elite level but at the sub-subelite level. I commend the bill to the house.

Mr TREZISE (Geelong) — I am very pleased to speak in support of the Sports Anti-doping Bill 2005. As other members have said, this is important legislation because it takes steps to ensure that Australian — and in this instance, Victorian — sportsmen and women are not tempted to take performance-enhancing drugs. When I talk about sportsmen and women, I am also obviously referring to younger and up-and-coming sportsmen and women.

Only last week I was disturbed to hear on 774 ABC Melbourne — I think on the Jon Faine program — a parent who rang in expressing her concern about a student, or a number of students, at a particular school's sporting carnival who were allegedly taking caffeine tablets. I do not think caffeine is an illegal stimulant, but as the member for Polwarth said before, it is disturbing to learn that young people are starting to take up the examples of elite sportsmen. I would not call it a trend, but still it is a disturbing story.

Thus it is incumbent on both the federal and state governments, as well as on sporting bodies and administrators, to take steps to ensure that performance-enhancing drug taking is minimised. I do not think it can ever be wiped out. We need to minimise the problem, not only for the health of individual athletes, of course, but also for the competition itself and the reputation of sport here in Australia, and in Victoria.

This bill takes the initiative in ensuring that prohibited drugs are discouraged in sport in this state and that a positive message is sent to young athletes about the issue of drug taking and performance-enhancing drugs. It is impossible to ascertain how clean Australian sport is when it comes to performance-enhancing drugs. One would like to think that compared to the reputations of some other countries, Australian sportsmen and

sportswomen are clean and compete fairly. But of course, there have been some instances in recent times where Australians at the very least have been accused of taking performance-enhancing drugs. It would be fair to say that Australian sport is relatively clean. Our sports stars are not cheats, and that is what we have to continue and promote to Victorians, especially to the younger generation. I believe this bill takes necessary steps towards realising that goal.

The bill seeks to introduce a legislative framework to facilitate the extension of the national anti-doping programs to all levels of Victorian sport. In essence, the bill has two major initiatives or goals. The first is for the state government to implement anti-doping policies and to set clear guidelines about withdrawing state funding from any athlete caught using a drug. Importantly, the second aspect of the bill is to provide the Australian Sports Drug Agency with full access to Victorian athletes for implementing drug controlling programs.

As the Commonwealth Games are to be staged in Victoria in March next year it is important that as a state we are seen to be doing everything possible to ensure we produce clean athletes, and that we have effective and efficient systems in place. Hopefully, gone are the days when we saw countries or individual athletes blatantly flouting anti-doping laws. One will never forget in the 1970s the physiques and performances of some Eastern European and American athletes, and of course, that of the Chinese female swimmers in the early 1990s.

In Victoria, we have had a number of examples of sportsmen flouting the laws. There have been a couple of instances with Australian Football League footballers, all under the pump to compete, who have been pressured to use performance-enhancing drugs. Cycling has not been free of similar accusations, and we had the unfortunate mix-up with Shane Warne allegedly taking his mum's diuretic tablets, with the one-year ban that he suffered because of that.

The legislation before us today will assist in minimising the temptation to take drugs and will assist in avoiding issues such as the Shane Warne incident that I referred to. Given the time, I wish the bill a speedy passage.

Ms NEVILLE (Bellarine) — I am pleased to make a brief contribution today in support of the Sports Anti-doping Bill, the purpose of which is to ensure that sport is drug free at all levels in Victoria. Australians, and in particular Victorians, are renowned for their love of sport — watching it, supporting it, and participating in it. The government needs to ensure that within our

community we promote a culture in which the use of drugs is inappropriate and is not encouraged in any way.

At a time when we are trying to promote the importance of participation in sport and recreation amongst our young people, and in fact across all ages, it is essential that we send that very clear message to all members of our community. I am a parent, and parents across my community, and the community as a whole, are very keen for there to be strong confidence that the spirit of sport and the image we portray to our young children is about participating in clean sports. These sporting activities promote values of participation, good competition and the spirit of sport.

We see it every weekend, certainly across Bellarine, with huge numbers of young people, and young children, participating in sport, whether it is netball or in the growing sport of soccer, football, basketball or athletics — because the athletics season is starting for young people at the moment. We are trying to foster goodwill and a sense of participation and of being part of a broader team and a broader community. Clearly, the message that parents and the community want to send is participation in those sports but in a drug-free way.

The member for Narre Warren South earlier referred to the issue of body image, particularly with young boys wanting to increase body mass, leading down a path to the use of steroids and other drugs, and we really need to tackle this issue head on. This bill goes a long way to putting in place a policy framework and education programs that build on a culture of sport being drug free and of continuing to encourage our young people and our community to be active in sport. I commend the bill to the house.

Mr CRUTCHFIELD (South Barwon) — I rise to contribute briefly to debate on the Sports Anti-doping Bill and to follow the contributions of two other members from Geelong. The purpose of the bill is all encompassing; it is not just focused at the elite level. The intention of the bill is to look at the subelite level and recreational sportspeople. The state is singing from the same psalm book as the federal government in its strong message about anti-doping.

As the member for Geelong has alluded to, our reputation internationally as a strong voice against anti-doping is well known. We are certainly respected in terms of the efforts we make internationally, as well as nationally, to be a strong voice against anti-doping. This legislation is an extension of that. Certainly I note the bipartisan support for this bill and about a message

we give our younger folk in particular, who are influenced quite dramatically by our elite sportspeople.

Many members have spoken previously about sad instances, both internationally and in this state, of people who have used performance enhancing drugs. A previous speaker spoke about the Greek athletes' recent tragedy. We have spoken about Shane Warne, and we have spoken about some of our high-profile Australian Football League athletes. The AFL needs to be commended for its stance on and its recent support of the Sports Anti-doping Bill. I certainly congratulate the AFL. It has changed a lot since I was around back in the 1970s and 1980s, where there was a proliferation — —

Mr Hulls — You couldn't win a flag then either!

Mr CRUTCHFIELD — I was not around then, you are quite right. I was a bit of flotsam on the sea! But it was well known that some players in those days were adding substances that were not exactly prescription drugs to their breakfasts.

In conclusion I would certainly like to talk about the educative message that this legislation sends. I note that the Prime Minister and the Premier have not adopted some of the Americanisms that the President of the Untitled States has adopted with regard to drug use in baseball. Certainly he has not come out strongly against drug use. He is close friends with one of the baseball athletes who has been convicted of performance-enhancing drug use. Certainly that is not the case in Australia and I hope it never will be. The Prime Minister and the Premier need to be commended for their strong stance against performance-enhancing drugs. I commend the bill to the house.

Mr LONEY (Lara) — I wish to make a few brief comments on this bill, which is fairly significant in many ways. The first comment I would make is that it is highly appropriate and indeed necessary that prior to the Commonwealth Games we put in place an anti-doping regime, including an anti-doping code, which is subject to international scrutiny and which will be respected internationally as being at the forefront of the fight against the use of performance-enhancing drugs in sports. We want to ensure that the Commonwealth Games in Melbourne are a very clean games. We want to ensure that Melbourne's reputation as the sporting capital of this nation — and indeed as one of the great sporting cities of the world — and Australia's reputation as a sporting nation are enhanced by the way in which we deal with the use of performance-enhancing drugs in sport. So this is very significant piece of legislation over a range of aspects.

The necessity for this is unfortunate in many ways. It would very nice if we could hark back to a more innocent age when 'dope' was largely a reference to a person who was held to be of limited intelligence, but unfortunately we have lost the innocence of those days in a number of ways. Drug cheating has significant effects on people, and sometimes we overlook these. To me as a person who is very keen on athletics, one of the great tragic stories of Australian athletics is that of Raelene Boyle.

Raelene Boyle, an elite athlete — a wonderful athlete for Australia — won two silver Olympic medals. There are people who would say, 'That is a magnificent achievement'. However, it was confirmed some years later that the athlete who beat her in those two events, Renate Stecher, an East German, had been part of an official doping regime in the old East German republic and was a drug cheat. Raelene Boyle has for her lifetime been deprived of the Olympic gold medals that she rightly should have had. There is little that can be done about it now. That is why this bill is important.

We have also seen others — unfortunately still in the area of athletics. There is always talk about Ben Johnson, who was caught with performance-enhancing drugs in his system, but if you talk to people in the athletics world there are suggestions that in recent years there have been very few 100-metre finals at Olympic level that have been drug free, and there have been suggestions that some 100-metre final events have not had a single drug-free athlete in them.

These are very serious concerns for a number of reasons. It is not simply for sporting reasons that we need to address these issues, it is also for health reasons. Athletes who at a young age go on to a regime of performance-enhancing drugs are, we know, affecting their long-term health, and we should be doing something about that. We should be ensuring not just through education campaigns — although they are clearly very important in this — but also through a regime that says to athletes, 'If you are going to take the risk of cheating in this way, you are going to be caught and exposed'. This is the only way we can keep our sport clean. This should run through all the sports. When we are talking about drugs we often refer primarily to athletics and cycling — —

Mr Stensholt — Aussie Rules, too.

Mr LONEY — The member for Burwood is correct. It should apply to all sports. In Australian Rules we recently had a player being banned for a short time for taking prohibited substances. We have had the case of Shane Warne in cricket. I am a great lover of test

cricket and a great admirer of the skill displayed by Shane Warne, but if a person is found with a masking agent in their body — a few years ago in our innocence we would only have known of that word combination as a piece of brown tape that was sticky on one side — they have to suffer the consequences of that. These days athletes in all codes in all sort of sports are taught these responsibilities. They sign the codes. They know what they are, and we have to get to the point where there are no excuses for these sorts of things.

That is what this bill is about: it gives great powers to the Minister for Sport and Recreation to introduce codes and to ensure that they are implemented and enforced and are consistent with the world anti-doping authorities codes. It is also very important to recall the recent argument between the Australian Football League and the Australian federal government over the implementation of World Anti-Doping Agency codes in relation to marijuana use in the AFL. While the AFL has done some very good things in relation to its drug policy, ultimately it was correct to accept that the WADA code should be implemented in Australian Rules because it is not just about individual sports, it is also about the reputation of Australian sport internationally. That is why we need to comply with these things.

We want to be able to walk onto any athletic stage — any sporting stage in the world — and not have the finger pointed at our athletes. It is very important for us to do this. It is also very important for us in the context of the Commonwealth Games that every athlete coming to Melbourne can have confidence that their performance will have the same scrutiny as that of every other athlete and that, if they are not drug cheats, they will not be defeated by drug cheats in Melbourne and have to suffer the lifetime of what-ifs that Raelene Boyle has had to live with.

These are the important things about this bill. As I said at the outset, whilst this is a small bill, it is a very significant bill. It deserves the support of this house, this Parliament and the community in general because what it is trying to achieve is very important in sport, not just to us in Victoria but to this country and to our international reputation.

Mr ROBINSON (Mitcham) — I am pleased to have the opportunity of speaking briefly on the Sports Anti-doping Bill, which is an important bill because it says a lot about where Victoria is placed in the battle against drugs in sport. Drugs in sport are a corruption of sport and of all the ideals of sport — ideals Australians readily associate with. Athletes in all countries are guilty from time to time.

The question and the challenge is how nations respond to this scourge. Australia and Victoria in particular take a very tough line, and we have in place through the Victorian Institute of Sport and major sports organisations protocols which the community believes deal with this problem effectively. It is not an easy challenge for us to meet, because at different points in the future there will be Victorians and Australians who will be accused of taking drugs to enhance their performance. At those points in time it is vital that we apply a very consistent rule, much as that will be difficult, because emotional arguments will be put in the future saying that someone we know in Victoria or Australia should be given some slack.

It is not the same everywhere else. Much as this bill facilitates procedures ahead of next year's Commonwealth Games, some of the worst offenders around the world are non-commonwealth countries. This is a product largely of the capacity for sport to be used by government, particularly totalitarian governments through the ages, as a vehicle for promoting nationalism.

In recent years no country has done more in this way than China. What the Eastern Bloc countries refined in the 1960s and 1970s, the Chinese swimming team in particular managed to enhance. It may be unfashionable to call the Chinese government to account on this matter but — I am on a roll today, so what the heck! — when it comes to doping it is absolutely necessary because if a country like China gets away with drug abuse in sport, what message does that send to the rest of the world?

In swimming China scored four gold medals at the 1992 Olympics, which was pretty much in keeping with its record up to that point in time. Two years later at the world championships 12 of the 16 women's titles were won by Chinese swimmers, which raised eyebrows all the more so because at the same year's Asian Games, 11 Chinese swimmers tested positive for drugs. The message appears to have got through after that excess because China performed quite modestly at the 1996 Olympics but the abuse was back to its worst two years later at the world championships in Perth. This must go down as one of the low points in world sport, certainly in this country, when one Chinese swimmer was detained by customs trying to smuggle 13 vials of human growth hormone into the country — that happened at Perth airport — and another four tested positive for masking — —

Ms Beattie — That's vile!

Mr ROBINSON — Yes, it is vile — and another four tested positive for masking agents. All in all, in the last 15 years some 44 Chinese swimmers have tested positive, and that is a deplorable record. It shows up the influence of the former East German coaches who were employed in China — as I said, what the Eastern Bloc had perfected in the cold war era has been refined and enhanced in recent years by China. I acknowledge that the Chinese government in 2004 introduced an anti-doping law, not before time, and that measure has been met with applause around the sporting world. It is important that China and other nations seek to build on that approach and strengthen anti-doping laws as the years go on.

This bill sends a very important message to all Victorians who are involved in sport that far from turning a blind eye, the requirement that people who participate in sport do so on their merits without the assistance of drugs continues and will always remain an essential ingredient in Victorian and Australian sport. I am very pleased to support this bill.

Mr STENSHOLT (Burwood) — I am also delighted to rise and support the Sports Anti-doping Bill. Here in Victoria we are very much proud of our sport and at this time of the year we are getting even more into the sporting season with the Australian Football League (AFL) Grand Final coming up — and naturally, it's a case of 'Go St Kilda!'. Also, the Spring Racing Carnival is approaching — I know this bill deals with humans — and Melbourne will have the tennis and so many other sporting activities soon. Indeed Melbourne is the sporting capital of the world, and we look forward very much to the Commonwealth Games being held here next year.

We are proud of our sport but we also emphasise the fairness and integrity of competition. The Sports Anti-doping Bill is reinforcing our reputation for sport and our reputation for being fair sports. This bill provides for a sports anti-doping policy in Victoria and for complementary legislation with the commonwealth in terms of the functions of the federal Australian Sports Drug Agency Act. I am very pleased that this bill brings us into line with the world anti-doping code. I am sure Dick Pound will be very happy with this, that we are looking at putting in the world code and it is going through all the sports here in Victoria, including the AFL which, I am pleased to see, has signed on for this.

It is not just a matter of playing the game hard but fairly; it is also in our culture that our sportsmen and sportswomen are very much role models and looked up to in the community. I think we should have a whole

range of models in terms of our youth, but sportspeople are some of them and it is therefore very important that as role models they are seen in plying their trade, as it were, to be playing the game fairly and honestly and without the use of artificial substances and enhancements in terms of doping — to use that particular phrase.

I am very pleased that we are looking to enact these amendments in regard to anti-doping in sport and to confer functions on the Australian Sports Drug Agency in this regard, to again underline and emphasise that we believe in sport but we believe in sport that is fair and with integrity — and that is how we wish to play the game here in Victoria. I commend the bill to the house.

Ms BUCHANAN (Hastings) — I rise to speak briefly in support of the Sports Anti-doping Bill on behalf of residents of the Hastings electorate. The intent of this bill is very clear and is supported by sporting groups and individuals across the Hastings electorate — that is, that a culture of using performance-enhancement drugs in sport is destructive and must be negated, and that to do so the Australian Sports Drug Agency has been given broad access to carry out its testing obligations across Victoria. In the consultations I have conducted there has been unanimous agreement on these two issues of intent.

As this house knows, the world anti-doping code was adopted at the Copenhagen world conference on doping in sport in 2003. The bill basically rescinds or replaces the 1995 act and builds on the national anti-doping template and anti-doping policy developed by the Australian Sports Commission. I particularly applaud the provisions in this bill that prohibit for the duration of their sanction any state financial support or official use of state-owned or funded facilities by any person found guilty of an anti-doping rule violation. I consider that such action is appropriate.

The world anti-doping code expects governments to withhold such financial support from participants. Because we and our children hold our sporting elites up as iconic figures, we must ensure that we take action when these same people, or their trainers and coaches, abuse our trust by breaching that code. Any corruption of these ideals must not be condoned in any way, shape or form. The burden of shame should be great. The stigma should remain long after any sanctions have been lifted. Our society is facing a crisis in childhood obesity, and as a consequence we will have an increase in the number of obese adults. Because of related problems such as diabetes and heart disease, we must take stringent action. We have to make sure that the risks of taking performance-enhancing drugs are

perceived to be so great that no individual will contemplate taking them. This bill sets out actions to maximise the ability of the Australian Sports Drug Agency to conduct and coordinate doping-control programs and effectively test any Victorian athlete.

Across my electorate I have been involved in the promotion of no drugs in sport. In doing so I have dealt with many sporting and community associations, because this is a whole-of-community issue. One of the great programs I have been very happy to facilitate across the Hastings electorate is the Play On program. A great local Rotarian by the name of Paddy came to me with an issue relating to supporting disadvantaged youth in the area and helping them to become involved in local sporting activities. I was able to link them in to a local learning and employment network and to VicHealth, and as a consequence over the next two years 100 local disadvantaged youth across the region will be engaging in drug-free sporting activities.

That is the sort of thing that changes the norm or the cultural belief that drugs in sport are acceptable. This legislation will make sure there is a culture of no drugs in sport, and I fully commend it to the house.

Mr MAXFIELD (Narracan) — I rise to speak in support of the Sports Anti-doping Bill. Those of us who have a strong interest in sport are clearly aware of the dangers posed by the use of performance-enhancing drugs. This bill will help to eliminate drug use in sport and ensure that drug cheats realise that there is no chance of them getting away with using performance-enhancing drugs because they will be caught.

This legislation is designed to correspond with federal legislation, because it is so important that our federal and state acts conform and work together so we can be part of an Australian and worldwide initiative to remove drugs from sport. It is pleasing to see that the Australian Football League, one of our most prominent sporting organisations, has agreed to sign up to the new regime to help send the message out to all sporting communities that we will not accept drug use in sport. It is very important that we avoid the use of performance-enhancing drugs. I have been informed that there is a new drug going around. Apparently it is being called Barnaby Juice, and it is being used to assist athletes — —

Mr Plowman — On a point of order, Speaker, I think the member in his contribution is impugning a federal member of Parliament, Senator Barnaby Joyce, and I ask you to ask him to withdraw his comment.

The SPEAKER — Order! I am not quite sure what the member for Narracan was going to say, but I do not think at this stage he has done that, so I will allow him to continue.

Mr MAXFIELD — Apparently Barnaby Juice is used to assist gymnasts, because it is great for backflips. Seriously though, we cannot allow drugs to flourish in sport because our sportsmen and women across the country are under enormous pressure to deliver good results. If they believe a competitor is using a performance-enhancing drug, then that clearly means they feel pressure to consider doing so as well. The realisation that there is a strong regime in place to stamp out drug use will make them feel not only that they should not use drugs themselves but also that their competitors are not using drugs as well.

One of the drivers for athletes using drugs has been their belief that their competitors were doing so and that therefore they felt they had no choice. What we are doing here today, and what is being done across the nation, is trying to stamp out drug use in sport by ensuring that there is a strong testing regime in place. This legislation is strongly supported by our community as well as those members in this place, so I commend it to the house.

Ms ECKSTEIN (Ferntree Gully) — I am also pleased to make a brief contribution in support of this bill, which provides a framework to extend the national anti-doping programs, policies and laws to all levels of Victorian sport as necessary. It also supports the application of the world anti-doping code at the subelite level through policy and education programs. It enables the Victorian government to develop a broad anti-doping policy and clear guidelines for withdrawing state support from those found to be involved in doping. A particularly important aspect of this bill is that it in no way supports people who are involved in doping, and support will be withdrawn forthwith if they are caught. There is no place in sport at any level for the use of performance-enhancing substances. We need to send a very clear message to people involved in sport at all levels that this is unacceptable and that it must be stamped out. The culture of fairness needs to permeate all levels of sport, from the recreational and community level to the subelite and elite levels. That is very important. All levels of sport much achieve these standards. Anything less is nothing short of cheating.

Our Australian and Victorian culture is substantially grounded in sport, whether we are participants or spectators. It is based on fairness and the classic Australian fair go. Fairness is one of the important skills that playing competitive sport from an early age

can instil in young people, along with qualities such as loyalty, teamwork and leadership. This is the reason that I, along with many other members of Parliament, support and sponsor junior sporting programs in our communities. The use of performance-enhancing drugs is an unacceptable part of our culture. To use a bit of a cliché, it is un-Australian, and we all need to do what we can to expose it and stamp it out whenever it occurs.

Education programs at all levels, as well as detection and sanctions at the elite levels, are a particularly important part of this overall strategy. Education programs, particularly those targeted at young people, can also do much to address the misuse of substances for body image improvement. The use of steroids is a particular concern. The risk of permanent damage to long-term health from the use of these substances to improve either sports performance or appearance is a substantial issue in our community. It is important that the education programs that are to be developed also address these health risks.

This bill seeks to ensure that competitive sport at all levels in Victoria continues to be about fairness, and it makes an important contribution to ensuring that Victoria continues to be the best place to live and raise a family. With those few — —

Ms Beattie — And participate in sport!

Ms ECKSTEIN — And participate in sport — the member for Yuroke is quite correct. With those few comments I commend the bill to the house and wish it a speedy passage.

Ms DUNCAN (Macedon) — I also wish to make a brief contribution on the Sport Anti-doping Bill 2005. Victoria, the home of Australian Rules football, is a state that is very proud of its sporting prowess. As a nation we look at many of our sportspeople as heroes. We look at sport as being a level playing field, literally speaking, and we know that doping and drug use in sport is simply cheating. As a nation that values sport and equity it is something that most Australians, including Victorians, would abhor. Victorians would support not just a Victorian stand but a commonwealth and worldwide crackdown on drugs in sports.

This legislation develops the framework necessary to support commonwealth legislation and worldwide anti-doping legislation. It supports the testing of athletes; the prohibition of athletes who have found to be using drugs to participate in their sport for a period of time; the notion of not allowing such athletes access to Victorian funds that support them participating in their sport; and prohibiting the access of such athletes to

state-sponsored sporting facilities. It is an important move towards ensuring that sportspeople are clean, and it ensures we continue to have a level playing field in all areas of sport. The bill supports the notion of fairness and equality. I commend the bill to the house.

Debate adjourned on motion of Mr LOCKWOOD (Bayswater).

Debate adjourned until later this day.

BUSINESS OF THE HOUSE

Program

Mr BATCHELOR (Minister for Transport) — I desire to move:

That the government business program agreed to by this house on 13 September 2005 be amended by omitting the order of the day, government business, relating to the Groundwater (Border Agreement) (Amendment) Bill.

By way of advice or explanation to the house, I am moving this motion to simply remove that particular bill from the government business program and allow the other bills to proceed to the Thursday guillotine. We are doing that because the member for Benambra pointed out some anomalies and some improvements that could and should be made. This will give the government sufficient time to deal with those before the bill comes back to the house.

This is a simple procedural motion that changes the number of bills listed in the government business program. It removes the Groundwater (Border Agreement) (Amendment) Bill. We would like to thank the member for Benambra for raising these issues. This procedure will give us the opportunity to address them in a more timely manner.

Mr RYAN (Leader of The Nationals) — The Nationals agree with this course. I am conscious that the member for Benambra is here. To his credit, he established there was a fault in the legislation. To the government's credit, there was a very good debate last night when this issue was fleshed out. I think this is an excellent motion. We support what is proposed.

Motion agreed to.

SENTENCING AND MENTAL HEALTH ACTS (AMENDMENT) BILL

Second reading

Debate resumed from 14 September; motion of Ms PIKE (Minister for Health).

Mr ANDREWS (Mulgrave) — It is a pleasure to continue my remarks about this important bill by again stating that the amendments before the house are all about striking a better balance of community safety and fairness in sentencing, and, indeed, providing for those who often suffer from very serious mental illness.

By way of background I want to say that the amendments act essentially to implement the last two recommendations of the Vincent review. The review panel was appointed by the former Minister for Health, who is now the Minister for Environment, to consider leave arrangements for patients at the Victorian Institute of Forensic Mental Health. The panel was ably chaired by Justice Frank Vincent following some incidents involving patients on leave who basically escaped. The review was conducted in 2001 and the report was handed down in May of that year. The Vincent review report includes 19 recommendations, and save for two each has been given effect to. The amendments before the house deal with those two recommendations, namely recommendations 11 and 18. I will come to those in a moment.

Before doing that, it is opportune and important to note the key principles that informed the members of the review panel in their considerations and important work. In its introduction and overview the report states:

In undertaking its work, the panel has been mindful of a number of key principles that should, in its opinion, govern the interface between Victoria's mental health and correctional systems. These include:

That the Mental Health Act 1986 requires that treatment be provided in the least possible restrictive environment and least possible intrusive manner.

That security patients are either under sentence or on remand.

That a transfer from the prison system to the Victorian Institute of Forensic Mental Health should not, of itself, lead to a diminution of security and that there must be a continuity of security between services.

...

That any leave granted must be in the context of an overall rehabilitation and treatment program.

And so on. It is important to quote two further opening remarks in the report of the Vincent review panel:

In undertaking its work, the panel was mindful that an effective relief program is an integral part of modern and progressive mental health and correctional systems.

...

Accordingly, the panel has aimed to establish a set of recommendations that appropriately balances the treatment needs of the individual against their legal status, public safety and potential impact on victims.

That really is at the heart of the amendments before the house today. The bill is about striking a better balance between those often competing objectives.

Following the completion of the review and implementation of the majority of the recommendations — indeed, as I said, 17 of the 19 recommendations — through the passage of the Forensic Health Legislation (Amendment) Act 2002, the mental health branch of the Department of Human Services circulated a discussion paper, an important document, to seek the views of stakeholders, those interested and affected parties, in relation to the two recommendations, 11 and 18, that principally necessitated changes to the Sentencing Act. Following that genuine consultation process, which was focused principally on how orders — namely, hospital orders, hospital security orders and restricted community treatment orders — operate, the amendments before the house were drafted.

Before going to those, I note that the bill deals also with some other consequential matters and what might be termed housekeeping matters in relation to how the Mental Health Act operates. On a number of occasions I have been pleased to support and speak on this very point — that is, that our legislative framework and the regulatory regime that underpins our mental health system must be kept relevant and that it must keep pace with changes in clinical practice. That is an important process and one that, as I said, I have been pleased to support in this house on a number of occasions. That is an important part of my role as the Parliamentary Secretary for Health. Our laws must reflect, facilitate and complement the treatment of the mentally ill, whether they are in the community or not. That is an important point as well — that our system must reflect the change towards community-based treatment, not treatment within psychiatric institutions. That is an important shift and we must ensure that our regulatory regime that underpins our mental health system gives effect to that.

On the operation of hospital orders and recommendation 11 of the Vincent review, the review expressed concern about hospital orders. They are orders made in place of a sentence, and they are made

for serious offences — for example, murder, manslaughter, rape and so on. Last night the member for Kew spoke at length about the definition of those serious offences. Those orders see patients detained in an approved mental health facility instead of prison and are orders of the court. However — and this was picked up by the Vincent review — they can be discharged by the chief psychiatrist or the Mental Health Review Board. In relation to recommendation 11, I quote from recommendation 10:

The consideration of leave for patients admitted under [this] section ... of the Sentencing Act ... raises a wider range of issues relating to the use of this section by courts as a means for the disposition of offenders. An order under section 93(1)(d) is an indeterminate order of a court. However, interventions to release the person into the community and indeed discharge the person from the order are administrative actions, being a decision of either the chief psychiatrist or the Mental Health Review Board.

...

The review panel believes that the use of [this] section ... of the Sentencing Act ... should be reconsidered. The panel believes that this section is not suitable for the disposition of persons who have been found guilty of serious crimes and that the Sentencing Act ... should be amended to provide criteria governing its use.

That is an important recommendation, and the amendments before the house give effect to it in terms of striking a better balance between appropriate care of the mental ill and a system that is more mindful of the crime of which a person has been found guilty. The panel expressed concerns about an order in place of a sentence. As I said, the amendments before the house give effect to those recommended changes. It is also important to note that under the amendments hospital orders will no longer be indefinite in nature but a two-year limit will apply instead. That is important also in relation to the punishment being commensurate to the crime.

Earlier I spoke about ensuring that our legislative framework is relevant to clinical practice. To that end and in recognition of the need for greater flexibility the bill simplifies the making of restricted community treatment orders. Importantly, it also removes the requirement for hospital orders to be served only in detention.

A further key point is that the changes better align the forensic system with the civil system, again putting the focus on better and more relevant care — for example, the notion of a patient moving from care under the terms of a hospital order to a community treatment order, where that is appropriate. A key aspect of the bill is greater efficiency, simplicity and flexibility in how orders work and how they interrelate both within the

forensic system and between the forensic and civil systems. The bill also clarifies a number of issues and fills gaps in the overall legislative framework, laying down the criteria for discharging hospital security orders and clarifying the powers of the Adult Parole Board, special leave arrangements and so on.

I pick up a query raised by the member for Lowan in relation to representations made in writing by the Law Institute of Victoria. Those criticisms relate more to the discussion paper and options canvassed within it than to the amendments before the house. As I said, if you take the view put by the Law Institute of Victoria, judicial discretion would be limited but only in relation to serious offences, not in relation to all offences carrying a custodial sentence. The criticism picked up by the member for Lowan was more in relation to the discussion paper than the amendments before the house today.

In closing, the amendments are all about achieving a better balance between protecting and enhancing safety in the Victorian community and the needs and requirements of often very seriously mentally ill Victorian offenders in our forensic system. This is by no means easy work. These are often very difficult balances to strike. The amendments before the house are in every way an appropriate response and will enhance our ability to meet those future challenges in our legal, custodial and clinical settings. I commend them to the house. I thank the Liberal Party and The Nationals for their support. I wish these important changes a speedy passage.

Mr THOMPSON (Sandringham) — Adverse mental health exacts a very high cost upon the community. On a number of occasions John McGrath, a former National Party member of this place, noted the words of Dr Arieti, who in paraphrased terms said that no war, no famine or no disease has exacted so high a toll on human life as that which arises from adverse mental health.

There is a range of wider issues in the community where adverse mental health crosses over to the criminal justice system. The Victorian Parliament's Law Reform Committee considered mental health as an issue in its review during the previous Parliament. It considered a number of measures to try to address both the care and treatment of people with mental health disorders so that there was a reduced likelihood of them crossing over to the criminal justice system. When one compares the cost of treatment and management and the cost of incarceration and the operation of the criminal justice system, one sees that if sometimes people can be adequately treated and looked after prior

to the commission of an offence, that can in the end save the community a significant cost down the track.

The question might be asked: is the treatment of people with mental health issues adequate at the moment? A number of reviews suggesting that it is not have been published in the state press. Through my electorate office very serious concerns have been raised about the level of resourcing and the procedures followed at a number of important hospitals in Melbourne. I refer to an example of constituents of mine whose daughter does not live in my electorate. They drew to my attention concerns about their daughter who at one point earlier this year had spent 70 hours on a hospital trolley. When she was discharged she was so heavily drugged that she could barely manage her own welfare and was unable to get a spoon to her mouth to feed herself. Her parents were concerned that the overdugging was a clinical decision to make the care of the patient easier. Another example is of a person who was admitted to hospital as an involuntary patient and then left the hospital, unbeknown to those who were supervising his welfare.

I would like to pay tribute to some very fine health professionals at a number of levels within the mental health system. One I have mentioned earlier is Dr Doherty from the Alfred hospital, who does an outstanding job in the management of the unit there.

There is the issue of people who have a mental illness when they enter the criminal justice system and how their circumstances are appropriately managed. There are some very difficult cases, a number of which have been addressed by this house in previous reviews and inquiries. One case that may not directly overlap here is the case of Garry David. On one occasion when he escaped from custody he inflicted injury on the wife of a pizza shop owner in Rye. That was a tragic case, and the Parliament had to confer on a whole lot more background and decide how to balance the care and protection of the community with the continuing custody of the person who committed an offence.

The bill before the house today amends the Sentencing Act 1991 with respect to orders that may be made for mentally ill offenders, the Mental Health Act 1986 with respect to involuntary patients and security patients, the Corrections Act 1986 to allow parole orders to be made for persons in detention under hospital security orders, and the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 to allow forensic patients and forensic residents to apply for leave. These provisions are primarily in response to the review conducted by Justice Frank Vincent in 2001 and as a follow-up to changes that were implemented in 2002.

I will briefly run through a few of the main provisions. Hospital orders will not be able to be made for persons found guilty of a serious offence. Hospitalisation will no longer be of an indefinite duration; the court will be able to make an order for up to a maximum of two years. People will not be detained under these orders for long periods. The term 'hospital order' is to be replaced by the term 'restricted involuntary treatment order'. It is claimed that this better describes the situation of patients living in the community subject to restricted community treatment orders. The new phrase mirrors the 'involuntary treatment orders' that applies to civil involuntary patients.

I return to where I started by suggesting, based on my experience through my electorate, that there is an inadequate response at the government level to the issue of mental health treatment in Victoria.

Mr Andrews — That is not what Jeff Kennett says!

Mr THOMPSON — Inadequate or inappropriate mental health treatment can lead to problems with people who are unwell being on the streets, where there is a higher propensity for crimes to be committed. I welcome the interjections from the other side of the house, because if any government member is of the view that spending 70 hours on a hospital trolley is an effective method of treating people with mental illness in the year 2005, then I can rest my case.

Mr WYNNE (Richmond) — I rise to support the Sentencing And Mental Health Acts (Amendment) Bill. We need to acknowledge that mental illness is a serious and ongoing issue for our community. I was reminded by my colleagues of the extra \$180 million injection into mental health that arose out of the social policy statement that was released by the government no more than a couple of months ago. That one initiative alone was widely acknowledged throughout the community.

Mr Andrews interjected.

Mr WYNNE — Indeed, as my colleague indicates, this includes former Premier Jeff Kennett, who heads the beyondblue organisation.

To suggest that this government is not committed to mental health issues in a very tangible way is simply not correct. As we know from Australian Bureau of Statistics research in 1997, 18 per cent of the adult population at some time in their lives suffered a mental disorder in the previous year, and it is very troubling that for young people that figure is a staggering 27 per cent. Given the wide impact of mental illness, it is important that our criminal justice system plays its part in providing effective arrangements for those affected

by mental illness. This bill is squarely aimed at providing better outcomes for the mentally ill, but doing that while delivering proper and adequate protection for the community.

As the parliamentary secretary indicated in his contribution to the debate, in preparing this bill the government has been guided by the recommendations of the Vincent review in 2001, which examined leave arrangements at the Thomas Embling Hospital. I am very familiar with this excellent facility which borders my electorate, and I acknowledge the very fine contribution of its chief executive officer Michael Burt, a colleague of mine. In a previous life he and I worked together. I am not sure that it was in his more distinguished days, but he was my supervisor for a period of time when I worked as a criminologist in the criminal justice system. He has kicked on to further his career and do fantastic work at the Thomas Embling Hospital, and I acknowledge his work.

Most of the recommendations of the Vincent review were implemented as part of the Forensic Health Legislation (Amendment) Act; however, certain recommendations related to sentencing were not implemented with the earlier bill in order to allow for extensive consultation with stakeholders, as my colleague the parliamentary secretary indicated. That consultation is now complete and the government is giving effect to the final recommendations of the Vincent review.

A key component of the bill relates to hospital security orders. Under the current system courts have the option of sentencing an offender to a hospital order of indeterminate duration. However, the decision on when this judicial order ends is made by an administrative body — namely, the chief psychiatrist or the Mental Health Review Board. This mix of judicial and administrative decision making could lead to practical inconsistencies. For example, an offender could be released earlier than if they were a regular prisoner sentenced by a court. The bill will correct this anomaly by eliminating the sentencing option of hospital orders for serious offences such as murder and rape. Instead, courts will be limited to using hospital security orders for a lesser level of offences.

The duration of a hospital security order is defined by the court at the time of sentencing. If a prisoner is returned to good health — and that is clearly the goal of the Thomas Embling Hospital and the whole philosophical direction of the government — before the expiry of the order they serve the balance of their sentence within the regular prison system. If at the end of their sentence their release would pose a danger to

the public, they can be detained under the civil commitment regime. The same system would apply to any non-offender who is deemed unsafe in a community setting. I think there are appropriate checks and balances in the system, and most importantly this bill fixes up an anomaly that existed within the system.

Hospital orders will still be available for crimes that are not of a serious nature, but they will be renamed restricted involuntary treatment orders with the acronym RITO. This new terminology is deliberately similar to the involuntary treatment order that exists in the civil regime. The similarity is not merely semantic; these orders are aligned with the civil system in that they are not a punishment, rather, they are diversionary. They will have a maximum duration of two years, and they can be ended early if the chief psychiatrist or the Mental Health Review Board sees fit. These provisions in the bill will retain the court's discretion to divert minor offenders with mental illness to involuntary treatment, but they will ensure that it does not function as a de facto form of indefinite imprisonment. Essentially, what we have is a disposition that is available to the courts to provide them with some flexibility in how they treat an offender within the mental health system.

By any measure this piece of legislation is an important finalisation of a critical area of government reform which has been led, appropriately, by the Minister for Health in this context, because it seeks to address an appropriate disposition for offenders with a mental illness. There is no doubt that for those who have a severe mental illness the facilities available at the Thomas Embling Hospital are world class. In fact the Thomas Embling Hospital only a few months ago sponsored an international conference on forensic psychiatry, and I know that the Attorney-General and the Minister for Health were keynote speakers at that conference. The conference brought into sharp focus for not only other precincts within Australia but in an international context the leading role that Victoria is playing in the mental health field, particularly in the forensic mental health area. This is demonstrated not only by the excellent facilities at the Thomas Embling Hospital but also by the wonderful training regime available at that centre for students and practitioners who seek to work in the forensic psychiatric area. It has a wonderful training regime — attached to our universities as well — that provides critical training for young graduates.

This is an important piece of legislation. It rights some anomalies that were addressed through the Vincent review, and it ties people with mental health problems who have committed serious offences into a secure

regime. Hopefully, through the treatment programs available at the Embling centre, those people will be able to re-establish their lives, find some stability, serve out the rest of their sentence in the prison system and eventually lead more productive lives within a community setting. I commend this legislation to the house — particularly the leadership shown by Justice Vincent in his review — and I wish it a speedy passage.

Mr PLOWMAN (Benambra) — The opposition supports the intent of the Sentencing and Mental Health Acts (Amendment) Bill, and I am personally encouraged by many of the changes that will be brought about by it. All of us have contact with people who are mentally ill. Members of Parliament can sometimes be the last bastion for some of those people who desperately need assistance. It is gratifying to see the unanimity in support of this bill and what it proposes to achieve, but to suggest that all is well in the mental health area would not be correct, and I think all of us would recognise that. I would like to read a section of the second-reading speech and then follow up with a couple of suggestions. The second-reading speech says:

If a person with a mental illness is found guilty of an offence, and the court is satisfied that the person should be detained in an approved mental health service for his or her health or safety, or for the protection of the public, the court may, instead of passing sentence, make a hospital order under the Sentencing Act. The person is then detained in an approved mental health service as an involuntary patient. Currently the order is indefinite as the court does not have the power to impose a maximum or minimum period for a hospital order.

The person remains on the hospital order until they are discharged by the chief psychiatrist or the mental health review board when they no longer require involuntary mental health treatment.

As I see it, the issue is what happens at that stage — and this is where we have immense problems. There is not sufficient and appropriate treatment for people coming back into the community after being discharged from mental health services, wherever those might be, either in Melbourne or in country centres. There are also not sufficient opportunities for those people, prior to an acute episode of psychosis, to go to what I called, in a letter to the Minister for Health, a halfway house.

On 18 March I wrote to the Minister for Health and suggested that particularly in country areas we need some level of in-house service for those people who have the capacity to be aware of a psychotic episode coming on or for those who have been discharged from treatment. Too often the opportunities for that level of treatment are just not there. In her response, which I appreciate very much, the minister said:

In your letter the need for a halfway house was mentioned for those people who have an acute episode and need initial treatment which may overcome the need for admission either to hospital or to a mental health clinic.

She went on to say:

The Victorian government is piloting a new model of short-term care called prevention and recovery care (PARC) services.

This could well be the sort of service that I see a need for in country Victoria. I take the word of the minister that this is going to be implemented, and hopefully it will have the required effect.

I will just say, however, that in my electorate we have the difficulty of dealing with cross-border mental health services. It is one of those imponderable issues. I have certainly been representing mental health interests on a cross-border basis ever since I became a member of Parliament, and things are still not right in respect of what those services can actually do. There was a report in the *Border Mail* of 14 July that states:

Community-based rehabilitation services for mental health patients were almost non-existent ...

That is exactly right. A lot of those people are trying to get the opportunity for rehabilitation services available in Victoria. Conversely, in Victoria if we have someone who needs admission, particularly compulsory or non-voluntary admission, they have either got to go to Wangaratta, Shepparton or possibly Wagga Wagga. It is just not good enough for a city of that size not to have in-house treatment for people needing that service. It has been an area of concern for me, and I will continue to push for the service to be upgraded.

I want to talk about the problem in respect of suicide and people who are suffering from a mental illness. A constituent of mine, Mr Erik Brawatski of Mitta Mitta, came to see me when I was travelling around the electorate about two months ago and gave me a notice of information to the next of kin from the State Coroner's Office about the death of his daughter, Maryanne Brawatski, who had suffered from a mental illness for some time. The letter was dated 4 May. I will not go into the details of the letter because they are standard letters, but it simply advised Mr Brawatski that the death of his daughter was a reportable death and ended:

You will receive further correspondence from this office regarding the progress of this matter.

I have had close consultation with this man over very many years about the health of his daughter. He was extraordinarily distressed to find that she had

committed suicide, but then he received this letter from the coroner's office. He said to me, 'This was written on 4 May 2004. I have not heard any follow-up about this'. It is clearly not good enough for someone grieving severely the death of the daughter he had tried to look after for very many years of her life to find she had committed suicide and then for the coroner's office to not comply with what it said it would do.

Sitting suspended 1.00 p.m. until 2.01 p.m.

Business interrupted pursuant to standing orders.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to acknowledge our visitors to the gallery today: the Honourable Harvey Hodder, Speaker, and Mr John Noel, Clerk, of the Canadian Provincial Parliament of Newfoundland and Labrador. Welcome to our Parliament.

QUESTIONS WITHOUT NOTICE

Premier and Cabinet: wages bill

Mr HONEYWOOD (Warrandyte) — My question is to the Premier. Under the Bracks government the wages bill for the Department of Premier and Cabinet has risen from \$70 million — —

Honourable members interjecting.

The SPEAKER — Order! I remind the house again that members should be able to ask questions without that level of background noise. I ask members to be quiet and allow the Deputy Leader of the Opposition to ask his question.

Mr HONEYWOOD — Under the Bracks government the wages bill for the Department of Premier and Cabinet has risen from \$70 million in 1999–2000 to a budgeted \$152 million in 2005–06. I ask: is the Premier prepared to eliminate waste in his own department and reallocate funds to provide relief from Labor's Scoresby tolls and to fix country roads?

Mr BRACKS (Premier) — I thank the Deputy Leader of the Opposition for his question. I think the opposition has a new policy. Yesterday we had the member for South-West Coast acting as the opposition leader; today we have the Deputy Leader of the Opposition. We have a revolving opposition leader in this state.

Honourable members interjecting.

The SPEAKER — Order! I expect the members for Nepean, Bulleen and Mornington to cease interjecting when I say ‘Order!’, and I suggest they do so in the future.

Mr Perton — On a point of order, Speaker, the Premier is debating the question. He is required to answer a question on government administration. I ask you to call him back to order.

The SPEAKER — Order! I uphold the point of order. I ask the Premier to return to answering the question.

Mr BRACKS — The Deputy Leader of the Opposition asked me a question about spending and the allocation to the Department of Premier and Cabinet. I note that the Deputy Leader of the Opposition is seeking to have some reduction of money to that department, to reallocate it to other opposition priorities. I want to indicate the implications of the question. The overwhelming bulk of the money which goes to the Department of Premier and Cabinet goes in the following areas — —

Mr Honeywood interjected.

The SPEAKER — Order! The Deputy Leader of the Opposition has asked his question. I suggest he listens to the answer!

Mr BRACKS — It goes to the National Gallery of Victoria, the museum, the State Library of Victoria, the proposed Dame Elisabeth Murdoch Recital Hall, the Arts Centre more broadly, to the improvements we have made at Hamer Hall, the Governor, the Ombudsman, the Office of Police Integrity and to parliamentary counsel — all those independent statutory officeholders. Is the Deputy Leader of the Opposition saying we should cut the funds to the Governor? Is he saying we should cut the funds to the museum, the library and all those things that are servicing the public of Victoria? This is a half-baked idea, and we are going to have a half-toll as a result of the opposition’s policies.

Schools: government initiatives

Ms MORAND (Mount Waverley) — My question is to the Premier. I refer the Premier to the government’s commitment to governing for all Victorians, and I ask him to detail to the house some of the latest demonstrations of this commitment in the area of education.

Mr BRACKS (Premier) — I thank the member for Mount Waverley for her question and her commitment, alongside many members of this house, to improving the educational outcomes for young Victorians. Over the last five and a half years we have worked very hard to improve the outcomes in education in Victoria. We have indicated that education is our no. 1 priority, and that was reinforced today with the release of the education white paper, which is the full revamp of the Education Act framed in 1873 and rewritten, to some extent, in 1958. Over the last five and a half years we have invested some \$5 billion extra in education in Victoria. We have 5500 extra teachers and support staff in our schools, recovering from the position we inherited when we came to office when 9000 teachers had been sacked from our education system.

We have lifted retention rates. More young people are staying longer at school than they have stayed in Victoria’s history, and we lead the nation with the highest year 12 retention rate of any state in Australia. We are well on target to achieve our ambition in 2010 to have 90 per cent of all young people stay on for year 12 education. We are now at over 80 per cent and well on the way to achieving our ambition.

I am therefore very pleased that as the next step of our investment in education, and our support more broadly for teachers, parents and the communities which are served by our schools in Victoria, with the education minister today I released the education white paper. Not only are we investing record amounts in our education system, but the white paper revamps the act. It is out for further commentary and for submission to this house as legislation for change.

I want to mention two changes which I think are important. Already canvassed have been the reporting arrangements, the transparency and some of the other matters involved in standards. I am very pleased that we are lifting the compulsory age to which students must stay at school from 15 to 16 years — it has not changed since 1873. More importantly, we are putting in legislation a guarantee that there will be government-funded tuition for all young people up to the age of 20 years.

I finish by saying that we can achieve the investment in education. The more teachers and support staff, the better outcomes for year 12 education. We have also made a commitment to fund instruction to age 20. We can do it because we have a strong budget and a strong economy, the very things that are in jeopardy if opposition members ever get onto this side of the house.

Fuel: prices

Mr RYAN (Leader of The Nationals) — My question is to the Premier. I refer the Premier to the recent Westpac-Melbourne Institute consumer survey showing that 56 per cent of Victorian families will finance higher fuel costs by reducing savings or increasing personal debt, and I ask: given this conclusive proof that the government is enjoying a windfall gain through increased goods and services tax payments on fuel, will the Premier now agree — —

Mr Maxfield interjected.

The SPEAKER — Order! The member for Narracan will not interject in that manner or I will remove him from the chamber!

Mr RYAN — I ask: given this conclusive proof that the government is enjoying a windfall gain through increased GST payments on fuel, will the Premier now agree to at least rebate this benefit to Victorian families and businesses?

Mr BRACKS (Premier) — I thank the Leader of The Nationals for his question, and I would like to make two points in response. Firstly, his own party has not proposed any changes or recommendations in relation to higher fuel prices in this country. At a national level his own party is in government and is led by the Deputy Prime Minister who has not proposed any solutions, any options or any proposals. His own party supports world parity pricing. The Leader of The Nationals — the third party leader in this state — is effectively saying that his own party supports world parity pricing and is not prepared to change that. He has no solutions and yet he is prepared to ask questions which are against his own party's policy.

Secondly, as I have indicated before, and which is in sync with what has been expressed by the Prime Minister, the GST is on all goods and services except food, and in aggregate if one area of the economy has higher prices and more GST, then other areas are experiencing less spending. A finite amount of income is available to householders. If they are spending more in one area, they are spending less in another. The aggregate will mean a roughly equivalent total GST take. Those are the words of the Prime Minister, not only my words.

Could I also indicate to the Leader of The Nationals that I am very pleased that in relation to the economy more broadly, and particularly in relation to the regional economy, the regional labour force figures released

today show that regional and country unemployment in Victoria has reduced by 0.6 per cent — —

Mr Ryan — On a point of order, Speaker, the Premier is debating the question. The question related to the fact that 56 per cent of families are spending more money to buy their fuel, and whether the rebate that the government should be handing back to the people of Victoria will be given back.

The SPEAKER — Order! The Leader of The Nationals knows full well that a point of order is not an opportunity to repeat the question.

Mr BRACKS — In relation to the economic prospects of all Victorians, I was very pleased to note today that the regional labour force statistics from the Australian Bureau of Statistics showed that country unemployment was down 0.6 per cent to 5.9 per cent. It also indicated that Melbourne's unemployment was down 0.1 per cent to 4.8 per cent, some of the lowest unemployment that we have had in this state, indicating a strong and robust economy. There is only one threat to the economy — that is, the opposition's fiscal policies.

Government: financial management

Ms ECKSTEIN (Ferntree Gully) — My question is to the Treasurer. I refer the Treasurer to the government's commitment to governing in a financially responsible manner. I ask the Treasurer to detail for the house how this is benefiting the Victorian economy.

Mr BRUMBY (Treasurer) — I thank the honourable member for her question and make the self-evident point that the Bracks government has a very strong record of financial responsibility. We have demonstrated our record of producing responsible financial management, strong budget outcomes and AAA credit ratings. As a result of all that, we have one of the strongest economies anywhere in Australia.

As I have been saying in the house, if you look at things like building approvals, if you look at business investment, if you look at employment generation — more than 300 000 jobs since we have been elected — and if you look at the latest Australian Bureau of Statistics data, which shows the gross domestic product for the June quarter, the stand-out performer across Australia is the Victorian economy. The thing that has driven that is a bedrock of financial responsibility — you have to have that.

We have surpluses averaging \$394 million. We have cut business taxes; we have cut payroll tax; we have cut land tax; we have cut WorkCover premiums; and we

have managed the finances well. Since we have been in government we have also cut waste and mismanagement. Remember a few years ago — another time, another government — the silver service: we had to cut that. Remember the Malcolm Kennedy book — \$100 000 for the manuscript of the exploits of the Kennett government. We had to cut out waste and mismanagement.

Mr Honeywood — On a point of order, Speaker, the minister is both debating the question and totally irrelevant. The issue is not related to current government business. He is referring to history and previous governments rather than current government business.

The SPEAKER — Order! In relation to the point of order, in answering questions ministers are able to relate situations which they have found and which they believe they have changed. In that case I do not think the point of order from the Deputy Leader of the Opposition is valid.

Mr BRUMBY — Because we have managed the state's finances responsibly, we have been able to put more than 5000 teachers and support staff back into our schools. We have been able to put more than 5000 nurses back into our hospital system, and we have been able to put more than 1000 police on the street. We are pretty proud of that record, and we do not want to see that record put at risk. We do not want to see it put at risk through financially irresponsible and reckless policies. My attention has been drawn today to such a policy, a policy which is financially irresponsible and reckless. The policy which has been released today by the Liberal Party would add \$2.5 billion — —

The SPEAKER — Order! Now I feel the minister has strayed from answering the question. He must relate his comments — —

Mr Haermeyer interjected.

The SPEAKER — Order! Without the assistance of the Minister for Manufacturing and Export! The minister is required to relate his comments to Victorian government business.

Mr BRUMBY — Our financially responsible policy has delivered a strong economy for our state. You would put that at risk if you were to put in place alternative policies which would add \$2.5 billion to the state debt and add hundreds of millions of dollars each year to state spending — and would also add to the other promises which have been made by the opposition, which already total \$750 million.

Mr Perton — On a point of order, Speaker, the minister is either defying your earlier ruling or he is dealing with a hypothetical matter or he is offering opinion. In any case he is not in accord with the standing orders and the requirement that he relate his answer to government administration.

Mr BRUMBY — On the point of order, Speaker, I was asked a very specific question about financial responsibility, and I am answering that. My job as Treasurer of the state is to make sure that the budget is managed responsibly. Obviously from time to time matters come to my attention which would threaten the financial responsibility of the state; one of those matters has been brought to my attention today. I think it is quite legitimate that in considering what is financially responsible for Victoria, I can comment on those alternative policies which would threaten the AAA credit rating of our state, which has been so hard earned over so many years. I believe my answer is relevant.

The SPEAKER — Order! In relation to the point of order raised by the member for Doncaster, ministers are not allowed or able to discuss opposition policy, but governments are certainly able to discuss issues that they have considered in relation to government business. So the Treasurer is able to discuss policies that he has considered and which he believes may affect Victorian government business.

Mr BRUMBY — If such a policy was proposed to pay out half of the tolls on the EastLink project at a cost to budget of more than \$100 million a year — —

Honourable members interjecting.

Mr Perton — On a point of order, Speaker, it is quite clear that the Treasurer is referring to the Liberal Party policy.

Honourable members interjecting.

Mr Perton — It is quite clear that that is the case and that he is using this as a device to defy your earlier ruling, Speaker. If he wants to bring on a debate at the end of question time, we can accommodate him, but he is not entitled — —

Honourable members interjecting.

Mr Perton — He is not entitled to canvass the matter in his answer now.

The SPEAKER — Order! Members cannot ask the Speaker to make a ruling on something that they think another member is doing — —

Mr Perton interjected.

The SPEAKER — Order! I rule on the standing orders. If the minister's answer is within the standing orders and the Speaker's ruling, he is able to give it.

Mr BRUMBY — I should let the acting deputy — is that what he is — —

The SPEAKER — Order! I encourage the Treasurer not to encourage debate across the table, and I ask him to answer the question.

Mr BRUMBY — We are happy to bring on the debate; we particularly look forward to your half-baked or half-witted contribution — —

Honourable members interjecting.

The SPEAKER — Order! I think that is enough. Once again I give the Treasurer the choice: he can answer the question through the Chair or he can sit down.

Mr BRUMBY — The position is that if you were to add \$2.5 billion to state debt; if you were to require additional state funding of more than \$100 million a year straight off the budget bottom line, that would mean either the end of a AAA credit rating for Victoria or alternatively, massive reductions in spending in health, education and community safety. We have a very firm view about this. We have clear policy on this, and obviously we are disappointed today with what has been a half-baked policy proposal to offer up half the tolls — —

The SPEAKER — Order! The minister has concluded his answer!

Government: consultancies

Mr HONEYWOOD (Warrandyte) — My question is to the Premier. Under the Bracks government over 160 million of taxpayers dollars has been spent on consultants, on top of the extra \$1 billion the Bracks government spends each year on 15 500 additional bureaucrats. I ask: is the Premier prepared to curb his addiction to 'looking into it' and reallocate the funds to provide relief from Labor's Scoresby tolls and to fix country roads?

Mr BRACKS (Premier) — I thank the Deputy Leader of the Opposition for his question and in relation to this question asked of me about consultancies, I have some material which I can present to the house. Since the election of this government — that is, through a comparison between this government

and the Kennett government — we have cut consultancies by some 12 per cent.

Honourable members interjecting.

Mr BRACKS — Sorry, Speaker, I read my handwriting incorrectly — it was a 22 per cent cut in consultancies. We have cut consultancies in two separate budgets — the budget when we first came to government, the budget in our first term, and also the last budget in which we cut consultancies a second time — an aggregate of 22 per cent cuts in consultancies since this government was elected, by comparison with the previous government.

If I can go to the propositions or the options of cutting into public services, which was really the question canvassed with me by the Deputy Leader of the Opposition, the reality is that that would have a significant effect on public services in this state; it would return to that period before this government was in power. The canvassed, discussed and debated options for cutting into expenditure in the public sector in Victoria would include a range of areas including the Department for Victorian Communities, cutting into funding for swimming pools and ovals, for libraries and public libraries — —

Mr Perton — On a point of order, Speaker, the question was quite specific. It related to consultancies by the government and additional bureaucrats, and the Premier is required to answer that question, not another question.

Honourable members interjecting.

The SPEAKER — Order! I fear that the Premier was straying a little from the question, and I ask him to come back to answering the question raised by the member for Warrandyte, without the assistance of the member for Mulgrave or other members of the Labor party.

Mr BRACKS — In relation to the question on additional bureaucrats, and I am helped by the member for Doncaster on that clarification, those additional bureaucrats who have been put on, those public sector workers have been put on in the Department for Victorian Communities to administer a swimming pool and oval program, to fund communities; they have been put on to fund public libraries around this state; they have been put on to fund neighbourhood houses and, yes, we have expanded the number of neighbourhood houses in this state — and that has been happening within the Department for Victorian Communities.

Yes, we have funded organisations including multicultural groups whose existence would be in jeopardy if the Department for Victorian Communities was abolished. More broadly, we have also had public sector workers and bureaucrats employed to ensure that we have the right number of TAFE workers, firefighters, kindergartens, juvenile justice workers, corrections officers, road safety programs and all those things which have improved over the last five and a half years, which would be in jeopardy if alternative policies were put in place as suggested by the Deputy Leader of the Opposition in his question to me.

Schools: government initiatives

Mr PERERA (Cranbourne) — My question is to the Minister for Education and Training. I ask the minister to detail for the house the most recent government initiative that will ensure that the Victorian education system remains the best possible place for families to educate their children.

Ms KOSKY (Minister for Education and Training) — I thank the member for his question.

An honourable member interjected.

Ms KOSKY — In fact under the opposition's policies there would be no work experience.

Honourable members interjecting.

Ms KOSKY — Work experience would be cut! Thank you, Speaker, for the opportunity to respond to this question. Today, with the Premier, I unveiled a new vision for the Victorian education system. It is the first complete rewrite of the state's education legislation since 1873. It was last reviewed in 1958, which is a very long time ago, and of course student demands, parent expectations, technology and teaching practices have changed drastically since then. In fact everything has changed drastically since then — apart from the opposition's policies.

One key feature of the reform is the creation of a youth training guarantee. Whilst we are raising the compulsory school leaving age to 16, we will also guarantee in legislation for every Victorian under 20 years of age free instruction to complete year 12 at a government school or provide a place for study for an equivalent qualification at a local TAFE institute. We are enshrining this in legislation. It is not just a policy, we are enshrining it in legislation — and we are funding it. It will have a dramatic impact on young people who, at the moment, are leaving school early and are not taking up educational opportunities.

Victoria has the best completion rate of year 12 or its equivalent of any state around Australia. It is 86 per cent, and this will actually help us to achieve 90 per cent of young people completing year 12 or its equivalent by 2010. We also have very good literacy and numeracy results in Victoria, but this will actually make a difference.

Mr Perton interjected.

Ms KOSKY — In fact the only book you will be reading is *Where's Wally* or *Where's Robert!*

Mr Thwaites — Where is Robert?

Ms KOSKY — Where is he? Where is he?

The SPEAKER — Order!

Ms KOSKY — We know that education is absolutely vital to our economy and our future prosperity. Access Economics has recently calculated that the national economy could be boosted by nearly \$10 billion in today's money if the whole nation were to meet Victoria's goal of 90 per cent education and training completion by the end of the decade. So there would be very significant changes to our economy.

Other changes to the education and training legislation that are outlined in the white paper that was released today include a new regulatory authority to register both government and non-government schools. That has been welcomed roundly by the independent schools, the Catholic schools and the government schools. It has been applauded, indeed, by them. We are also establishing minimum standards for the very first time that all schools — —

Honourable members interjecting.

The SPEAKER — Order! The level of conversation is far too high. I ask members to be quiet so that the minister can be heard.

Mr Maxfield interjected.

The SPEAKER — Order! Including the member for Narracan.

Ms KOSKY — All schools, no matter the sector, must meet those minimum standards. We are also enshrining parents rights to school and student information, acknowledging the right of a child to attend their designated local government school, affirming the principle of free instruction in government schools, maintaining the concept of a secular school system, and introducing for the very first

time scrutiny of home schooling, acknowledging that home schooling exists and providing minimum standards for that.

Also, and this is an absolute first in Victoria, we will be providing, as part of the legislation, principles which will underpin our educational legislation and which focus on what we require within the Australian democracy. For the very first time we will actually have basic principles that are critical to the Australian democracy being supported by every school, no matter the sector. I hope I have the support of the opposition, because I think this is ground-breaking legislation — —

Honourable members interjecting.

Ms KOSKY — I think you have been briefed on something else.

The SPEAKER — Order! The minister, through the Chair

Ms KOSKY — The member has not been briefed? We are absolutely happy to provide a briefing for the opposition, given that it has already missed one.

Mr Ryan — On a point of order, Speaker, in relation to the direction that minister's answers be succinct, could I ask you to direct the minister to conclude her answer.

The SPEAKER — Order! The minister has been speaking for 5 minutes. I ask her to conclude.

Ms KOSKY — I understand the need to be succinct, but this is very significant educational reform. It is signature reform, and it is reform that will affect not only us as a government in our capacity to meet the needs of education but also future governments. It is about legislating for successive governments within Victoria. I hope we have the support of the opposition and The Nationals for this legislation, but we cannot legislate to protect schools from the irresponsible plans of the opposition.

Government: efficiency dividends

Mr WELLS (Scoresby) — My question is to the Premier. In 1999 — —

Honourable members interjecting.

The SPEAKER — Order! Once again I ask members of the government to be quiet to allow the member to be heard.

Mr WELLS — My question is to the Premier. In 1999 Labor pledged to find a 1 per cent efficiency

dividend from all government departments. Since then state government expenditure has increased from \$19 billion to \$30 billion, so I ask: is the Premier prepared to identify a 1 per cent per annum efficiency saving in government spending on supplies and services in all areas, except for health, schools, community services and police, to provide relief from Labor's Scoresby tolls and to fix country roads?

Mr BRACKS (Premier) — I thank the member for Scoresby for his question. His question related to tolls on the EastLink project, to spending on consumables and to the 1 per cent reduction which this government has undertaken on two occasions. It also related to public sector expenditure more broadly in areas other than schools, hospitals, police and community services. I will make a couple of points. The areas that are outside police, hospitals, schools and community services include, as I mentioned before — and I should answer the member for Scoresby — —

Honourable members interjecting.

Mr BRACKS — They include areas such as funding from the Department for Victorian Communities for swimming pools and ovals, funding for public libraries, neighbourhood house funding and the whole funding program for multicultural groups and organisations in this state. They include the whole corrections portfolio more broadly, juvenile justice officers and other matters in the shadow minister's portfolio, which he is clearly prepared to allow to be cut so the opposition can have a half toll on the Scoresby and a full toll effectively for trucks. That is what he has decided to do — and to fund that by cutting corrections officers and juvenile justice officers and all those areas of the state.

Mr Plowman — On a point of order, Speaker, the Premier is clearly getting away from government business and relating his answer to opposition policy. I ask you to bring him back to government business.

Mr BRACKS — On the point of order, Speaker, I listened very carefully to the question from the member for Scoresby, and he did canvass with me an opposition policy, and I have to answer that in relation to his question. He did canvass with me a proposal, which obviously has been discussed by the opposition because it was raised with me, to cut into public sector services in this state and to use the funding for those public sector services to fund a half toll for private motorists and keep a full toll for commercial vehicles. He canvassed that with me, and I am answering the question he asked of me in good faith. If he had not

asked me about opposition policy, I would not have answered it.

The SPEAKER — Order! In relation to the point of order raised by the member for Benambra, the member for Scoresby asked the Premier if he would guarantee a certain action in relation to cuts in expenditure across a number of departments, so the Premier is certainly entitled to discuss those matters. He does, however, have to relate it to Victorian government business and not to an opposition policy, if there may be an opposition policy along those lines.

Mr BRACKS — Speaker, you are right. I suspect the shelf life of this opposition policy is not very long. So I reiterate: in relation to our government's policy, we reject the proposal that we should cut into public services in this state. That means cutting into corrections officers and into funding for road safety — —

Honourable members interjecting.

The SPEAKER — Order! The house will come to order. I remind the Leader of the Opposition that we are in the middle of question time, and I ask him to behave appropriately.

Mr Honeywood — They can do what they like, can they?

Honourable members interjecting.

The SPEAKER — Order! I suggest the Deputy Leader of the Opposition be careful in reflections he makes in this house.

Mr BRACKS — In summary, no, we will not be cutting into public services. In 1999 we committed to improve services in a whole range of areas — in community services, health, education and public safety — and more broadly, to govern for the whole of Victoria. We are seeing examples today of an opposition that is not prepared to govern for the whole of the state. Of course I will not canvass opposition policies, and I suspect they will not be canvassed for very long in the future.

Victorian Communities: government initiatives

Mr LIM (Clayton) — My question is to the Minister for Victorian Communities. Can the minister advise the house of the latest initiatives that demonstrate the government's commitment to help Victorian communities and the effect on these initiatives of the proposal to abolish the Department of Victorian Communities?

Mr THWAITES (Minister for Victorian Communities) — I thank the member for Clayton for his question. He did ask me about the Department for Victorian Communities and the proposal to abolish the department. To abolish the DVC means cutting community centres, neighbourhood houses and services — —

Honourable members interjecting.

Mr THWAITES — I welcome the Leader of the Opposition back. We have only had half the leadership team, half the shadow ministry here, which is appropriate on a day when they have delivered a half-baked policy for half tolls.

Honourable members interjecting.

The SPEAKER — Order! The minister, to return to answering the question.

Mr THWAITES — To abolish the Department for Victorian Communities would mean that we would be slashing community programs for country Victoria.

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition!

Mr THWAITES — We would be cutting programs for young people, many of whom are in difficulties.

Mr Honeywood — On a point of order, Speaker, the minister is clearly canvassing Liberal Party policy. He is not addressing his answer to the question asked, which is required to relate to government business. I ask you to bring him back to order.

Mr THWAITES — On the point of order, Speaker, I was canvassing the fact that young people, multicultural communities, libraries and neighbourhood houses would all be cut with this proposal. The Deputy Leader of the Opposition has just said this is Liberal Party policy. He has just said that, but I have been canvassing this proposal as I was asked.

The SPEAKER — Order! In relation to the question asked and the answer given, the minister is entitled to canvass proposals that may have been put to him so long as his answer relates to Victorian government business.

Mr THWAITES — All over Victoria — all over our state — the Department for Victorian Communities is helping people to help themselves. Abolishing the

DVC will not generate any savings. When this department was established — —

Honourable members interjecting.

The SPEAKER — Order! The minister can wait for a moment. I warn the member for Mornington that I will not tolerate that continual level of noise. I ask him to be quiet, and similarly the member for Bass. The minister, to continue.

Mr THWAITES — When this department was established, savings of \$6 million in corporate costs were made by sharing the services of other departments. The only way cutting \$30 million from this budget can be achieved is by cutting the services the department provides. Last Friday, for example, I was very pleased to be able to announce, with the member for Ballarat West, the extension of the community building initiative to 20 small, rural communities, with funding of some \$10 million. This initiative supports small communities all around the state. This is a new initiative that our government has established.

Mr Cooper interjected.

The SPEAKER — Order! I have warned the member for Mornington. If I hear his voice again, I will remove him from the chamber.

Mr THWAITES — This initiative has supported 55 small towns, like Ballan, Ouyen, Balmoral, Robinvale, St Arnaud, Lismore, Nathalia, Violet Town, Lang Lang, Bruthen and Corryong. These programs are delivering practical results. In St Arnaud the local community has brought the local picture theatre back to life. At Lang Lang the medical centre has been established. Indeed at Ouyen the farm safety field day won a national award. These are the critical core programs which are put at risk by this proposal. Can I say that I am very pleased members of The Nationals do not share this view. The Nationals strongly support the government's initiatives.

Mr Perton — On a point of order, Speaker, the minister is clearly debating the question. He is canvassing the views of The Nationals on this issue, and that does not pertain to government administration.

The SPEAKER — Order! On many prior occasions ministers have answered questions and have indicated that other parties in the community agree with them. I do not think at this stage I can really uphold the point of order from the member for Doncaster. However, the minister has been speaking for some time, so I ask him to draw his answer to a conclusion.

Mr THWAITES — As I indicated, The Nationals and the Deputy Leader of The Nationals said in a recent press release:

... the Department for Victorian Communities has a grants scheme that is applicable to just about every community group in Victoria.

We endorse that sentiment exactly. That is what we are doing right around the state. We are determined that the millions of dollars will continue to flow into regional and rural Victoria. No longer are these areas being treated as the toenails. These areas are the heart of what our government does. We are not prepared to let the future of these small towns — —

Mr Plowman — On a point of order, Speaker, the Deputy Premier has now been speaking for over 6 minutes. I ask you to ask him to conclude his answer.

The SPEAKER — Order! I understand that the minister was concluding in his concluding sentence!

Mr THWAITES — In conclusion, we are not prepared to allow the future of these small towns and community programs to be put at risk in order to prop up the future of a fading opposition leader.

Government: advertising

Mr DOYLE (Leader of the Opposition) — Did you miss me?

Mr Hulls interjected.

The SPEAKER — Order! The Attorney-General will be quiet!

Mr DOYLE — My question is to the Premier. In 1999 Labor committed to making annual savings of \$40 million in cuts to government waste and advertising. However, the government is keeping secret how much it now spends on advertising. I ask: is the Premier prepared to adopt Liberal Party policies to eliminate wasteful government spending on advertising including — —

Honourable members interjecting.

Mr DOYLE — Just relax!

The SPEAKER — Order! The house will come to order to allow the Leader of the Opposition to finish his question.

Mr DOYLE — Is the Premier prepared to accept sensible policies to eliminate wasteful government spending on advertising, including preventing the Premier and any other minister from appearing in

taxpayer-funded advertisements, and to reallocate the funds to provide relief from Labor's Scoresby tolls and fix country roads?

The SPEAKER — Order! The Leader of the Opposition's question is a bit awkward in some ways. He is in fact asking the Premier to adopt Liberal Party policy. In relation to that, the Premier can respond to that in the way it affects Victorian government business.

Mr BRACKS (Premier) — I thank the Leader of the Opposition for his question and for his attendance at question time here today. I do not need to directly answer the question, 'Would the government adopt Liberal Party policy?', because Liberal Party policy is so temporary it has a shelf life of about 12 hours. By tomorrow we will see the Liberal Party policy in such tatters and disarray that not only will the government not adopt it but no other government or opposition in the country would want to look at it. It is not dissimilar to what we saw in Western Australia regarding the failed canal policy. This is the — —

Mr Plowman — On a point of order, Speaker, as you have said on many occasions, the Premier must relate his answer to government business rather than relating it to — —

Honourable members interjecting.

The SPEAKER — Order! I remind members that other members should be able to raise points of order, whether or not other members agree with them, and they should be treated with courtesy so they are able to raise them and be heard. I ask government members to be quiet.

Mr Plowman — He should do that rather than relating his answer obviously to business of another state.

The SPEAKER — Order! Unfortunately the nature of the question asked by the Leader of the Opposition makes it fairly difficult for me to rule in favour of the member for Benambra. The Leader of the Opposition asked specifically whether the Premier of Victoria would adopt Liberal Party policies. Therefore it is fairly difficult for me to rule as the member for Benambra would want me to rule.

Mr BRACKS — I would not touch this Liberal Party policy with a barge pole. I suspect that its longevity will be similar to that of the Western Australian Liberal Party's policy on the canal, which was proved to be uncoded, underfunded and unviable.

Therefore, of course, I would not consider the opposition's policy in that regard.

In relation to advertising more broadly, the government will continue to advertise for the Melbourne 2006 Commonwealth Games, which I have to say is one of the biggest components of the advertising — —

Honourable members interjecting.

The SPEAKER — Order! The member for Benambra will be quiet, as will the Leader of the Opposition, to allow the Premier to answer the question.

Mr BRACKS — I have to say that is one of the biggest components of the advertising spend in Victoria currently. Yes, we will promote the Melbourne 2006 Commonwealth Games. We will also promote healthy living and fitness in this state through the Go for Your Life campaign. We will do it. We will promote safety in the workplace through the WorkCover advertisements, and we will promote safety on the roads through the Transport Accident Commission advertisements as well. We will not compromise on these important public messages to improve the outcomes for all Victorians. We of course consider them very important in improving the outcomes for all Victorians. I reject the Liberal Party policies. I suspect that these Liberal Party policies will be ripped up in a very short time.

Rural and regional Victoria: economic development

Ms BUCHANAN (Hastings) — My question is to the Minister for State and Regional Development. I refer the minister to the government's commitment to growing the economy in regional Victoria and ask him to outline for the house any independent data that demonstrates the success the government is having in delivering on that commitment.

Mr BRUMBY (Minister for State and Regional Development) — Nice to see the Leader of the Opposition here. We are still looking for the other half of the promise. I do not know where it is. Where is it?

Honourable members interjecting.

The SPEAKER — Order! I remind the Minister for State and Regional Development that certain standards of behaviour are expected in the Parliament, and I ask him to behave accordingly. The minister, to respond.

Mr BRUMBY — Today the Australian Bureau of Statistics released its data on regional employment. It

contains, of course, further great news for the Victorian economy. Today's ABS regional employment data shows that in the month of August there was an increase of 6300 jobs in regional Victoria. The unemployment rate in regional Victoria is now 5.9 per cent.

Dr Napthine interjected.

Mr BRUMBY — The member for South-West Coast — —

The SPEAKER — Order! The member for South-West Coast will be quiet.

Mr BRUMBY — I think there is a fair bit of your team headed for Tasmania, actually!

Speaker, the average unemployment rate during the duration of the Kennett years was 9.8 per cent. That has been cut down to 5.9 per cent under the Bracks government. It is a great achievement in provincial Victoria. We have the policies right, and we have the financial management right. Building approvals this year are \$3.88 billion, double what they were five years ago; agricultural production this year is the highest in Australia — —

Honourable members interjecting.

Mr BRUMBY — He is out there helping the farmers sow crops.

Dr Napthine interjected.

The SPEAKER — Order! The member for South-West Coast!

Mr BRUMBY — There has been record population growth — more than 1.2 per cent. We have, of course, invested in schools, hospitals, country roads and country rail. We do not intend to put that great record at risk. It is a record of sound policies, sound financial management and putting into provincial Victoria the investment that went missing in the 1990s. People in provincial Victoria often say to me that they remember what it used to be like. They remember the 178 country schools that were closed, the 2500 teachers who were retrenched, and the closure of 6 different rail services and, of course, 12 country hospitals.

Mr Doyle interjected.

The SPEAKER — Order! The Leader of the Opposition will be quiet!

Mr BRUMBY — If you cut government spending by \$500 million per annum, one of the first places to

suffer will be country Victoria. Nothing is more certain. One of the first things we did on being elected to government was change what was previously the Department of — —

Mr Perton interjected.

The SPEAKER — Order! The member for Doncaster does not add to question time by continually interrupting. He has been warned many times, and I warn him not to interrupt again.

Mr BRUMBY — One of the first things we did after being elected was change the name of that department to the Department of State and Regional Development because of what we believe about regional Victoria. Today I opened the papers and read that those opposite are going to get rid of most of the programs which are great for regional Victoria. We have sound policies there, we are getting sound growth and we are getting record population growth.

If you slash spending by \$500 million over four years, if you added \$2.5 billion to state debt, all of that is put at risk. That is what we saw today with the reckless, irresponsible and half-baked policy for half a toll from the Leader of the Opposition.

The SPEAKER — Order! The time for questions has now expired.

Mr BRUMBY (Minister for State and Regional Development) — I desire to move, by leave:

That this house condemns the Leader of the Opposition for his reckless and financially irresponsible commitment to halve the tolls on EastLink and undermine the Victorian economy.

Bring it on!

The SPEAKER — Order! The house is in the middle of debating a bill at the moment. The minister can move his motion only in a break in debate, so he can move it later this afternoon.

Honourable members interjecting.

The SPEAKER — Order! The behaviour of the Deputy Leader of the Opposition is not acceptable. I ask him to be quiet.

SENTENCING AND MENTAL HEALTH ACTS (AMENDMENT) BILL

Second reading

Debate resumed.

Mr PLOWMAN (Benambra) — Before the lunch adjournment I was speaking about suicide among those in the community who are mentally ill.

Honourable members interjecting.

Mr PLOWMAN — I notice that members of the government benches find that amusing, but frankly I do not. It is a serious debate and it should be treated that way.

In the context of what I was saying before the break for lunch, there was a report in the *Sunday Age* of 24 July. I quote from that paper:

Every week, three mentally ill Victorians commit suicide.

The death toll, which accounts for nearly a third of all suicides in the state, appears to be rising and, in up to 20 per cent of cases, is preventable.

... an average of 167 people who have contact with mental health services kill themselves each year. More than 20 do so within five weeks of discharge from hospital.

Again, that refers to the issue that I raised — that it is that discharge period that is so serious and where most of the problems with mental illness come to a crisis. The article goes on to say:

... a study of coronial investigations has identified weaknesses in the system — a shortage of acute beds, extended waiting in emergency departments and reluctance to admit people to hospital — as a factor in some suicides.

The grim picture confirms the bleak results of an audit five years ago that found 105 suicides annually among Victorians using public psychiatric services ... 20 per cent of the 629 patients who took their own lives ... may have survived if services had responded differently.

It is very serious, and the government needs to look closely at how we can better administer mental health services, particularly to people who are being discharged from a mental health service or, as I said earlier in my contribution to the debate, people who recognise that they are about to suffer an onset of mental illness and need to have that assistance before it would normally be available. The government must address this question, which is one of the most serious questions we face in the community.

Mr WILSON (Narre Warren South) — The Sentencing and Mental Health Acts (Amendment) Bill is a result of the outstanding recommendations made by the Vincent review, which dealt with leave arrangements for patients at the Thomas Embling Hospital. These recommendations on mental health and the judicial system required further consultation, which occurred after a discussion paper was distributed to key stakeholders in 2003 seeking their input on the

implementation of these outstanding recommendations. The recommendations deal primarily with the way hospital orders, hospital security orders and restricted community treatment orders are implemented.

Mental illness refers to a group of disorders that affect thought, mood, memory and/or behaviour. Mental illnesses include depression, bipolar disorder, schizophrenia, anxiety and personality disorders. Some mental illnesses involve the experience of psychosis, where a person loses touch with reality — some would say many in this house demonstrate that — and some do not. Mental illness is more common than we may think. It directly affects one in five Australians at some stage in their lives, varying from mild and temporary to severe and prolonged. Unfortunately it is even more common amongst young adults, affecting 25 per cent of this age group. It is felt across all sections of society and can affect relationships, the ability to work and the ability to participate in as well as enjoy life.

A previous employer of mine, the former member for Noble Park and later member for Dandenong, Terry Norris, was an enthusiastic advocate for additional mental health services both during his time in Parliament and since his retirement from this house. I note that part of the Dandenong Hospital mental health unit is named after him.

The Bracks government recognises the need for further services in mental health. *A Fairer Victoria*, released earlier this year, sets out 85 actions the government will take in 14 major strategies to address disadvantage. It has commenced by providing an additional \$180 million over four years to provide new mental health services with an emphasis on prevention, early intervention and appropriate community-based services. As part of this initiative the recently opened public hospital, Casey Hospital, has a fully operational 25-bed psychiatric ward, and a new three-bed high-dependency psychiatric unit was opened at Dandenong Hospital in March last year.

I am very pleased with the additions to the services available to people with mental illnesses; however, more still needs to be done. I note that the psychiatric facilities at Dandenong Hospital are near the end of their useful lives, and I look forward to a more efficient building being put in place through a future budget.

Poor mental health significantly reduces life chances and contributes to many of the negative social aspects of life, including homelessness, unemployment, criminal behaviour and family breakdown. In recent years I have observed many tragic examples of the effects of mental illness. A recent report from the USA,

Mental Health — A Report of the Surgeon General, says:

The burden of mental illness on health and productivity in the United States and throughout the world has long been profoundly underestimated.

Data developed by the massive Global Burden of Disease study conducted by the World Health Organisation, the World Bank, and Harvard University reveal that mental illness, including suicide, ranks second in the burden of disease in established market economies, such as the United States.

Tragically:

Nearly two-thirds of all people with diagnosable mental disorders do not seek treatment.

The operation of hospital security orders and restricted treatment orders for mentally ill offenders will be greatly improved by the provisions in this bill. As I have noted, the bill follows the recommendations of the Vincent review and is the result of consultation with many groups such as the Australian Medical Association, the Criminal Bar Association, Corrections Victoria, the intellectual disability review panel and individuals with expertise in mental health such as Dr Bernadette McSherry.

Of key importance in reassuring the community, hospital orders will be renamed restricted involuntary treatment orders to better reflect their operation, and they will no longer be able to be made for serious offences. The definition of a serious offence is the same as it is in the Sentencing Act and covers violent crimes such as murder, rape and armed robbery. Furthermore, these orders will no longer be indefinite; instead they will now have maximum terms of two years. Where further treatment is necessary, this can be given under the civil commitment procedure. These two changes will prevent someone being held for an unnecessary length of time, and by removing the ability to have serious offences dealt with under this regime, it will prevent situations where offenders are released much earlier than they would be if they had been sentenced by a court.

When making these orders and hospital security orders the courts will now be required to consider a person's current mental condition and their medical, psychiatric and forensic history. Mental health is truly a complex issue, and it is important to strike a balance that is compassionate to the needs of both the mentally ill offenders and the community. The changes implemented by this bill will provide for a much more flexible and responsive regime. I commend the bill to the house.

Mr COOPER (Mornington) — The ramifications of the amendments this bill makes to the Sentencing Act and the Mental Health Act are quite significant for everybody in the Victorian community. Whilst this will not attract the attention of a large number of people, if governments and authorities get things wrong with respect to these two acts, the community could pay a significant price. I note with some interest the spread of amendments over four acts. The Sentencing Act 1991, the Mental Health 1986, the Corrections Act 1986 and the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 are all covered by this amending bill.

I will go back a little in time and deal with the concerns I have about the criminally ill — if I can put it in those terms. These are people convicted of serious crimes who show some kind of mental impairment or would be judged by most people in society to be insane although in fact the legal definition of insanity does not cover them. I was part and parcel of a debate on similar issues back in April 1990, and I note with some interest that the member for Preston is in the house. He was also a member of the house when it debated the Community Protection Bill.

That bill that was introduced by the then Attorney-General, the Honourable Jim Kennan, was unique as far as this Parliament and possibly any Parliament in Australia was concerned, because it was directed at an individual. That individual was a man called Garry David, sometimes known as Garry Webb. He had committed a crime on the Mornington Peninsula during which he shot the wife of a pizza parlour owner at Rye, turning her into a quadriplegic. He had done this to attract the attention of police, because his avowed intention was to slaughter as many police officers as he possibly could.

Two police officers from my local police station at Mornington attended that incident. One of them was shot and severely wounded by David. The other policeman, having emptied his revolver, was about to pursue David down a laneway carrying the revolver of the policeman who had been shot when he checked and found that the other officer had expended all his ammunition as well. David had gone down that laneway and was waiting for the policeman. If the officer had gone down the laneway with an empty revolver he would no doubt have been killed.

The police later apprehended David, and he was brought before the courts, sentenced and locked up. While he was locked up he made a series of threats. One of them was that when he got out of jail he would initiate a series of massacres. He said that one of these massacres would be at the Bourke Street mall and that

he would make the Queen Street and Port Arthur massacres look like picnics in comparison.

David, who was a self-mutilator, was an appalling individual who had committed a large range of violent offences. When he was assessed by the psychiatrists he was found not to be criminally insane. So he was not insane according to the law, yet clearly he drifted in and out of insanity. The government was concerned when he came up for release, because it did not want to see him go back into society. The only way that the then Attorney-General, Jim Kennan, in what I thought was a very brave move, could deal with the situation was to bring in the Community Protection Bill to keep Garry David incarcerated and protect the community. Mr Kennan made the chief government psychiatrist available to brief members of the opposition, and I was one of those who went to the briefing. The chief government psychiatrist told us that Garry David was just one of these sorts of people in society and that there were probably dozens of others out wandering the street who were just as violent and just as dangerous but who we did not know about.

That bill went through, although I know there was a lot of concern within the Labor Party caucus about it. There was also a considerable amount of concern within the Liberal Party amongst people who felt this legislation was wrong. The Labor Party — the government at the time — decided to support the bill, and I know that the member for Rodney, who was a member of the house at the time, had grave concerns about it. The Parliament decided, on balance, to pass that legislation and Garry David was locked up. Eventually he suicided and probably — if I can put it in these terms — saved a problem for everybody.

This issue has now been brought home by some of the debate we have had. However, it does not deal with a person who, it is not even remotely suggested, is insane. I refer to the case of Mr Baldy — Brian Keith Jones — who has been released. People have been saying, ‘Why has he been released? He is dangerous; he will reoffend; everybody believes he will reoffend’. This government has had to go to other extremes to try to prevent that; but Jones is out there in the community.

Queensland has legislation whereby if it is believed somebody is dangerous to society, they can be kept in incarceration. That is the sort of thing we should have here in Victoria, and I make no bones about it. In that respect, this legislation misses an opportunity that should be taken up.

I cast my mind back to those words of the chief psychiatrist — there are people, both in jail and out of

jail, who cannot be classified as insane but who drift in and out of insanity. They are not legally insane but they are dangerous in the extreme. This bill deals in some respects with those sorts of people as well as with others.

Whilst we have to have a feeling of justice and compassion for everybody in society, we have to concentrate in the first place on the protection of the general community. To have people of the type I have mentioned, like Garry David, in the system and then being released into the community and committing offences, and then for us to turn around and say to ourselves, ‘Gee, that’s just a terrible thing and a bit of bad luck’, is not good enough and should not and will not be accepted by the general community. The community demands protection and is entitled to have it.

That is why I want Victoria to have legislation of the type they have in Queensland. When all else fails, when the judgment is made that a person who is incarcerated and who is about to be released — whether onto parole or simply released — presents, according to reasonable judgment, a significant danger to the community in general or a section of the community, the authorities and the government need to be able to say, ‘We will not take that risk. We will not risk the rest of the community. We will keep that person locked up until we are sure they can be released’. And that may be for some time, but it may be never.

They are the comments I wanted to make on this bill. I do not want to see us go through a situation where we have to have another community protection bill in this Parliament to deal with an individual. That is an unsatisfactory way for any Parliament, any government, to have to deal with the situation that confronted the government of Victoria back in 1990. I want to say again that whilst there may be disagreement among my colleagues the members for Preston and Rodney in regard to the action that was taken by Jim Kennan as the then Attorney-General, I think it was very brave action.

Mr Leighton — I supported it.

Mr COOPER — You supported it? I am glad; I supported it as well. I think it was a very brave action. Statesmanship and leadership were called for, and Jim Kennan gave that to Parliament and to the people of Victoria at that time. I think even he would acknowledge it was not a satisfactory way to deal with a situation. It would be better if we had generic legislation that dealt with these sorts of issues when they came up rather than Parliament having to be

confronted with that kind of legislation that dealt with an individual or maybe two individuals. I urge the government to look at that option, and I hope that is what it will do without too much time being wasted.

Mr LOCKWOOD (Bayswater) — I would like to make a contribution to debate on the Sentencing and Mental Health Acts (Amendment) Bill. Mental health is obviously a serious issue which, from time to time, causes great concern in the community. This bill is about contributing to community safety as well as to the rehabilitation of people with a mental illness, which is always a desirable balance that needs to be kept in mind.

The bill will address concerns regarding the nature and length of hospital orders and will improve the operational effectiveness of legislative provisions. It will prohibit the making of hospital orders where a person is found guilty of a ‘serious offence’ by providing that orders can be made for a maximum of two years and by giving the court guidance as to the matters which it can consider before making such orders.

It will amend the law governing hospital orders and restricted community treatment orders to promote more flexible and responsive treatment of people subject to these orders, recognising the shift from institutional treatment to the current emphasis on community-based treatment. It is important that we take care of the health of people suffering from mental illness and that we care for them in the right way, only keeping in institutions those who need to be there. We need to keep in mind the balance with community safety. We do not want to see out in the community people who may cause a huge risk to society.

There has been a reasonable amount of consultation on this bill. A discussion paper was distributed and the government discussed it with key agencies. I believe there is general support for the amendments. Obviously various members have expressed support for it during the debate. I believe the bill will go a long way to achieving what it sets out to achieve, and I commend it to the house.

Mr MAUGHAN (Rodney) — As previous speakers have indicated, this is an important piece of legislation which is all about striking a balance between the rights of individuals, the rights of those with mental illness and the safety of the community. We will all differ on where that balance might be, so from that point of view it is a difficult piece of legislation to deal with.

I listened with interest to the member for Mornington in his impassioned contribution, and I am aware of his very strong feelings on this issue, going back way before the Garry David case and the debate that took place at that time. We differed then, and I think I differ now from the member for Mornington, but to clear up any misapprehensions he has, I did vote in favour of that bill that the member for Preston also supported, and none of us felt comfortable, because it was to keep an individual incarcerated long after they had served their sentence.

Why was that? It was because we were all terrified of the media that ran a very strong campaign about that individual and demonised him. None of us felt comfortable with releasing somebody who had been demonised to the community, just in case something happened.

I was a member of the Law Reform Committee that looked at the issue of Governor’s pleasure at that time, and I have some figures in my mind about dangerousness. The member for Mornington was essentially proposing that people who were perceived to be dangerous should be incarcerated in the interests of the community. I reject that notion, because today we still do not have a reliable method of predicting dangerousness.

We all have views about how dangerous or otherwise a person might be, but the experience in the United States was that people had been incarcerated for many years because they were perceived to be dangerous, that the civil rights movement there changed all of that, and from memory about 400 people who had previously been perceived to be dangerous were released from institutions. If my memory serves me rightly, and I think it does, the subsequent events showed that the level of serious offences from those released was lower than across the whole community, which again proves the point that has been proved time and time again — that we have a very poor record of predicting dangerousness.

In this context I will comment on the role of the media. The media sometimes plays a very negative role in dealing with these difficult cases by beating up the crimes committed when offenders are first incarcerated. I say in passing that many of these people who have been detained at what used to be the Governor’s pleasure — and I will come back to that in a minute — because they have committed a crime have been found to be of unsound mind and not fit to plead. Many of them have had a mental illness that until the crime was committed, had not been diagnosed; but having been diagnosed and treated, those people can operate in the

community as well as any other people who have a mental illness.

Going back briefly to the Governor's pleasure issue, a former Attorney-General, Jan Wade, gave a reference to the Law Reform Committee to look at this issue, because at that time there were about 50 people incarcerated at the Governor's pleasure who had committed serious crimes but been found unfit to plead because of diminished responsibility, for various reasons. As a member of the committee I well remember going out to Bundoora where we met about 35 of these people, some of whom had been there for 20 years or more and could only be released on the recommendation of the government of the day. But of course it was never the right time; it was coming up to an election or just after an election, and so people were kept on and on. That Law Reform Committee really made some substantial and welcome changes to make it a far more objective system of deciding when these people should be released into the community.

This bill deals with the difficult issues of deciding how and when people should be incarcerated and when they should be released. I am all in favour of leaving it to a group of professionals to make these sorts of judgments on behalf of the community, and I wish at times that the media would stay right out of it and stop demonising people whose crime is essentially that they have had a mental illness. They have paid a very heavy price for that, and I think they ought to be treated with some respect.

As the member for Kew pointed out in his excellent contribution to the debate, over the last 10 or 20 years there have been very significant changes in the way we deal with people with mental illness. Institutions not only in this country but around the world, huge institutions that used to keep people incarcerated, have now virtually been abolished, and we are dealing with far more people. The majority of people can be dealt with on community orders out there in the community. That is as it should be. They have the right to a life, just the same as the rest of us in the community, and I support that. But I acknowledge that there is a group of people who are unable to operate in the community, and they need to be incarcerated. The trick is to find out the best way of balancing those rights.

The legislation before the house is a further step in the process that started under former Attorney-General, Jan Wade, and the Law Reform Committee, whose recommendations were implemented progressively, most of them by this government, and I acknowledge and commend that. This is the next step, and The Nationals will certainly not be opposing this legislation.

Ms NEVILLE (Bellarine) — I am pleased to make a contribution on the Sentencing and Mental Health Acts (Amendment) Bill. I listened with interest to the contribution by the member for Rodney, because he summed up the challenge for policy-makers in this area. This bill is about trying to get the balance right. On the one hand we clearly need to keep our communities safe, but on the other hand there is no doubt that one of the defining factors of a civilised society is how it treats and cares for people with a mental illness, regardless of where they may be — whether they are in our corrections system or in our community.

It is concerning to hear talk about having generic pieces of legislation that somehow try to define which people should or should not be kept indefinitely within our prison system. It should be hard and challenging for us as policy-makers to make the decision to have a hands-off approach that says, 'Here are some generic conditions by which we are going to lock up people indefinitely' and therefore not have to look at individuals and the impact they have on our society and the need to deal with media and community pressure about them. We need to take that decision making very seriously, and I believe we need to make it on an individual basis, not on a generic basis. It should be hard — and it is hard.

One of the important outcomes of the legislation is about trying to create a greater degree of flexibility which I hope will better reflect current community expectations in relation to particular treatment models for people with a mental illness. Rightly over time as a community and as a government we have demanded a better level of care for people with a mental illness. This has been evident in the move away from institutional care into much more community-based treatment. Looking back not that long ago to some of the conditions people with a mental illness had to deal with while in an institutional setting, you can see that that was the right decision. It was disgraceful, and it was definitely about locking people away and not wanting to know about their particular situations and how they were living. This bill goes to the heart of that. It tries to provide for flexible options between hospital and community settings so that hospital orders can be served within those settings.

We are all aware that mental illness is a major contributor to criminal behaviour and other significant social issues, including unemployment, family breakdowns and homelessness. For example, it is a major contributor to children who end up in out-of-home care. It is a cycle: these factors in themselves can contribute to mental illness, and mental illness contributes to them. As a community and as a

government the challenge for us is how and where we intervene and what sorts of services, treatment and assistance need to be put in place to support people with a mental illness. We know that early intervention is very important in itself and in providing positive long-term outcomes for affected individuals. That is why I am proud that we are investing a substantial amount of additional money — \$180.3 million — in mental services, particularly focusing on early intervention and appropriate community-based services.

In conclusion, the bill will ensure that early intervention and appropriate care are available for people with a mental illness within the corrections system. It strikes a good balance between ensuring community safety and providing positive outcomes for people suffering a mental illness. I commend the bill to the house.

Mr LEIGHTON (Preston) — As somebody with a professional background in mental health I always welcome the opportunity to speak on mental health bills, especially on bills involving forensic psychiatric services, because the interplay between mental health services and corrections presents challenges for us as legislators and policy-makers. We have come a long way since I first worked in mental health in the 1970s and in the 17 years I have been in this place. I think I am entitled to say that I have had more experience in forensic psychiatric facilities than most members of this place.

I look back on the forensic ward at Mont Park, the G division clinic in Pentridge and J ward at Ararat. They were all pretty primitive. It was difficult to attract and keep trained professional staff, and the patients and inmates were often left to rot. Garry David is an example of that. There was no attempt to provide treatment or rehabilitation during his time as a prisoner, and it was only when he was due for release that as a community we said we had a problem.

I listened with interest to the contributions from the members for Rodney and Mornington. The member for Rodney said that members of this place had with some difficulty supported the Community Protection Act back in 1990. I was probably more outspoken in support of that than most, because the alternative proposition put by the civil libertarians was to fiddle with the Mental Health Act to rope in Garry David. That would not have been appropriate, because in my view he was not mentally ill. He had an antisocial personality disorder, and fiddling with the Mental Health Act in that way would have potentially roped in 40 per cent of the prison population.

The member for Mornington used the phrase ‘fading in and out of mental illness’. I prefer to use expressions like ‘mental illness is transient and episodic in nature’ so that even if you managed to diagnose Garry David as mentally ill, he might have met the criteria one day but not the next, and you would then have had to release him. So I believed it was more honest if society said he had to be detained, not for what he had done but for what he threatened he might do in the future, and to do it upfront through a separate act rather than trying to do it through the backdoor of the Mental Health Act.

This bill is very important. It goes a long way towards ensuring that prisoners in the system who are mentally ill get treatment when they need it. It strikes the right balance. Once upon a time, if you were before the courts for a major offence such as murder you would be keen to prove that you were mentally ill, because you had an alternative, that being indefinite incarceration in the mental health system, to capital punishment. So people tried to mount the insanity defence as an alternative to capital punishment. These days the opposite is the case: with hospital treatment orders, if we were not putting through this legislation you could be looking at an indefinite stay. I think it is a good proposal to replace the hospital order with the restricted involuntary treatment order, to have it not apply to major offences and to have a limit of two years.

It also ensures that, if you have been experiencing trance or episodic occurrences of mental illness, at the end of that stay you go back and complete your prison sentence, rather than have the mental health system make a decision that is more properly the province of the corrections system — that is, to release a person. I think this is a good bill which further meets the needs of people who are mentally ill in the corrections system. With those words I am pleased to support the bill.

Mr HUDSON (Bentleigh) — It is a great pleasure to speak in support of the Sentencing and Mental Health Acts (Amendment) Bill. It is a bill that arises out of the Vincent review, which considered leave arrangements for patients at the Victorian Institute of Forensic Mental Health. What the Vincent review was essentially concerned about was that hospital orders are indefinite orders of the court but decisions to release the person into the community and discharge the person from the order were administrative actions of the chief psychiatrist or the Mental Health Review Board.

The Vincent review recommended two things. Firstly, it recommended that the Sentencing Act be amended to provide criteria for when hospital orders should be made, but they should not be made where a serious crime has been proven. Secondly, it recommended that

the Mental Health Act be amended to provide guidance about when a person on a hospital order should be discharged from that order. What the Vincent review noted was that under the existing regime hospital orders can be made for a person found guilty of serious crimes, but decisions to release the person into the community and discharge that person from an order are essentially administrative decisions made by the chief psychiatrist or the Mental Health Review Board. The Vincent review was concerned that a person may be discharged earlier than they would have been released had they been sentenced by a court and that this had the potential to undermine confidence in our system of justice.

This legislation addresses this problem, because it provides that a hospital order — which is now going to be known as a restricted involuntary treatment order — cannot be made where a person is guilty of a serious offence such as murder, manslaughter, rape, armed robbery and so on. It is entirely appropriate that restricted involuntary treatment orders, which can be discharged administratively, not be made for people found guilty of serious crimes. If they were made for those kinds of crimes then we would indeed be undermining the court system.

It is also appropriate, in recognising that these orders are not to be made for serious crimes, that we actually put a limit on them — in this case the limit will be a maximum of two years. This basically gives effect to the sentencing principle that the penalty should not be disproportionate to the crime. It is a sensible response, because these orders will no longer be made for those found guilty of serious offences. It is also an appropriate period, I think, because it reflects the maximum period a person can be imprisoned by the Magistrates Court. Nevertheless, if a person, despite that, continues to require involuntary treatment after their restricted involuntary treatment order expires, that can be done by recommending that the person become an involuntary patient under the Mental Health Act. Basically that civil regime currently manages and treats people found guilty of serious offences after their sentences have ended.

This bill implements the outstanding recommendations of the Vincent review. It provides guidance to the courts as to the circumstances in which hospital orders should be made. And importantly, these reforms will mean that hospital orders and restricted community treatment orders promote more appropriate and flexible forms of treatment. I think that is important, because what we are trying to do is get the balance right — that is, the balance between the need to keep the community safe and the civil right of everyone, including those

with a mental illness, to live in the community unless they are a real risk to the safety of that community.

I would like to endorse the comments of other members on this side of the house who have indicated that we need to be very careful about blanket legislation that allows us to lock people up indefinitely under generic clauses without considering the individual circumstances of each and every one of them. This bill allows us to look at the individual circumstances of each individual, take them into account and decide the appropriate order to be applied to their circumstances.

It is consistent with the reforms we have made to the mental health system over the last decade; it is consistent with the commitments that this government has made in A Fairer Victoria to ensure that there are more community-based and treatment-based facilities and options available for people with a mental illness. I support those and commend the bill to the house.

Ms BUCHANAN (Hastings) — I shall make a brief contribution to debate on this bill on behalf of the residents of the Hastings electorate who have a mental health issue, their families and carers, mental health professionals and health, police and protective organisations across the Mornington Peninsula and Western Port region.

The intent of this bill is very clear. By amending these two acts this bill provides for the better and more holistic treatment of this state's mentally ill offenders and for the continuing safety of the Victorian communities. By updating and enhancing the operation of hospital orders, the hospital security orders and restricted community treatment orders, treatment and rehabilitation work to mentally ill Victorians while either in the community or under detention can more appropriately be provided. I commend the Minister for Health and her staff for these very important legislative amendments, as I concur with the minister's belief that the proposed amendments strike the right balance by ensuring that the hospital orders — the new restricted involuntary treatment orders (RITOs) — are not made for people guilty of serious offences and that patients who are detained under these orders will not be there for long periods.

In my interactions with many patients, carers, families and professionals across the Hastings electorate and the southern region, one of the major key issues raised within this bill has been the recognition of the role of the person's mental health illness in terms of how it is played in the offending behaviour and how this recognition plays a key determining role when applying for restricted involuntary treatment orders or restricted

community treatment orders or the hospital treatment orders.

This is good community legislation and builds on the groundbreaking commitment to and investment in proactive mental health services as outlined in the May 2005 budget. The Bracks Labor government committed \$180 million in that budget for mental health services across a wide range of early intervention programs, rehabilitative programs, more hospital beds and more professional and clinical support.

In summing up, these amendments reflect both community expectations around the issue of serious crimes and also the collective compassion of Victorians for those who, because they are affected by mental illness, are provided with rehabilitative treatment. I thank all those involved in the review processes, particularly the stakeholder groups, Justice Frank Vincent and the Victorian Law Reform Commission, and on a local level the Peninsula Carers Council — a great organisation that does a lot of work with mentally unwell people in the Mornington Peninsula region — and especially Aileen Burgess, who is a particularly strong individual who has done some very effective lobbying in relation to the rights of people with a mental illness.

This legislation is an important step, as the minister has outlined, in recognising changes to the way in which mental health services are delivered in terms of flexibility and responsiveness, but it also addresses the issues of each individual's relative accountability for their actions to the rest of the community. It is very good social justice legislation; it is very good human rights legislation; it is also very good community safety legislation. On that point, I will highlight to this house one of the recent examples of how this government is committed to mental health services early intervention, which leads to reduction in serious offences and criminal activity within our community. The example is in relation to the provision of extra funding when it comes to postnatal depression.

While I know that the two are not necessarily related, we have had some terrible scenarios in the course of recent history — people suffering postnatal depression have committed some serious crimes, and I think the provision of funding to many of our specialist mother and new child psychiatric units across the state will certainly do a lot to give greater support to women going through postnatal depression. This condition affects 15 per cent of new mums which translates to between 25 000 and 30 000 new births across the area every year. It is important that they receive appropriate

treatment as they go along. I commend the Minister for Health in relation to her investment in this area.

I would like to point out a few other things while I am on my feet and talking on this very important bill — that the orders referred to in this bill are made instead of passing sentence and ensure that the person is detained for treatment in an approved mental health service for the protection of not only themselves but for the general community at large. Some of the key issues in the bill concern the provision of a more flexible disposition, particularly with respect to orders that can be immediately followed with involuntary treatment, and for a seamless movement also between the hospital, the community or prison as required.

As the member for Bentleigh pointed out, one of the issues was that a person on an involuntary treatment order assigned under that Crimes (Mental Impairment and Unfitness to be Tried) Act provision may have been released into the community earlier if the outcome was that of a prison term and there was concern that that sort of scenario was going to continue. However, this allows for the more appropriate treatment and sentencing provisions around people with mental health.

One of the other issues, as other speakers have pointed out, is the new terminology of restricted involuntary treatment orders replacing hospital orders, along with the maximum time frame of two years, which brings this into the same sort of review and revocation process that applies to community treatment orders which are those that apply to people who are not necessarily being sentenced for a crime but who obviously have a major mental health issue and are subject to community treatment orders. The important thing to recognise also is that RITOs cannot be made for those who have committed serious offences. One of the other key aspects of the bill is that these amendments give greater consistency to and focus on the rehabilitation of patients, providing for clearer guidance for the transfer of patients who have finalised their treatment back into, where relevant, the prison system, to serve the balance of a term with a focus being not just on stabilisation, but rehabilitation of their condition.

Another key aspect of this bill is that the patients who are subject to a supervision order under the Crimes (Mental Impairment and Unfitness to be Tried) Act and who are on remand can still apply for leave in relation to accessing medical appointments, psychiatric appointments, and quite often they will be in remand for a considerable period of time. They can actually access leave for a short time, not an indefinite period so that they can continue with their rehabilitation to see

whether they can be found fit to stand trial — but again, definitely not for extended leave.

This is a good bill, it continues to build on the work that this government has done in terms of doing great things, and I applaud the government for its proactive and compassionate stand in relation to the issue of mental health. I commend the minister for bringing this bill forward, and I commend it to the house.

Debate adjourned on motion of Ms MORAND (Mount Waverley).

Debate adjourned until later this day.

EASTLINK: OPPOSITION POLICY

Mr BRUMBY (Treasurer) — I desire to move, by leave:

That this house rejects the reckless and financially irresponsible policy released today by the Leader of the Opposition to halve the tolls on EastLink and undermine Victoria's financial and economic position.

Today we had the extraordinary position —

The ACTING SPEAKER (Mr Ingram) — Order! Is leave granted?

Leave refused.

Mr Ryan — And might I suggest —

The ACTING SPEAKER (Mr Ingram) — Order! The Leader of The Nationals should sit down.

Mr Brumby — Leave has been refused by the Liberal Party as well?

The ACTING SPEAKER (Mr Ingram) — Order! Leave has been refused.

Mr BATCHELOR (Minister for Transport) — I desire to move, by leave:

That this house condemns the opposition for being gutless and ill prepared to defend and debate its reckless policy announced today to halve the tolls on EastLink.

Leave refused.

Mr Ryan — Can I suggest that —

The ACTING SPEAKER (Mr Ingram) — Order! The Leader of The Nationals, unless he raises a point of order, must sit down when the question put is whether leave is granted.

Mr HULLS (Attorney-General) — I desire to move, by leave:

That this house condemns the opposition for its proposed EastLink policy which will see basic services cut to pay for a half-baked, half-toll idea.

Leave refused.

Mr THWAITES (Minister for Environment) — I desire to move, by leave:

That this house condemns the Liberal opposition for proposing a policy that would abolish the Department for Victorian Communities, a department that supports older people, young people, women, indigenous communities, multicultural communities and Victoria's veterans.

Leave refused.

Mr CAMERON (Minister for Agriculture) — I desire to move, by leave:

That this house condemns the Liberal opposition for taking 335 days to come up with half an EastLink policy.

Leave refused.

Mr BATCHELOR (Minister for Transport) — Earlier I sought leave to move a motion, which leave was refused, so I seek to have that motion placed on the notice paper.

The ACTING SPEAKER (Mr Ingram) — Order! It is not the appropriate time. That has to be done at the appropriate time on the notice paper.

Mr THWAITES (Minister for Environment) — I desire to move, by leave:

That this house opposes the policy of the Liberal opposition to abolish the Department for Victorian Communities, a department that supports older people, young people, women, indigenous communities —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Members of the government should cease interjecting and allow the Deputy Premier to move his motion.

Mr THWAITES — I repeat: I desire to move, by leave:

That this house opposes the policy of the Liberal opposition to abolish the Department for Victorian Communities, a department that supports older people, young people, women, indigenous communities, multicultural communities and Victoria's veterans.

Leave refused.

Mr HULLS (Attorney-General) — I desire to move, by leave:

That this house condemns the Leader of the Opposition for showing contempt for this Parliament by refusing to attend question time and instead announcing to the media a half-baked, half-hearted, half-witted, half-toll policy that will cut basic services in Victoria.

Leave refused.

Mr CAMERON (Minister for Agriculture) — I desire to move, by leave:

That this house condemns The Nationals for continually apologising for the Liberal Party, rather than apologising to the people of country Victoria for their betrayal.

Leave refused.

Mr BRUMBY (Treasurer) — I desire to move, by leave:

That this house condemns the Leader of the Opposition for his reckless and financially irresponsible policy announced today to halve the tolls on EastLink and undermine Victoria's financial and economic position.

Leave refused.

Mr BRUMBY (Treasurer) — I give notice that on the next day of sitting — —

The ACTING SPEAKER (Mr Ingram) — Order! I advise the Treasurer that this is not the appropriate time of the day to move that motion, that has to be done at the appropriate time shown on the notice paper.

Mr Batchelor — On a point of order, Acting Speaker, I ask you to reconsider the ruling you have made in relation to the motion moved by the Treasurer. It has certainly been the custom and practice in this house that where a by-leave motion is offered and refused, the member seeking to move it is given the opportunity to have it placed on the notice paper. Given the shortness of notice, I cannot cite the numerous occasions when this has happened in the past, but I can assure you that in the few short years I have been in this chamber both as the manager of opposition business and now as the leader of government business it has happened on many occasions.

Refusing to allow that to happen would set a precedent that would need to be upheld in the future, so, Acting Speaker, I put it to you that the Treasurer is indeed able to give notice at this time of his intention to move the motion and to have it put on the notice paper following the rejection of the by-leave motion.

Mr Cameron — On the point of order, Acting Speaker, I refer you to what occurred in this house in the last parliamentary sitting week when a by-leave motion to do with dissent from a ruling of the Speaker was moved by the Deputy Leader of the Opposition, and leave was refused. Then it was accepted that the notice be placed on the notice paper.

The ACTING SPEAKER (Mr Ingram) — Order! On the point of order raised by the Leader of the House, in the early part of the daily program when dealing with the formal business of house there is a process for that. There is a part of the program where motions by leave are able to be put, and if leave is refused at that time, then it is still part of formal business, so the motion can be listed as a notice. Once we are in government business, which we are now, that process cannot be followed and it is only when leave is granted that the motion can be put on the notice paper. There will be an appropriate time in the formal business program in the next sitting week when those motions can be put by leave or listed as notices.

Mr THWAITES (Minister for Environment) — I desire to move, by leave:

That this house condemns The Nationals for refusing to allow debate on the opposition's reckless and irresponsible policy of removing funding from country and regional Victoria in order to pay for its half-baked toll promise in Melbourne.

Leave refused.

Mr HULLS (Attorney-General) — I desire to move, by leave:

That this house condemns the member for Hawthorn for supporting the half-baked, half-witted, half-hearted, half-toll policy of the Leader of the Opposition.

Leave refused.

Mr Perton — On a point of order, Acting Speaker, as — —

Honourable members interjecting.

The ACTING SPEAKER (Mr Ingram) — Order! Points of order should be heard without constant interjection from members of the government or the opposition. Every member of this place is entitled to put a point of order and have that point of order heard. The member for Doncaster, to continue.

Mr Perton — As the custodian of the house it is your duty to ensure that proceedings in this house do not turn into a farce. The process by which ministers are currently trying to turn motions by leave into notices of motion is turning this house into a farce. I ask

you as the Acting Speaker to ask the Clerk to call on the next item of business and to stop this charade where government ministers have obviously set up a procedure that makes a farce of the processes of this house.

Business interrupted pursuant to standing orders.

The ACTING SPEAKER (Mr Ingram) — Order! The time set down on the government business program for dealing with government business has expired.

SENTENCING AND MENTAL HEALTH ACTS (AMENDMENT) BILL

Second reading

Debate resumed from earlier this day; motion of Ms PIKE (Minister for Health).

The ACTING SPEAKER (Mr Ingram) — Order! The question is:

That this bill be now read a second time and a third time.

Question agreed to.

Read second time.

Remaining stages

Passed remaining stages.

SPORTS ANTI-DOPING BILL

Second reading

Debate resumed from earlier this day; motion of Mr THWAITES (Minister for Environment).

The ACTING SPEAKER (Mr Ingram) — Order! The question is:

That this bill be now read a second time and a third time.

Question agreed to.

Read second time.

Remaining stages

Passed remaining stages.

EASTLINK: OPPOSITION POLICY

Mr THWAITES (Minister for Environment) — I desire to move, by leave:

That this house condemns — —

Mr Perton — On a point of order, Acting Speaker, he cannot. It is 4 o'clock.

Mr THWAITES — Why not? By leave we can. We can do it by leave. We have finished it; we have been through that. I desire to move, by leave:

That this house condemns the Liberal opposition for proposing a policy that would — —

The ACTING SPEAKER (Mr Ingram) — Order! I apologise to the Deputy Premier. We are on a point of order raised by the member for Doncaster, and the Deputy Premier was on the point of order.

Mr THWAITES — On the point of order, Acting Speaker, I am condemning the point made by the member for Doncaster. I do that because the purpose of that point of order was to silence the government. The argument was that the Acting Speaker should step in and prevent the government from debating an issue or even moving a motion by leave. Any member is able at the appropriate time to move a motion by leave, but the member for Doncaster has sought — just as he did when he was in government during those seven dark years — to silence our side of the house. We will not be bullied. Earlier today the member himself said, 'Bring it on!'. He wanted a debate. Now he has asked you to silence this side of the house, and we will not be silenced.

The ACTING SPEAKER (Mr Ingram) — Order! On the point of order raised by the member for Doncaster, we are on government business, and motions by leave are allowed to be put. We can continue to debate.

Mr BATCHELOR (Minister for Transport) — I desire to move, by leave:

That this house condemns the Liberal opposition for being gutless and ill-prepared to defend and debate its reckless policy announced today to halve the tolls on EastLink.

Leave refused.

Ms PIKE (Minister for Health) — I desire to move, by leave:

That this house condemns each and every member of the Liberal Party and The Nationals for their tacit support of the reckless and heartless plan to slash funding from the

Department of Human Services, thereby compromising the public health of every single Victorian family.

Leave refused.

Ms KOSKY (Minister for Education and Training) — I desire to move, by leave:

That this house condemns the member for Doncaster for stating at question time on 15 September that he wanted to debate the opposition toll policy but now refuses to do so, showing him as shallow.

Leave refused.

Mr HOLDING (Minister for Police and Emergency Services) — I desire to move, by leave:

That this house congratulates The Nationals for its stance in opposition to the Liberal Party's proposal to tear up the Scoresby freeway project.

Leave refused.

Mr HULLS (Attorney-General) — I desire to move, by leave:

That this house condemns the member for Box Hill for supporting the half-baked, half-hearted, half-toll policy of the Leader of the Opposition.

Leave refused.

Mr THWAITES (Minister for Victorian Communities) — I desire to move, by leave:

That this house notes that The Nationals are continuing — as they did for seven years — to be lackeys of the Liberal Party.

Leave refused.

Ms GARBUTT (Minister for Community Services) — I desire to move, by leave:

That this house condemns the Liberal Party for proposals which cut services to vulnerable families and children, which repeats the policies of the 1990s when the Kennett government slashed and cut services.

Leave refused.

Mr HAERMEYER (Minister for Manufacturing and Export) — I desire to move, by leave:

That this house condemns the Liberal Party for proposing to pay for its half-baked, half-tolls policy by cutting programs to assist small business, manufacturing industry and exports.

Leave refused.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

ADJOURNMENT

The ACTING SPEAKER (Mr Ingram) — Order!
The question is:

That the house do now adjourn.

Motor vehicles: visual entertainment equipment

Mr McINTOSH (Kew) — I have a matter for the attention of the Minister for Transport that concerns the use of in-car visual entertainment equipment while a car is moving. The action I seek from the minister is that he have the vehicle roadworthiness test guidelines amended to ensure that inspectors must consider whether in-car visual entertainment equipment switches off when a vehicle is moving. Otherwise the car should be deemed to be unroadworthy.

Year after year thousands of Victorians die or are injured on our roads. TV and DVD players which can be viewed from the driver's seat of a moving car can seriously distract a driver. The minister would be aware that the availability of this type of equipment is becoming increasingly common. Driver distraction, whether it be because of hand-held mobile phones or other electronic equipment, has been proven to be a significant cause of motor vehicle accidents.

Under Australian design rules a new car cannot be registered if in-car visual entertainment equipment is unable to be switched off while a vehicle is moving. However, this equipment must be disabled after registration. Far more significantly, a person who purchases in-car visual entertainment equipment may install it without the appropriate mechanism to disable the equipment while the vehicle is moving. For the car to be deemed unroadworthy a police officer must catch the driver in the act of operating such equipment or a roadworthy tester must know the precise road regulations, which go beyond the current roadworthy test guidelines. This means that illegal devices many never be detected. Improving the effectiveness of detecting in-car visual entertainment equipment is by no means a conclusive answer to preventing road trauma, but it is a simple and effective step that can be taken now.

To ensure road user safety an investigation may be warranted into the process, with a view to requiring installation by a professional installer, who must then certify that the equipment that has been installed by them meets road regulations and cannot be viewed by a driver while the car is moving. However, something practical the Minister for Transport could do now would be to amend the current VicRoads roadworthy

test guidelines so they include a requirement to inspect vehicles for illegal visual entertainment equipment which can be viewed by drivers while the cars are moving. Otherwise, the cars should be deemed to be unroadworthy.

Seniors: international concessions

Ms MARSHALL (Forest Hill) — I rise this evening to raise a matter with the Minister for Aged Care in another place. The action I seek is an undertaking by the minister to work with his federal counterpart to resolve the current discrepancies regarding seniors concession entitlements whilst interstate and overseas. A constituent recently contacted my office to express her confusion over this matter. Whilst travelling with her husband and South Australian friends in Italy earlier this year my constituent presented her Victorian Seniors Card at the entrance of a popular tourist attraction. Her South Australian friends presented their South Australian seniors cards. Whilst my constituent's friends received a concession on their entry price, my constituent and her husband had to pay full price.

It is my understanding that at present there are no formal arrangements between any Australian states and international governments regarding the eligibility of Australian seniors concessions. Hence my constituent's experience was just bad luck and based on the individual discretion of the employee or the venue that she visited. I have spoken with other seniors in my electorate who have tried to use their seniors cards whilst overseas. They have had some success, particularly in the UK, France and Italy. However, because their eligibility for concession is seemingly random, it is difficult for seniors to budget for their trips and unfair that some receive discounts when others do not.

For students such discrepancies are minimised by the availability of an international student identity card — ISICs are an internationally recognised form of student identification. The cards are accepted in around 100 countries worldwide and can be obtained for the reasonable charge of \$18. The ISIC was officially launched in 1968 by the International Student Identity Card Association, an international, not-for-profit membership association of the International Student Travel Confederation, which was established in 1949 by university student unions to make travel more affordable for students. More than 4.5 million ISICs are issued annually. They are endorsed by the United Nations Educational, Scientific and Cultural Organisation because it is believed that travel is a means of promoting international understanding. The

ISICs are an excellent initiative, and they alleviate difficulties with budgeting and discrimination.

Currently there does not seem to be any equivalent internationally recognised card for seniors. Australian seniors can apply for a New Zealand Seniors Card to obtain discounts in New Zealand. They may also join the American or Canadian associations of retired persons to receive concessions in those countries. However, there is a real need for a centralised system of internationally recognised identification.

Australians, no matter what their age, are a nation of travellers. It would be an outstanding statement to the rest of the world if our state and federal governments led the way to developing an internationally recognised Seniors Card similar in scope to the international student identity card to eliminate the current confusion and discrepancies.

Health: patient transport

Mr DELAHUNTY (Lowan) — I raise a matter for the attention of the Minister for Health, who was keen to debate something. I hope she comes into the chamber in response to this concern. The issue relates to eligibility to access the Victorian patient transport assistance scheme, known as VPTAS, when a country child is diagnosed with a hearing loss and is required to attend one of three Australian Hearing centres, all of which are based in Melbourne, for paediatric audiology assessment. On behalf of those rural and regional families I request that the minister take action to ensure that VPTAS is extended to meet the needs of country families. Members will be aware that VPTAS is a partial-reimbursement scheme that assists rural and remote Victorians with travel and accommodation costs when they are travelling long distances for specialist and medical treatment.

This matter was brought to my attention by Sue Ward of the Wimmera Hearing Society, who is a strong advocate for those with hearing-related problems and who with her very willing band of volunteers travels far and wide to test and provide advice to people affected by hearing loss. The web page for the Victorian infant hearing screening program states that:

It is hard to be sure exactly how common permanent childhood hearing impairment is. However, for every 1000 babies born, approximately one baby will have a moderate, severe or profound hearing loss in both ears.

...

International research suggests that early diagnosis and intervention such as amplification (hearing aids or cochlear implants) and special education helps most children with a hearing loss.

Mrs Ward has informed me that some hospitals provide neonatal hearing screening available at birth. I am informed that it is available at only six hospitals here in Melbourne. If a child is found to have any hearing problems they are then referred to a doctor who in turn will have the child see an ear, nose and throat specialist. If the specialist is unable to assist the child, they are then referred to an Australian Hearing paediatric hearing clinic to see a paediatric audiologist. According to Australian Hearing figures, about 10 children per state per year fit into that category. Once a child has been fitted with a hearing aid and is coping and the parents are coping, they can then transfer to an Australian Hearing centre closer to their home, but for those first few visits, for having hearing aids adjusted et cetera, they have no choice but to travel to Melbourne. As members know, travelling to Melbourne can cause difficulties with finding the place and accommodation, and that can cause many problems for people.

I want to highlight this from a letter I have sent to the minister:

As you can imagine, the emotional stress associated with finding out your child has a hearing problem, coupled with the expense and difficulty in travelling to Melbourne, is very great for these families.

On behalf of the Wimmera Hearing Society and those families, I ask the minister to ensure that their trips to Melbourne are included in the isolated patient transport scheme under VPTAS by allowing a paediatric audiologist to sign the appropriate forms so that benefits can flow to those very deserving families.

Geelong Performing Arts Centre: funding

Mr TREZISE (Geelong) — Tonight I raise an issue for action by the Minister for the Arts. The issue I raise relates to the future development and operation of the Geelong Performing Arts Centre which is in my electorate of Geelong but is a regional facility, as you well know, Deputy Speaker. I know that you are and have been for many years a great supporter of the Geelong Performing Arts Centre.

For the information of the house, next year the Geelong Performing Arts Centre will be 25 years old. It is essentially still housed in the building that was erected then. Although GPAC still does a fine job in delivering quality performing arts to the community of Geelong and people in the wider regional area and provides quality performing arts facilities to many community organisations and schools, the building is beginning to show its limitations and age. Therefore the action I seek is for the minister to work with GPAC to ensure that the

buildings and facilities are redeveloped in the near future, so enabling GPAC to continue its fine work well into the 21st century.

As I alluded to before, many aspects of the GPAC facility in Little Malop Street are now outdated, with many of the building's facilities beginning to deteriorate. In recognising this problem, the GPAC board and executive management have developed an excellent master plan which has a number of good and practical recommendations. They include the two main theatres, the Ford and Blakiston theatres, being retained but with significant technical upgrade; a four-storey extension over the existing foyer area to provide for, amongst other things, a new small studio theatre and a multipurpose community space; moving the cafe and restaurant to the front of the building, creating more energy and life at the front of the GPAC building; a dedicated music venue in the original bluestone church; and amongst other things, dance studios and improved dressing rooms — and the list goes on.

GPAC is an important and integral part of the Geelong community. Its buildings need to be significantly upgraded and developed. Therefore I look forward to the minister's ongoing support for GPAC and its master plan.

Police: Geelong

Mr WELLS (Scoresby) — I raise a matter of concern with the Minister for Police and Emergency Services. I ask him to take immediate action to address the shortage of police in Geelong. On 21 July I raised the issue of police numbers in Geelong, and the minister wrote to me on 9 August assuring me that the situation had been addressed. There seems to be an ongoing problem down there which is reported regularly in the media.

The case I want to bring to the minister's attention is that of a person who was shot at about 11.00 p.m. five or six days ago in his Nicholson Crescent, Bell Park, home. It was reported in the *Age* on Saturday, 10 September, and it happened on the Thursday night before. The problem is that a 58-year-old man was shot. It was a dreadful situation. The ambulance arrived at the person's home in 8 minutes. Unfortunately the police did not get there for 20 minutes. It is the policy of ambulance officers — and one that everyone would continue to support — that in those circumstances they cannot go into a house unless they have police protection. I cannot think of a higher priority for police than when they receive a phone call on 000 that someone's life is at risk or that weapons are involved.

There is no doubt that it is not the fault of police officers. However, there is an issue about police numbers in Geelong. They received a 000 phone call about a gunshot and they were told that someone had been injured. The ambulance officers did the right thing and appropriately got there in 8 minutes. They could not do a thing until the police arrived. As I said, unfortunately it was 20 minutes later when they arrived, and the person died at the scene.

I am not saying for one moment that that happened because of the delay in the police arriving. I am very carefully raising the matter of a shortage in police numbers in the Geelong area. There was that recent case of a person who died at the scene of a shooting; a Corio police van had to cover the entire Geelong area on a Saturday night; and the Bellarine police station, which was promised to be a 24-hour police station, is running for barely 16 hours a day. I ask the minister to address the very important position of the police in that area of Geelong. It is a matter on which the public need reassurance.

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

EastLink: opposition policy

Mr MERLINO (Monbulk) — I would like to raise a matter for the Treasurer. The action I am seeking is that the Treasurer analyse and determine the full financial impact of proposals to redirect public moneys to vary tolling arrangements on the EastLink project.

Colanda Centre: hydrotherapy pool

Mr MULDER (Polwarth) — The matter I wish to raise with the Minister for Community Services relates to the closure of a hydrotherapy pool at the Colanda Centre in Colac by the minister in mid-2003. It is interesting to note that until I raised this issue in the house on 12 May 2004 the community — and more particularly the users of this facility — was unaware that the minister had already made the decision to close the pool, citing the cost of \$1.2 million required to bring it up to current health and safety standards.

Given that a hydrotherapy pool at Colanda was an integral part of the day program for Colanda residents and was in regular demand by groups such as the arthritis group and by local physiotherapists, whose clients used the pool as part of their treatment for sports injuries and the like, it is essential that it be replaced. However, concerns have been expressed by members of the community and councillors alike about the construction and ongoing maintenance costs. Given that

the Colac-Otway community will be looking to the Bracks government for a contribution to the facility, I urge the minister to heed its strongly expressed wish that the pool go ahead and end any uncertainty by immediately announcing substantial funding towards this project.

The Colac-Otway Shire Council is currently examining the feasibility of the new hydrotherapy pool, which it has costed at approximately \$1.28 million. A public forum has also been held this week. Community groups throughout the south-west from as far away as the Terang-based Cooinda day training centre have backed the proposal.

Currently members of the community are travelling to Geelong and beyond to Hepburn Springs to continue their hydrotherapy. Long-term savings to government in the area of health can be directly attributed to the availability of a hydrotherapy pool in a community. Regular exercise for the elderly may prevent debilitating falls, and normally heated pools are generally too cold for senior citizens. Regular use also enables people who have had accidents or surgery to recover more quickly. Those suffering from arthritis and other debilitating conditions may be able to reduce their dependence on medication through hydrotherapy.

As mentioned earlier, there are also considerable benefits for those recovering from sporting injuries. In view of this, perhaps a contribution to the cost of the pool could come from the budget of the Minister for Sport and Recreation. Perhaps the reason for the minister's flying visit to Colac last Friday afternoon was to assess the extent of his contribution! On 12 September the *Colac Herald* remarked on a sighting of sport and recreation minister, the Honourable Justin Madden, at the Bluewater Fitness Centre, the site of the proposed hydrotherapy pool. I quote from the newspaper article:

... but Mr Madden and his associates would not speak to the media or be photographed.

It is unusual for a minister to hide from the media, especially in country Victoria. One theory is that the minister was a bit washed out after coming to grips with the debacle his government has caused in Lorne by scheduling work on the Lorne pier over summer, given the impact this will have on local traders.

Water: Nillumbik sportsgrounds

Ms GREEN (Yan Yean) — I wish to raise a matter for the attention of the Minister for Water. The action I seek is for funding to improve water use and condition of sportsgrounds within the shire of Nillumbik.

Families in Nillumbik love their sport, whether it be Australian Rules, soccer, Rugby Union, which my son Carlo plays with the excellent Eltham Rugby Union Club, basketball, netball, hockey — I wish the Greensborough men well in their battle against Waverley this Sunday in the men's state final — lacrosse, baseball, tennis, cricket, bowls, cycling or archery. You name the sport, they play it in Nillumbik.

Unfortunately the quality of the sportspeople in the Nillumbik area is not matched by the standard of the grounds. Late last year the Deputy Premier, who is also the Minister for Water, accepted an invitation from me and the member for Eltham to discuss this matter with local sporting clubs. Following that meeting a WaterSmart committee was formed. It comprises me and the member for Eltham as chairs and representatives of various sporting clubs. A month or so back the committee tendered its final submission to the Minister for Water, making key recommendations to develop a multifaceted WaterSmart plan for the sportsgrounds.

In a press release the member for Eltham is quoted as saying:

What we have in the submission is a multi-pronged approach to make Nillumbik sportsgrounds more efficient water users and capable of meeting future demands placed on them.

Apart from addressing the immediate problems facing Nillumbik grounds and facilities in water efficiency and condition, this submission has a strong educational component attached to it.

As a high-profile demonstration project, our broader community will be able to see for themselves examples of water efficiency practice at their best and use those great ideas in their own homes.

Through this submission we see great opportunities to involve the community, from ... local sports clubs, our local schools, and even through tertiary courses.

We also see this as an enormous opportunity to set an exciting precedent for our area in best practice water usage and hope this will spread to other grounds in the municipality and Victoria ...

Key features of the submission include a state-of-the-art centralised water monitoring system, surface redevelopments, irrigation and drainage systems upgrades, ground pavilion retrofitting and an active community educational campaign.

...

All the members of the WaterSmart committee have contributed enormously to this investigation.

The letter continues by stating what I have said previously:

Nillumbik has incredibly active sporting communities, featuring some of the best sporting clubs in Melbourne with big memberships.

I take this opportunity to thank the sporting clubs that assisted the member for Eltham and me in this great project, and I urge the minister to fund and reward the work of this wonderful committee.

Housing: Shepparton

Mrs POWELL (Shepparton) — I raise an issue with the Minister for Housing in the other place relating to the amount of public housing available in the Shepparton district. I ask the minister to make publicly available the addresses of the 50 properties supposedly upgraded by the Office of Housing — as claimed by the minister and reported in the *Shepparton News* of 11 February this year — which were to be finished by May this year.

Over the years the Minister for Housing has continually criticised me for raising issues concerning the lack of public housing and public housing maintenance in the Shepparton district. In February after I and the *Shepparton News* received complaints about burnt-out, vandalised homes left vacant for up to a year, the newspaper rightly reported the story, spoke to neighbours, took photos of the burnt-out houses and telephoned the minister's office for comment. An article in the *Shepparton News* reported the minister's comments at the time, when she said:

Ms Powell has also not substantiated any of her wild claims — if she has evidence of vacant or derelict properties, those specific concerns should be brought to the Office of Housing so immediate action can be taken. To date, however, no complaints have been lodged.

That is absolutely not true. My office emails Mary Reid, the manager of the Hume region Office of Housing, with every complaint that comes into my office, and there is a good working relationship between them; we made the Office of Housing aware of those issues. The evidence is in the photos in the *Shepparton News* — after I confirmed that those properties were Office of Housing properties — so we can put paid to that one!

On Tuesday in the Legislative Council, in response to a member for North Eastern Province raising a public housing tenant's complaint, the Minister for Housing made a cowardly attack on me and cast a slur on the reporting of a reputable newspaper. She also made an insinuation of bias about a respected senior reporter at the *Shepparton News*. The senior reporter was a former member of my staff and, incidentally, had worked at the *Shepparton News* before she came to my office.

The minister stated that the newspaper in recent times has not afforded the Office of Housing the opportunity to put its views on record. Again this is absolutely false. I will read from an article in the *Shepparton News* of 13 September written by the same reporter:

A spokeswoman for housing minister Candy Broad said the government had made a commitment there would be no reduction in stock during the Parkside estate redevelopment.

She said 64 units had been demolished at Parkside estate and 16 units had been acquired since last year.

...

'The Bracks government has given a commitment that there will be no loss of public housing stock in the Shepparton area as a result of the redevelopment of the Parkside estate', a spokeswoman said.

I was given this commitment six years ago in a media release dated 9 August 2000 by the former Minister for Housing. Entitled 'Go-ahead for Parkside estate redevelopment project', it reads:

The Victorian government will redevelop the Parkside housing estate in North Shepparton, the Minister for Housing and Aged Care, Bronwyn Pike, announced today.

'The renewal of the Parkside area is very important to Shepparton and reflects the government's commitment to regional Victoria ...

Further down the page the media release continues:

'Area improvement works to provide more appropriate housing to meet the needs of single parents and families will proceed over the next three years ...

That was six years ago. Those houses have not been built, and I ask the minister to get on with the job of building them.

Sport and recreation: Maribyrnong precinct

Mr MILDENHALL (Footscray) — I wish to raise a matter for the Minister for Sport and Recreation in another place. I ask him to immediately begin discussions with Victoria University, the Western Bulldogs Football Club, the City of Maribyrnong and the education minister about the emerging Maribyrnong sports precinct.

Two weeks ago Victoria University announced a \$22 million upgrade of its human movement teaching research and testing facilities at its Footscray Park campus. This upgrade is necessary in order that the university's school of human movement can take its place and re-emerge as Australia's leading centre for sports testing, biomechanics, research and elite sports education strategies. This sits alongside the education minister's announcement of the state government's

sports school at the Maribyrnong campus, the Western Bulldogs announcement of the \$19 million community and elite Australian Football League facility at the Whitten Oval, and the City of Maribyrnong's announcement of a \$17.5 million regional aquatic centre on the Robert Barrett Reserve. These facilities are all located less than a kilometre from each other and represent an epicentre of sports excellence unrivalled in any part of Australia.

There is an emerging need for greater research and facilitation of sporting events in this state. We even have some new sporting events that have emerged today. There are tolling policy back-flips and tolling policy gymnastics, there is no-toll sticker-ripping from the backs of cars and electorate offices, and there are sprinting activities — fleeing from toll activists up and down the EastLink corridor. These are emerging sports that we need to assist. There is also a degree of ducking and weaving and fleeing from accountability for public statements made.

On a serious note, this is an emerging precinct of excellence and there is a great opportunity for the state to link the emerging capacities of these facilities into an unrivalled Australian sports precinct.

Responses

The DEPUTY SPEAKER — Order! The Minister for Manufacturing and Export, to respond to matters raised by the member for Kew, for the Minister for Transport; by the member for Forest Hill, for the Minister for Aged Care in the other place; by the member for Lowan, for the Minister for Health; by the member for Geelong, for the Minister for the Arts; by the member for Scoresby, for the Minister for Police and Emergency Services; by the member for Monbulk, for the Treasurer; by the member for Polwarth, for the Minister for Community Services; by the member for Yan Yean, for the Minister for Water; by the member for Shepparton, for the Minister for Housing in the other place; and by the member for Footscray, for the Minister for Sport and Recreation in another place.

Mr HAERMEYER (Minister for Manufacturing and Export) — Regarding the matter raised by the member for Monbulk — and I note he only took half the amount of time available to him to raise it — I understand the Treasurer is coming in to address that issue, so I will deal with the other issues. The member for — —

Mr Delahunty — On a point of order, Deputy Speaker, if I heard correctly the minister is going to respond to the other nine issues. Yet we had a debate

here a few minutes ago that could have gone all night, with every minister involved. Where are the ministers now to — —

The DEPUTY SPEAKER — Order! The member for Lowan knows that is not a point of order.

Mr HAERMEYER — It is interesting that The Nationals were the ones who refused leave for that debate.

The member for Kew raised a matter for the Minister for Transport. He asked for action to be taken to amend the VicRoads roadworthy test guidelines to inspect for illegal audiovisual equipment — and I understand he was referring to in-car DVDs. I need to say, however, that when you amend regulations and laws you need public servants to do it. Members opposite seem to think that employing public servants is a folly of an exercise and that we should sack all these public servants to pay for their half-baked half-toll promise. But I will pass that on to the Minister for Transport.

The member for Forest Hill raised a matter about seniors concessions for the attention of the Minister for Aged Care in another place, and I will bring that to the attention of the minister.

The member for Lowan raised a matter for the Minister for Health, asking that the Victorian patient transport assistance scheme be extended into regional Victoria — if I understood that correctly.

Mr Delahunty — For audiology work.

Mr HAERMEYER — Sorry?

Mr Delahunty — For audiology work.

Mr HAERMEYER — For audiology work, all right.

An honourable member — He couldn't hear it.

Mr HAERMEYER — I didn't hear it very well! I will ensure that is passed on to the Minister for Health.

The member for Geelong raised a matter for the Minister for the Arts, asking her to work with the Geelong Performing Arts Centre towards the implementation of a master plan. He pointed out that the Geelong Performing Arts Centre is 25 years old yet still in its original buildings, and he highlighted some of the limitations. I understand that this master plan includes retaining the two main theatres as well as building a four-storey extension to the arts centre, which would also include a multicultural community centre and the relocation of the cafe.

The member for Scoresby raised a matter for the attention of the Minister for Police and Emergency Services. Interestingly the member asked for action to address the shortage of police in Geelong. Again I find it absolutely extraordinary that the party that came to office promising 1000 extra police and then cut 800 police continues to complain about a shortage of police.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! The member for Polwarth will cease interjecting across the table.

Mr HAERMEYER — There are around 1100 more police than there were when we came to office. Certainly there is more of a police presence in Geelong than there ever was when the party opposite — —

Mr Mulder — On a point of order, Deputy Speaker, the minister indicated that those matters would be referred to the minister responsible, and it is not up to the minister at the table to answer on behalf of the minister responsible.

You have lost your job! Haven't you worked it out yet?

The DEPUTY SPEAKER — Order! There is no point of order. The minister, to continue.

Mr HAERMEYER — He referred to a particular incident on the weekend where a 58-year-old man was shot in his Bell Park home. He pointed out that the ambulance arrived in 8 minutes. I point out to the house that that certainly would not have occurred under the previous government. He then went on, however, to allege that the police took 20 minutes to get there and said, 'I am not saying the person died because of the police delay', but he seemed to be implying that. The reality is that Geelong's Chief Inspector Wayne Carson told the *Geelong Advertiser* on Monday that he and the homicide detectives were 'more than happy' with the police response time. He said:

I can certainly say it was less than 20 minutes. I'd go so far as to suggest it was nearly half that.

'Nearly half that' is what Chief Inspector — —

Mr Wells interjected.

Mr HAERMEYER — So the member for Scoresby is calling Chief Inspector Carson a liar. That is what he is doing: he is calling Chief Inspector Carson a liar.

Honourable members interjecting.

Mr Wells — On a point of order, Deputy Speaker, I ask you to ask the Minister for Manufacturing and Export to withdraw that comment, because it is not what I said, and the record should be accurate.

The DEPUTY SPEAKER — Order! If the member is claiming to have been misrepresented, then he has a process by which he can deal with that. While, as I explained, if the member for Scoresby is claiming to be misrepresented, he must use the appropriate process, I remind the minister of a recent ruling by the Speaker that the word ‘liar’ is an unparliamentary expression, however used.

Mr Mulder — Appropriate.

Mr HAERMEYER — The member for Polwarth said ‘Appropriate’, so that speaks for itself. However, let me say that what the member for Scoresby is implying is that Chief Inspector Carson was not telling the truth, and I think that is offensive to — —

Honourable members interjecting.

Mr HAERMEYER — Chief Inspector Carson went on to say that 13 uniformed members made up the initial — —

Mr Wells interjected.

Mr HAERMEYER — Thirteen uniformed members — that is a fairly strong initial response in those circumstances. He also pointed out that there are certain procedures that have to be covered before entering a premises. He said:

It’s in the interest of safety for police and ambulance officers ... It was unknown whether armed offenders were still on the premises when police and ambulance officers arrived.

Is the member for Scoresby suggesting that the police ought to just charge in there blindly and put their own lives at risk? I do not think any reasonable person would expect that of them. He also made some inferences in relation to the 24-hour Bellarine police station. It is there — and we did not close the Drysdale, Portarlington and Queenscliff police stations, as was the intention of those opposite.

The member for Polwarth raised a matter for the Minister for Community Services. He is wanting \$1.28 million for a hydrotherapy centre — is that correct?

The DEPUTY SPEAKER — Order! Through the Chair.

Mr Mulder interjected.

The DEPUTY SPEAKER — Order! The member for Polwarth!

Honourable members interjecting.

Mr HAERMEYER — I don’t think it’s funny at all! This sort of funding comes out of the savings these people opposite say they would achieve out of their half-baked, half-toll project. However, I will draw that to the attention of the Minister for Community Services.

The member for Yan Yean raised a matter for the Minister for Water concerning improving water use and the condition of sportsgrounds in the shire of Nillumbik. I will ensure that is passed on to the minister.

The member for Shepparton raised a matter for the Minister for Housing, asking her to make available the addresses of 50 houses which the *Shepparton News* claimed are to be upgraded. I will draw that to the attention of the relevant minister.

The member for Footscray raised a matter for the Minister for Sport and Recreation which I will ensure is directed to that minister.

That covers everything except the matter raised for the attention of the Treasurer.

Mr BRUMBY (Treasurer) — The member for Monbulk in what I thought was an excellent presentation asked me to analyse and determine the full financial impact of redirecting public moneys to vary tolling arrangements on the EastLink project, and I am able to report to him on that today. It is relevant that he has raised that because today we had the Liberal Party release its policy on this issue. We waited 336 days for a no-tolls policy, and all we got today was a half-baked policy which will impose halfway tolls on the people of the south-eastern suburbs. If you go through all the literature on this, for 336 days the Liberal Party has said there will be no tolls: no tolls means no tolls; no tolls means without tolls; no motorist will pay tolls! What we got today was a complete, utter and absolute repudiation of that commitment.

Honourable members interjecting.

Mr BRUMBY — Yesterday we thought the release of this policy after 335 days was imminent. We checked on the Liberal Party web site last night, and it was still saying that a Liberal government will give Victorians a Scoresby freeway without tolls. That was

as late as last night. The question is: when? The answer is: never. Today we had an extraordinary situation. We came in here for question time, and the Leader of the Opposition had gone missing. All of the 'No tolls' badges have gone missing. Last night the media was out in the parliamentary car park and you could not find a single 'No tolls' sticker on a car. Now we all know why — today that policy sank without a trace.

What we have ended up with is a half-baked and half-worked-through policy. It is not a good policy for the state in terms of financial or economic management, not a good policy for country Victoria, and a shocker of a policy in terms of what it will do to the core responsibilities of government — things like funding schools, funding hospitals and funding community safety. I will come to those in a moment, if I can.

Earlier in this term in government we took the difficult but right, correct, appropriate and responsible policy decision when faced with the extra cost of the public transport franchises of \$1.2 billion. We took what was the right, long-term decision for the people of Victoria. We said that this would have to be a user-pays road. It will mean there is a choice for the people in the south-eastern suburbs. It was not an easy decision, but it was the right decision to make at the time. I inspected progress on the EastLink road just two weeks ago. It is running four months ahead of schedule. The consortium is spending \$70 million a month, and when summer comes and it gets dry that will build up to \$100 million a month. It is generating thousands of jobs throughout the south-eastern suburbs.

If you look at the aerial maps of what is occurring around EastLink, they show unprecedented levels of investment in new manufacturing, new businesses and new transport distribution and logistics facilities. As everyone knows, this road has been in the *Melway* for more than 30 years. No government has ever been able to take the tough, right and long-term decision to build it. The Bracks government made that decision. It is now being implemented. It is now under construction and is generating new jobs, new opportunities and new confidence in the region. Why you would want to undo all that is beyond me.

The Leader of the Opposition did not need to make the commitment he made 336 days ago: he could have let the matter rest. But he went out and said he would deliver a Scoresby road with no tolls. Today what we saw was an enormous policy backflip, with a half-baked, half-witted policy with half-tolls applying for the next five years for motorists and motorcyclists in that area. I just want to make that point, because the member for Monbulk asked a fair question about the

financial impact of the commitment made today — even though it is not about abolishing tolls; it is about half-tolls — on the state of Victoria. I will have more work done on that in the future.

We have prided ourselves on financial responsibility in this state. As a result we have delivered a AAA credit rating and we have delivered surpluses. We have an extraordinarily strong economy delivering jobs to the people of Victoria — more than 300 000 new jobs since we have been in government — and record building approvals. In the last year there have been more building approvals in Victoria than in the whole of New Zealand and the whole of Singapore. We have a state with a dynamic economy that is really buzzing along. We have that because we have been prepared to make the right decisions but also because we have been prepared to invest in health, education, community safety and community services, building a fairer and better Victoria.

The policy that was released today would undo much of the progress that we have made over the last six years. I do not say that lightly; I say it for these reasons. The policy announced today will in a recurrent budget sense cost more than \$500 million over the next four years. If it were to continue for the life of the concession — 35 years — it would cost the state \$2.7 billion in additional net debt, plus all the cash payments running out for the next 35 years.

The Liberal Party said today that it will find the money from 'savings' and 'departmental efficiencies'. I managed to get an early copy of the document, and I have had a chance to have a look at it. I have never seen such ill-thought-through rubbish in my life, and I will give a couple of examples. The opposition says in this document that it is going to cut out waste and mismanagement. It says, for example, that it will cut out advertising showing the Premier or another minister. I have a pretty good memory. I remember back in the mid-1990s when under another government there were big billboards along the Tullamarine Freeway. Guess whose photograph was on them? It was not a photo of the current Premier; it was a photo of a Premier from a previous government whose members are now purporting to say they will cut waste, mismanagement and consultancies. We have cut consultancies. The senior executive service? We have cut the senior executive service.

The classic in this policy — and talk about an ill-thought-through, numbers-do-not-add-up policy — is that the Liberal Party says it will cut \$32 million out of the Department of Premier and Cabinet because it says costs have blown out. A lot of grants come from DPC,

and they include things like the Melbourne International Arts Festival. Have a look at the Department of Premier and Cabinet and what happens if you take away the grants programs. The actual operating cost of the department is \$94 million a year, of which \$55 million is for wages. The document released today by this irresponsible, reckless opposition says that it will find savings of \$32 million a year by cutting staff in DPC. The payroll is \$55 million; the cuts to staff will be \$32 million. The opposition will be eliminating 6 out of every 10 people in that department. Did the opposition think that through? The shadow Treasurer, the member for Box Hill and the former parliamentary secretary, ought to know better. He ought to know that rule no. 1 is that your numbers must be able to add up, and these numbers do not add up.

The other one involves the Department for Victorian Communities. What a bizarre proposition! We brought together a whole lot of things we had been doing in disparate departments under one roof, not to make government more inefficient but to make it more efficient by having one department delivering those programs. What a shocking thing it is for a Leader of the Opposition to say he will hack into the spending programs of the Department for Victorian Communities. This is the department that delivers programs for senior Victorians, money for libraries, neighbourhood houses, hydrotherapy for oldies, swimming pools, programs for netball, football and cricket and programs for ethnic groups. Fancy saying you are going to cut \$15 million out of those programs and those departments! The areas the opposition has identified do not add up.

That brings me to the key proposition raised by the member for Monbulk — that is, to finance this reckless and irresponsible promise the Liberal Party, if ever it were in government, would have to cut into core government services. It would have to cut into teachers, to nurses, to police, to child protection workers and to all those people that we have invested in to build a fairer and better Victoria.

One of the other areas is country Victoria, and we know about the great successes in country Victoria. We have had to put additional resources into the country to build better opportunities for an area that was neglected right through the 1990s. I said today in question time that the unemployment rate today is 5.9 per cent, whereas the average under the Kennett government was 9.8 per cent. We have had to shift resources into country Victoria to build up the opportunities and to build up the investment. There is no doubt in my mind that if the Liberal Party were ever again in government and had to find these savings the first spot it will look will be the

first place it looked in the 1990s. This is like *Groundhog Day* all over again, with the so-called toenails of the state. There will be cuts to programs in country Victoria.

I understand that today The Nationals were not too keen about this Liberal Party policy. They might not be, because they know what it is Liberal code for. They know what the true form of the Liberal Party is. The true form of the Liberal Party is cuts in country Victoria and cuts to hospitals, schools and community safety.

Earlier I was listening to the Leader of the Opposition on radio. He was saying that \$500 million is not a lot out of the budget. But of course the Leader of the Opposition is not telling the full story. We will help him tomorrow, because we are going to tell a bit more of the story for him. We will be releasing a bit more detail on some of the commitments he has already made since 2002. Have a guess at what they have already promised before the \$500 million over four years they promised today?

An honourable member — How much?

Mr BRUMBY — It's a lot. It is more than \$500 million.

An honourable member — Is it more than 600?

Mr BRUMBY — It is more than \$600 million.

An honourable member — More than 700?

The DEPUTY SPEAKER — Order! I think the Treasurer is doing all right without the assistance of the government benches.

Mr BRUMBY — It is more than \$700 million — and that is a very conservative costing of what has already been promised to date. I am not going to go through it all tonight — I will save that for tomorrow — but it is more than \$700 million, which, plus more than \$500 million today, makes more than \$1.2 billion, which is about \$300 million a year.

It just proves the point that you cannot do that and deliver services to schools, to hospitals and to police. What today's commitment by the Liberal Party means, plus the previous commitments made by the Liberal Party and the Leader of the Opposition — and of course I have not even included The Nationals, so if you add it up it becomes even bigger — is that you would see huge cuts to government programs right across the state.

I have a note from the opposition to say that we cannot count. If it is a choice between whether this government has been good at running the budget and delivering for health, education and police and whether the team on the other side of the house is to be believed, I think we have done a good job. Today what we saw was a backflip and an absolute betrayal of the Leader of the Opposition's pledge that he would completely abolish tolls for the people of Victoria. Describe it how you will — a half-baked, half-thought-through half-a-toll, or a half-workable policy — we can certainly say of this policy that it is taking its toll on the Leader of the Opposition.

Here is the policy: after 336 days it has 9 pages, and it has another 7 pages of questions and answers. It has nearly as many questions as answers. I agree with that, as there are more questions about this policy than there is actual policy.

An honourable member — How many days a page?

Mr BRUMBY — Someone needs to work that out! Econtech has done a lot of different work in the past, and they have a mixed record. I am sure they have done some good work in the past, but lately they did the canal project. Again, that was a special deal with the opposition in Western Australia. That was a good deal about how to waste taxpayers money, wasn't it? It was a \$3 billion white elephant. They were going to pump water from somewhere — was it Indonesia? I do not know where it was to come from. They were going to bring it right down, and needless to say, it was not well received. They have done the work here.

I want to say that I am disappointed that the Leader of the Opposition made the policy. He did not need to make it, but he made it, and now he has not been able to deliver it. But I am surprised by the member for Box Hill, because he was previously a parliamentary secretary. It was interesting in question time earlier today when we were joined by a former Treasurer, and he — —

An honourable member interjected.

Mr BRUMBY — He would not have done that. I think someone was going to suggest today that he would not have done that, and all of a sudden I looked around and he had left.

Honourable members interjecting.

Mr BRUMBY — He certainly would not have wasted taxpayers money to pay a private company which had already signed a contract for a project that is

running four months ahead of schedule and is generating thousands of jobs right across the state. He left. I cannot speak for him, but I am sure that he left because he would have found some of the policies announced today difficult to explain and perhaps embarrassing if he had stayed in the gallery.

We have come to the end of this parliamentary week, and it has been a big week. It was as if the opposition did not know that question time was on this week. It did not have a strategy on Tuesday or Wednesday, and today it did not have a leader.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I think the Treasurer is straying somewhat from the point of the matter raised.

Mr BRUMBY — I think I have had a pretty good go, but I do want to thank the member for Monbulk. He, like all members on this side of the house, when confronted with what was a very difficult decision for the government because we had to find \$1.2 billion for the public transport rail franchisees, made a decision which was the right decision in the long term for the people of Victoria, and it was the financially responsible decision.

The financial management of the state, the economic performance of the state and our investment in health, education, police and country services is testimony to the fact that it was the right decision and that the state is headed in the right direction. We saw an attempt 336 days ago to subvert that direction by an opposition leader who was desperate to try to preserve his position as leader of the party. Today's announcement was a complete betrayal of the people in the south-eastern suburbs and a complete betrayal as well of his party and his backbench. He was unable to deliver, and what he has now provided is the worst of all worlds. It is a bit of a hokey-pokey with his left foot in and his right foot out and no-one knows where he is. I will examine these matters for the member for Monbulk.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 5.03 p.m. until Tuesday, 4 October.

QUESTIONS ON NOTICE

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Tuesday, 13 September 2005

WorkCover: Shannon's Way Pty Ltd

410(ao). Ms ASHER to ask the Minister for WorkCover with reference to Shannon's Way Pty Ltd —

- (1) Since 20 October 1999, how many jobs awarded to the company were exempted from the Victorian Government Purchasing Board.
- (2) On what grounds were exemptions given.
- (3) Was a certificate of exemption issued.
- (4) Who signed the documents granting exemption.

ANSWER:

I am informed that:

- (1) Shannon's Way performs work for the Victorian WorkCover Authority (VWA) under arrangements awarded following a competitive public tender in May 2001.

Since 20 October 1999, VWA has awarded 1 contract to the firm Shannon's Way Pty Ltd which was exempt from the VWA's own purchasing guidelines. These guidelines mirror those used by the Victorian Government Purchasing Board.

- (2) The exemption provided for the extension of an existing contract until the completion of a further competitive tender which was advertised publicly on Saturday, 22 May 2004.
- (3) Approval of the exemption was issued by the Board of the VWA.
- (4) The duly authorised delegate signed the documents granting exemption.

WorkCover: workplace bullying

411(ao). Mr MULDER to ask the Minister for WorkCover —

- (1) How many cases of bullying in the workplace have been reported to each department or agency under the aegis of the Minister between 1 January 2003 and 31 December 2003.
- (2) How many of these claims resulted in WorkCover cases being established.
- (3) What was the total cost of these claims.
- (4) What has been the dollar increase in premiums for each individual department or agency due to claims for bullying in the workplace.

ANSWER:

I am informed that:

- (1) No cases of bullying were reported at the Victorian WorkCover Authority for the period specified.
- (2) None
- (3) No cost
- (4) No dollar increase in premiums due to bullying in the workplace.

Education and training: Haystac Public Affairs Pty Ltd

595(j). Ms ASHER to ask the Minister for Education and Training with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made to Haystac Public Affairs Pty Ltd by my department or private office under my administration since 26 August 2003.

To provide details of payments made by agencies and statutory bodies under my administration would require an unreasonable diversion of time and resources.

Education and training: Shannon's Way Pty Ltd

596(j). Ms ASHER to ask the Minister for Education and Training with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made to Shannon's Way Pty Ltd by my department or private office under my administration since 28 October 2003.

To provide details of payments made by agencies and statutory bodies under my administration would require an unreasonable diversion of time and resources.

State and regional development: Shannon's Way Pty Ltd

596(ad). Ms ASHER to ask the Minister for State and Regional Development with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments were made to Shannon's Way Pty Ltd since 28 October 2003.

Innovation: Social Shift Pty Ltd

597(w). Ms ASHER to ask the Minister for Innovation with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments were made to Social Shift Pty Ltd since 28 October 2003.

State and regional development: Social Shift Pty Ltd

597(ad). Ms ASHER to ask the Minister for State and Regional Development with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments were made to Social Shift Pty Ltd since 28 October 2003.

Education and training: compulsory education participation rates

633. MR THOMPSON to ask the Minister for Education and Training with reference to the participation rate of children in primary and secondary education between the ages of six and 15 years —

- (1) What is the level of non-attendance of children of eligible age in State education for —
 - (a) 2002;
 - (b) 2003;

- (c) 2004.
- (2) What follow up measures have been taken by the Department of Education and Training to support increased participation in State education in the compulsory years for children.

ANSWER:

I am informed as follows:

Information about the absence rates of students in Victorian government schools for 2002 and 2003 are available in the School Management benchmark files at <http://www.sofweb.vic.edu.au/standards/publicat/bench.htm>

Absence rates for 2004 are not yet available.

The Department has a number of system wide initiatives that support increased participation for all students. A number of these initiatives are outlined below:

- Curriculum Initiatives — Schools for Innovation and Excellence, Victorian Essential Learning Standards. Further Information can be found at <http://www.sofweb.vic.edu.au/blueprint/fs1/default.asp>
- *School Focused Youth Service* is a joint initiative between the Department of Education and Training and the Department of Human Services which focuses on the coordination of preventative and early intervention strategies for ‘at risk’ young people to be delivered through school and community clusters.
- *Primary Welfare Officer Initiative* which targets 450 high needs Government primary schools across the State and provides funds for the equivalent of 256 full-time Primary Welfare Officer positions (to the end of 2006/2007) to enhance the capacity of schools to support students who are ‘at risk’ of disengaging from school and who are not achieving their educational potential.
- *Student Welfare Coordinators* in secondary colleges are responsible for assisting students in issues of truancy, bullying, drug use and depression.
- *Student Support Services Officer (SSSO) Program* provides students with access to student counselling and welfare support services and includes Guidance Officers/Psychologists, social workers, visiting teachers, and speech pathologists.

The Department currently supports and funds a number of targeted initiatives to support increased participation in State education in the compulsory years of Victorian children. These are outlined below:

- *Student Attendance Guidelines* which aim to assist schools in supporting full student attendance — available at: <http://www.sofweb.vic.edu.au/wellbeing/welfare/attendguide.htm>
- *Keeping Kids in School: Issues in School* — a booklet which examines the issue of improving school attendance and suggests how the collection of information is an essential starting point.
- The *School Retention Initiative* which focuses on issues for young people under 15 years of age, who are currently not connected or are poorly connected to schools, and who are accessing Adult and Community Education (ACE) programs. The project will develop best practice guidelines.
- The *Retention and Reintegration Project* which will develop guidelines for principals regarding strategies and best practice in which a school, in collaboration with external agencies and families, can support, retain and reintegrate young people following episodes of drug use.
- The *Students at Risk of Complete Disengagement from Education and Training Project* aimed to gain a better understanding of the cohort of young people disengaging from education and training and to explore responses to improve engagement in education and training.

- The *Early School Leavers Pilot Program* targeted at young people subject to non custodial Juvenile Justice Orders, 12 to 15 years of age excluded from, or not attending school. The program aims to reconnect young offenders with educational pathways and will continue for a 12 month time frame.
- The *Partnering Agreement: School Attendance and Engagement of Children and Young People in Out of Home Care (the Partnering Agreement)* which is a joint initiative between the Department of Education and Training and the Department of Human Services aiming to improve the educational experiences and outcomes of children and young people in out of home care, by reinforcing good practice and offering strategies to strengthen the response to educational issues, including achievements and attendance and social needs of children and young people in out of home care.
- The *Its Not OK to be Away* resource kit developed in Gippsland which is being used by several regions.

Education services: Respirodon

- 726.** Mr PERTON to ask the Minister for Education Services — has the Minister received any complaints about the use of the drug Respirodon in any schools; if so —
- (1) Which school/s.
 - (2) What is the nature of the complaints.
 - (3) What investigations were undertaken.
 - (4) What were the results of any investigations undertaken.

ANSWER:

I am informed as follows:

No complaints have been received about the use of the drug Respirodon in any schools.

Education services: Adult Multicultural Education Service

- 760(a).** Mr THOMPSON to ask the Minister for Education Services —

With reference to the circumstances of a 34-year-old, overseas born, professionally qualified civil engineer who migrated to Australia and subsequently completed a Bachelor of Computer Science who seeks training through the AMES course for overseas qualified professionals and seeks work in a relevant field —

- (1) What has been the funding provision for the training program for overseas qualified professionals for each of —
 - (a) 2002–03;
 - (b) 2003–04;
 - (c) 2004–05.
- (2) How many students completed the course in —
 - (a) 2002–03;
 - (b) 2003–04;
 - (c) 2004–05;
 - (d) 1 July 2005 to date.

- (3) What is the general waiting time for students who seek to enrol into the course.
- (4) Noting the circumstances of the above applicant keen to gain work in a relevant field, why has he not been able to access relevant training until October 2005.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities.

Education services: International Centre of Excellence for Education

791(a). Mr PERTON to ask the Minister for Education Services —

With reference to the launch of The International Centre of Excellence for Education in Mathematics and the comment in the *Herald Sun* on 27 July 2005 that ‘it still needs Department of Education and Training support in Victoria’ —

- (1) Does the Minister support the Project.
- (2) Will it be implemented in Victoria; if so, when.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities.

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Wednesday, 14 September 2005

Innovation: office expenses

398(a). Mr KOTSIRAS to ask the Minister for Innovation —

- (1) Since 1 January 2003, what are the details of expenses of the office of the Minister, including —
- (2) Number of ministerial staff allocated to the Minister.
- (3) Staff salaries and on-costs.
- (4) Other recurrent ministerial office operating expenses.
- (5) Minister's and/or office international flights and destination of international flights.
- (6) Minister's and/or office domestic flights.
- (7) Travel-related expenses.
- (8) Alcohol costs.

ANSWER:

I am informed as follows:

To provide details as requested would be an unreasonable diversion of my Department's resources.

Innovation: consultancies

401(a). Mr KOTSIRAS to ask the Minister for Innovation —

What are the details of each consultancy commissioned by the Minister's department and each agency and authority within the Minister's administration since 1 January 2003, indicating for each —

- (1) Date.
- (2) Cost.
- (3) Purpose.
- (4) Name and address of consultant.
- (5) Recommendations made.
- (6) Action taken in response to any recommendations.
- (7) Whether tenders were called.

ANSWER:

I am informed as follows:

Consultancies \$100,000 and over engaged by the Department of Innovation, Industry and Regional Development are posted to the web site of the Victorian Government Purchasing Board (under the Contracts Publishing System).

I refer the member to this web site.

State and regional development: advertising

454. Ms ASHER to ask the Minister for State and Regional Development — what was the total amount of expenditure across the whole of the Department of Innovation, Industry and Regional Development for advertising promotions in 2002–2003.

ANSWER:

I am informed as follows:

For a list of promotional and marketing activities undertaken by the Department of Innovation, Industry and Regional Development during the 2002–03 financial year, refer to the Department's 2002–03 Annual Report.

Innovation: Haystac Public Affairs Pty Ltd

595(w). Ms ASHER to ask the Minister for Innovation with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments were made to Haystac Public Affairs Pty Ltd since 26 August 2003.

State and regional development: Haystac Public Affairs Pty Ltd

595(ad). Ms ASHER to ask the Minister for State and Regional Development with reference to Haystac Public Affairs Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments were made to Haystac Public Affairs Pty Ltd since 26 August 2003.

Innovation: Shannon's Way Pty Ltd

596(w). Ms ASHER to ask the Minister for Innovation with reference to Shannon's Way Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments were made to Shannon's Way Pty Ltd since 28 October 2003.

Education and training: Social Shift Pty Ltd

597(j). Ms ASHER to ask the Minister for Education and Training with reference to Social Shift Pty Ltd —

- (1) What payments have been made to the company by the Minister's department or private office or any agency or statutory body under the Minister's administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) Briefly describe the project for which payment was made.

ANSWER:

I am informed as follows:

No payments have been made to Social Shift Pty Ltd by my department or private office under my administration since 26 August 2003.

To provide details of payments made by agencies and statutory bodies under my administration would require an unreasonable diversion of time and resources.

Education and training: indigenous participation rates

634. Mr THOMPSON to ask the Minister for Education and Training with reference to the participation rate of indigenous children in primary and secondary education between the ages of six and 15 years —

- (1) What is the level of non-attendance of indigenous children of eligible age in State education for —
 - (a) 2002;
 - (b) 2003;
 - (c) 2004.
- (2) What follow up measures have been taken by the Department of Education and Training to support increased participation in State education in the compulsory years for indigenous children.

ANSWER:

I am informed as follows:

It is difficult to compare average attendance rates for Indigenous students by year level in Victorian Government schools over the period 2003–2004 because the actual data collection process has differed significantly in each of these years. More comprehensive data collection has now been implemented.

The Department has in place a range of initiatives and programs aimed at improving the attendance levels and overall educational outcomes for Indigenous learners including the Koorie Home School Liaison Officer program.

Nine Koorie Home School Liaison Officers provide support to targeted school communities so that attendance levels of Koorie students improve. In particular, the Officers provide assistance and advice to schools (such as the development of culturally sensitive school based strategies to support improved attendance), families (referrals to relevant services) and Koorie students.

The Department also employs 56 Koorie educators who play a valuable role in contributing to improved attendance and retention levels of Koorie students. They are supported to undertake the Certificate 3 in Aboriginal and Torres Strait Islander Education, (a national qualification specifically developed for Indigenous education workers) that supports their role in working with Koorie students, schools and families.

Education services: Mill Park Lakes school

786(a). Mr PERTON to ask the Minister for Education Services —

- (1) On what date will the school be opened to students.
- (2) What is the projected number of secondary school enrolments.
- (3) On what road will the school be built.
- (4) Is the road on which the school will be built accessible to vehicles.
- (5) Does the land set aside for the school contain any protected plant species; if so, which species.
- (6) Would the presence of protected plant species on the land set aside for the school limit the use of the site for the school.
- (7) Is the land set aside for the school subject to flooding; if so, would flooding limit the development of the school.
- (8) Given the school will take students from prep to year 10, where is it anticipated that students will complete years 11 and 12.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities.

Education services: Mill Park special education

787(a). Mr PERTON to ask the Minister for Education Services —

What provision has been made for special education in the Mill Park area.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities.

Education services: Keilor Primary School

789(b). Mr PERTON to ask the Minister for Education Services —

- (1) Why was Keilor Primary School, a high performing state school with a proud 130 year history of serving the local community and with a current student population of 469, after the completion of full documentation and planning, overlooked in the 2005–06 Budget for the erection of a school assembly/physical education/music centre.
- (2) Is Keilor Primary School the only school in the area without a hall for school assembly and physical education; if not, what other schools are in the same situation.

ANSWER:

I am informed as follows:

This question does not fall within my portfolio responsibilities.

Health: podiatrists registration certificates

820. Mr THOMPSON to ask the Minister for Health with reference to podiatrists obligation to display registration certificates in a prominent position notifying the public of relevant qualifications and registration — why has there been a delay in the processing of applications for registration which in turn has precluded podiatrists from fulfilling their lawful obligations.

ANSWER:

I am informed that:

There have been no systemic delays in the processing of applications for registration by the Podiatrists Registration Board of Victoria.

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Thursday, 15 September 2005

Transport: Southern and Eastern Integrated Transport Authority staff

463. Mr MULDER to ask the Minister for Transport —

- (1) How many staff employed at the Authority were employed on a —
 - (a) part-time basis;
 - (b) full-time basis;
 - (c) casual basis.
- (2) What is the expected total for remuneration expenses of staff at the Authority in —
 - (a) 2003–2004;
 - (b) 2004–2005.
- (3) How much has been expended in remuneration expenses of staff at the Authority to 4 May 2004.
- (4) During 2004–2005 what number of staff will be employed on a —
 - (a) part-time basis;
 - (b) full-time basis;
 - (c) casual basis.

ANSWER:

I am informed as follows:

1. As at 4 May 2004 the following numbers of staff were employed at the Southern and Eastern Integrated Transport Authority (SEITA):
 - (a) 4 part-time employees;
 - (b) 27 full-time employees;
 - (c) no casual employees.

These figures include Department of Infrastructure secondees.
2. The expected total for remuneration expenses of staff (salaries and superannuation) at SEITA is:
 - (a) 2003–04 financial year: \$2,056,500;
 - (b) 2004–05 financial year: \$3,369,900.
3. A total of \$1,581,085 has been expended in remuneration expenses of staff (salaries and superannuation) at SEITA for the 2003–04 financial year up to 01 May 2004.

4. During 2004–2005, the anticipated number of staff employed by SEITA will be:
- (a) 5 part-time employees;
 - (b) 30 full-time employees;
 - (c) no casual employees.

Transport: train speeds

472. Mr MULDER to ask the Minister for Transport —

- (1) When are speed restrictions, slowing passenger trains between Sale and Bairnsdale, expected to be lifted.
- (2) What is the current line speed for passenger trains between Traralgon and Sale.
- (3) Do any railway bridges between Traralgon and Sale require replacement or urgent remedial work; if so —
 - (a) what is the likely cost for each location;
 - (b) when will the works be undertaken;
 - (c) what speed limits currently apply for passenger or freight trains at each location.

ANSWER:

As at the date the Question was raised the answer is:

- 1. The line speed between Sale and Bairnsdale was 80 kph but was increased to 100 kph on 22 December 2004.
- 2. The line speed between Traralgon and Sale is 100 kph for all V/Line train services.
- 3. Under the Primary Infrastructure Lease entered into by the previous Government, maintenance of these bridges is a matter for Pacific National, formerly Freight Australia.

Environment: Parks Victoria historical complexes

527. Mr DIXON to ask the Minister for Environment with reference to the report by Heritage Council Victoria entitled *Review of Heritage Place Management in Victoria 2003*, which found that there is a need for funding of major works for large, significant historical complexes in the Parks Victoria portfolio — what has the Government done to address this need for funding.

ANSWER:

I am informed that:

Parks Victoria has prepared its own Heritage Management Strategy (June 2003) which provides a basis for Parks Victoria to prioritise the application of resources and funding. Parks Victoria's strategy outlines a number of goals, actions and targets to improve its 'caring for all the significant places it manages' emphasising community involvement, partnerships and sustainable management as essential to improving its management. Parks Victoria will be reviewing the effectiveness of its Heritage Management Strategy in 2008.

Environment: Parks Victoria human and financial resources

528. Mr DIXON to ask the Minister for Environment with reference to the report by Heritage Council Victoria entitled *Review of Heritage Place Management in Victoria 2003*, which found that Parks

Victoria has inadequate human and financial resources to realise the full potential of visitor services — what has the Government done to redress this lack of funding.

ANSWER:

I am informed that:

Parks Victoria has prepared its own Heritage Management Strategy (June 2003) which provides a basis for Parks Victoria to prioritise the application of resources and funding. Parks Victoria's strategy outlines a number of goals, actions and targets to improve its 'caring for all the significant places it manages' emphasising community involvement, partnerships and sustainable management as essential to improving its management. Parks Victoria will be reviewing the effectiveness of its Heritage Management Strategy in 2008.

Transport: V/Line passenger journeys

560. Mr MULDER to ask the Minister for Transport —

- (1) How many passenger journeys were made on V/Line trains or coaches in each quarter from the June 2002 quarter to the September 2004 quarter inclusive.
- (2) How many passengers were tallied on each individual V/Line rail or coach service operated on Tuesday, 5 October 2004, including Department of Infrastructure (DOI) services that appear in the V/Line timetable.
- (3) What was the number of individual journeys, including those passengers connecting to V/Line or DOI road coach services made on the following lines in each of August 2002, August 2003 and August 2004 —
 - (a) Geelong/South Geelong;
 - (b) beyond South Geelong to stations from Winchelsea to Warrnambool;
 - (c) Ballarat;
 - (d) Beaufort to Ararat;
 - (e) Bendigo;
 - (f) Dingee to Swan Hill;
 - (g) Seymour;
 - (h) Nagambie to Shepparton;
 - (i) Avenel to Albury;
 - (j) Traralgon;
 - (k) Rosedale to Bairnsdale;
 - (l) beyond Cranbourne to Leongatha;
 - (m) beyond Cranbourne to Inverloch.
- (4) How many adult fare passengers held V/Line Date to Date tickets on 5 October 2004 on the following lines —
 - (a) South Geelong;
 - (b) Ballarat;
 - (c) Bendigo;
 - (d) Seymour;
 - (e) Traralgon.

ANSWER:

As at the date the questions were raised, the answer are:

Question 1 – Refer to attachment 1;

Question 2 – Refer to attachment 2;

Question 3 – Refer to attachment 3;

Question 4 – V/Line Passenger reports that they are unable to provide the requested information in the time available.

Attachment 1

Q1: How many passenger journeys were made on V/Line trains or coaches in each quarter from the June 2002 quarter to the September 2004 quarter inclusive.

Quarter	Rail	Coach	DoI	Total
Jun Qtr 02	1,832,082	131,104	94,639	2,057,825
Sep Qtr 02	1,848,377	130,345	95,221	2,073,943
Dec Qtr 02	1,654,985	127,248	102,456	1,884,689
Mar Qtr 03	1,699,920	151,320	120,252	1,971,492
Jun Qtr 03	1,684,655	130,334	97,891	1,912,880
Sep Qtr 03	1,761,991	131,216	99,954	1,993,161
Dec Qtr 03	1,605,622	122,318	96,099	1,824,039
Mar Qtr 04*	1,534,452	126,172	100,362	1,760,986
Jun Qtr 04*	1,548,201	115,315	81,692	1,745,208
Sep Qtr 04*	1,755,586	119,210	86,804	1,961,600

* RFR occupations commenced from Jan 2004

Source: V/Line

Attachment 2

Q2: How many passengers were tallied on each individual V/Line rail or coach service operated on Tuesday, 5 October 2004, including Department of Infrastructure (DOI) services that appear in the V/Line timetable.

Passengers Travelling on V/Line Rail Services by Service on Tuesday, 5th October 2004

Service #	From	To	Total Pax
8002	Kyneton	Spencer St	98
8003	Spencer St	Sunbury	5
8004	Kyneton	Spencer St	179
8005	Spencer St	Kyneton	61
8007	Spencer St	Sunbury	37
8008	Bendigo	Spencer St	236
8009	Spencer St	Bendigo	119
8010	Sunbury	Spencer St	228
8011	Spencer St	Kyneton	14
8012	Kyneton	Spencer St	272
8013	Spencer St	Sunbury	14
8014	Eaglehawk	Spencer St	258

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Service #	From	To	Total Pax
8015	Spencer St	Bendigo	68
8016	Sunbury	Spencer St	174
8017	Spencer St	Bendigo	75
8018	Bendigo	Spencer St	164
8019	Spencer St	Bendigo	68
8020	Sunbury	Spencer St	98
8021	Spencer St	Bendigo	111
8022	Kyneton	Spencer St	112
8023	Spencer St	Eaglehawk	136
8024	Swan Hill	Spencer St	282
8026	Sunbury	Spencer St	56
8027	Spencer St	Bendigo	245
8028	Kyneton	Spencer St	35
8029	Spencer St	Sunbury	221
8030	Bendigo	Spencer St	104
8031	Spencer St	Bendigo	148
8032	Bendigo	Spencer St	63
8034	Bendigo	Spencer St	63
8035	Spencer St	Sunbury	191
8036	Bendigo	Spencer St	112
8037	Spencer St	Kyneton	140
8038	Bendigo	Spencer St	69
8039	Spencer St	Sunbury	331
8040	Sunbury	Spencer St	10
8041	Spencer St	Spencer St	181
8042	Sunbury	Spencer St	10
8044	Eaglehawk	Spencer St	55
8045	Spencer St	Kyneton	256
8046	Sunbury	Spencer St	6
8047	Spencer St	Sunbury	98
8048	Bendigo	Spencer St	47
8049	Spencer St	Bendigo	179
8051	Spencer St	Sunbury	43
8053	Spencer St	Bendigo	67
8054	Sunbury	Spencer St	8
8055	Spencer St	Kyneton	25
8102	Bacchus Marsh	Spencer St	45
8103	Spencer St	Ballarat	84
8104	Bacchus Marsh	Spencer St	95
8106	Bacchus Marsh	Spencer St	147
8107	Spencer St	Ararat	68
8108	Ballarat	Spencer St	109
8109	Spencer St	Bacchus Marsh	15
8111	Spencer St	Ballarat	51
8112	Bacchus Marsh	Spencer St	283

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Service #	From	To	Total Pax
8113	Spencer St	Ballarat	77
8114	Bacchus Marsh	Spencer St	297
8115	Spencer St	Ballarat	108
8116	Ballarat	Spencer St	191
8117	Spencer St	Bacchus Marsh	160
8118	Bacchus Marsh	Spencer St	249
8119	Spencer St	Ballarat	130
8120	Melton	Spencer St	94
8121	Spencer St	Bacchus Marsh	206
8122	Ballarat	Spencer St	141
8123	Spencer St	Ballarat	136
8124	Melton	Spencer St	73
8126	Ararat	Spencer St	85
8127	Spencer St	Bacchus Marsh	412
8128	Bacchus Marsh	Spencer St	93
8129	Spencer St	Ararat	137
8130	Ballarat	Spencer St	104
8131	Spencer St	Bacchus Marsh	218
8132	Bacchus Marsh	Spencer St	36
8133	Spencer St	Bacchus Marsh	155
8134	Ballarat	Spencer St	70
8135	Spencer St	Ballarat	119
8136	Ballarat	Spencer St	50
8137	Spencer St	Bacchus Marsh	43
8138	Ballarat	Spencer St	92
8139	Spencer St	Ballarat	35
8140	Ararat	Spencer St	70
8141	Spencer St	Bacchus Marsh	25
8142	Ballarat	Spencer St	29
8144	Bacchus Marsh	Spencer St	3
8151	Spencer St	Melton	14
8152	Melton	Spencer St	26
8153	Spencer St	Melton	27
8154	Melton	Spencer St	13
8155	Spencer St	Melton	46
8156	Melton	Spencer St	21
8157	Spencer St	Melton	187
8158	Melton	Spencer St	3
8183	Footscray	Bacchus Marsh	6
8201	Spencer St	Sth Geelong	18
8202	Geelong	Spencer St	116
8203	Spencer St	Sth Geelong	83
8204	Sth Geelong	Spencer St	127
8205	Spencer St	Sth Geelong	146
8206	Sth Geelong	Spencer St	128

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Service #	From	To	Total Pax
8207	Spencer St	Warrnambool	81
8209	Spencer St	Sth Geelong	51
8210	Sth Geelong	Spencer St	259
8211	Spencer St	Sth Geelong	48
8213	Spencer St	Sth Geelong	68
8214	Sth Geelong	Spencer St	323
8215	Spencer St	Sth Geelong	63
8216	Sth Geelong	Spencer St	261
8217	Spencer St	Warrnambool	102
8218	Sth Geelong	Spencer St	235
8219	Spencer St	Sth Geelong	69
8220	Warrnambool	Spencer St	218
8221	Spencer St	Sth Geelong	90
8222	Sth Geelong	Spencer St	156
8223	Spencer St	Sth Geelong	96
8224	Sth Geelong	Spencer St	129
8225	Spencer St	Sth Geelong	147
8226	Sth Geelong	Spencer St	99
8228	Sth Geelong	Spencer St	73
8229	Spencer St	Sth Geelong	303
8230	Sth Geelong	Spencer St	126
8232	Warrnambool	Spencer St	106
8233	Spencer St	Sth Geelong	330
8234	Sth Geelong	Spencer St	59
8237	Spencer St	Warrnambool	317
8238	Sth Geelong	Spencer St	68
8239	Spencer St	Sth Geelong	209
8240	Sth Geelong	Spencer St	71
8241	Spencer St	Sth Geelong	82
8242	Sth Geelong	Spencer St	68
8243	Spencer St	Sth Geelong	74
8244	Geelong	Spencer St	37
8245	Spencer St	Geelong	45
8246	Warrnambool	Spencer St	77
8247	Spencer St	Geelong	23
8248	Geelong	Spencer St	9
8249	Spencer St	Geelong	28
8302	Seymour	Spencer St	173
8303	Spencer St	Seymour	59
8304	Seymour	Spencer St	340
8305	Spencer St	Albury	41
8306	Seymour	Spencer St	464
8307	Spencer St	Shepparton	46
8308	Shepparton	Spencer St	118
8309	Spencer St	Seymour	18

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Service #	From	To	Total Pax
8310	Kilmore East	Spencer St	68
8311	Spencer St	Albury	107
8312	Albury	Spencer St	136
8313	Spencer St	Seymour	19
8314	Seymour	Spencer St	49
8315	Spencer St	Seymour	51
8316	Seymour	Spencer St	37
8317	Spencer St	Seymour	248
8318	Albury	Spencer St	112
8319	Spencer St	Seymour	221
8320	Donnybrook	Spencer St	18
8321	Spencer St	Albury	152
8323	Spencer St	Seymour	357
8324	Shepparton	Spencer St	97
8326	Seymour	Spencer St	19
8327	Spencer St	Shepparton	72
8329	Spencer St	Seymour	114
8332	Albury	Spencer St	48
8334	Donnybrook	Spencer St	15
8335	Spencer St	Donnybrook	5
8337	Spencer St	Donnybrook	8
8338	Donnybrook	Spencer St	6
8339	Spencer St	Donnybrook	19
8404	Traralgon	Spencer St	81
8405	Spencer St	Traralgon	131
8407	Spencer St	Bairnsdale	76
8411	Spencer St	Traralgon	78
8412	Bairnsdale	Spencer St	158
8413	Spencer St	Traralgon	36
8415	Spencer St	Sale	128
8416	Traralgon	Spencer St	244
8417	Spencer St	Traralgon	67
8419	Spencer St	Traralgon	125
8420	Traralgon	Spencer St	76
8424	Traralgon	Spencer St	67
8425	Spencer St	Warragul	40
8426	Traralgon	Spencer St	43
8428	Traralgon	Spencer St	45
8429	Spencer St	Traralgon	25
8431	Spencer St	Bairnsdale	430
8432	Bairnsdale	Spencer St	140
8436	Traralgon	Spencer St	126
8437	Spencer St	Traralgon	32
8438	Sale	Spencer St	70
8440	Warragul	Spencer St	5

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Service #	From	To	Total Pax
8480	Traralgon	Flinders St	223
8497	Flinders St	Traralgon	167
8499	Flinders St	Traralgon	201

Passengers Travelling on V/Line Coach Services by Route on Tuesday, 5th October 2004

Service	Total Pax
Apollo Bay – Geelong	11
Geelong – Apollo Bay	10
Apollo Bay – Geelong	10
Geelong – Apollo Bay	16
Apollo Bay – Geelong	10
Geelong – Apollo Bay	13
Apollo Bay – Geelong	4
Geelong – Apollo Bay	9
Warrnambool – Mt Gambier	22
Mt Gambier – Warrnambool	2
Mt Gambier/Heywood – Warrnambool	10
Warrnambool – Mt Gambier/Heywood	11
Warrnambool – Port Fairy	0
Port Fairy – Warrnambool	1
Warrnambool – Ballarat	9
Ballarat – Warrnambool	10
HORSHAM – BALLARAT	5
BALLARAT – NHILL	23
NHILL – BALLARAT	17
BALLARAT – NHILL	22
BALLARAT – NHILL	22
DIMBOOLA – BALLARAT	16
DIMBOOLA – BALLARAT	18
BALLARAT – HORSHAM	1
HAMILTON – BALLARAT	10
BALLARAT – HAMILTON/Mt GAMBIER	14
BALLARAT – HAMILTON	8
Mt Gambier/Hamilton – BALLARAT	8
CASTERTON – WARRNAMBOOL	17
WARRNAMBOOL – CASTERTON	13
OUYEN – BALLARAT	21
BALLARAT – OUYEN	26
DONALD – BALLARAT	18
BALLARAT – DONALD	17
BALLARAT – BENDIGO	3
BENDIGO – BALLARAT	2
BALLARAT – GEELONG	9
GEELONG – BALLARAT	10

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Service	Total Pax
BALLARAT – GEELONG	10
GEELONG – BALLARAT	13
MELBOURNE – BALLARAT	35
BALLARAT – MELBOURNE	23
MILDURA – MELBOURNE	23
MELBOURNE – MILDURA	36
MOAMA – BENDIGO	6
BENDIGO – MOAMA	25
MOAMA – BENDIGO	22
BENDIGO – MOAMA	10
DENILIQUN – MELB	27
MELBOURNE – DENILIQUN	27
BARHAM – MELBOURNE	11
MELBOURNE – BARHAM	17
MOAMA – MURCHISON EAST	1
MURCHISON EAST – MOAMA	12
MOAMA – MURCHISON EAST	9
MURCHISON EAST – MOAMA	2
MELB – STH/MOAMA	14
SHEPPARTON – MOAMA	3
MOAMA / SHEPPARTON – MELB.	18
BARMAH – MELBOURNE	7
MELBOURNE – BARMAH	8
MILDURA – ALBURY	13
BENDIGO – ADELAIDE	33
ADELAIDE – BENDIGO	29
BENDIGO – GEELONG	28
GEELONG – BENDIGO	22
SEA LAKE – BENDIGO	13
BENDIGO – SEA LAKE	12
BENDIGO – MILDURA	37
MILDURA – BENDIGO	27
SWAN HILL – BENDIGO	20
MILDURA – BENDIGO	12
SWAN HILL – BENDIGO	10
BENDIGO – SWAN HILL	14
WOODEND – DAYLESFORD	4
DAYLESFORD – WOODEND	3
WOODEND – DAYLESFORD	7
DAYLESFORD – WOODEND	5
Maryborough – Castlemaine	6
Castlemaine – Maryborough	59
Maryborough – Castlemaine	9
Castlemaine – Maryborough	7
Maryborough – Castlemaine	57

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Service	Total Pax
Castlemaine – Maryborough	8
Shepparton – Cobram	14
Cobram – Shepparton	16
Shepparton – Griffith	20
Griffith – Shepparton	23
ALBURY – ADELAIDE	36
ADELAIDE – ALBURY	33
WANGARATTA – BRIGHT	10
BRIGHT – WANGARATTA	24
WANGARATTA – COROWA	82
COROWA – WANGARATTA	82
BEECHWORTH – WANGARATTA	1
WANGARATTA – BEECHWORTH	1
BEECHWORTH – WANGARATTA	5
WODONGA – CANBERRA	16
CANBERRA – WODONGA	14
MELBOURNE – MANSFIELD	11
MANSFIELD – MELB	10
TOCUMWAL – MELB	43
MELBOURNE – TOCUMWAL	41
MULWALA – BENALLA	9
BENALLA – MULWALA	4
MULWALA – BENALLA	8
BENALLA – MULWALA	4
MELBOURNE – MANSFIELD	4
MANSFIELD – MELB	8
LANG LANG – DANDENONG	7
DANDENONG – LANG LANG	6
BAIRNSDALE – SALE	27
BAIRNSDALE – LAKES ENT.	4
LAKES ENTRANCE – SALE	41
SALE – LAKES ENT.	24
LAKES ENTRANCE – BAIRNSDALE	2
SALE – LAKES ENT.	42
SALE – LAKES ENTRANCE	15
Narooma/Batemans Bay – SALE	19
SALE – NAROOMA	13
CANBERRA – SALE	24
SALE – TRARALGON	10
TRARALGON – SALE	1
SALE – TRARALGON	12
TRARALGON – SALE	12
SALE – TRARALGON	0
TRARALGON – SALE	5
MELBOURNE – LEONGATHA	10

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Service	Total Pax
LEONGATHA – MELBOURNE	16
MELBOURNE – LEONGATHA	7
MELBOURNE – LEONGATHA	17
LEONGATHA – MELBOURNE	17
LEONGATHA – MELB	15
LEONGATHA – MELB.	12
MELBOURNE – LEONGATHA	10
MELBOURNE – YARRAM	24
YARRAM – MELB	29
COWES – ANDERSON	9
COWES – MELBOURNE	18
MELBOURNE – COWES	17
INVERLOCH – DANDENONG	17
INVERLOCH – MELB	17
MELBOURNE – INVERLOCH	15
INVERLOCH – DANDENONG	8
DANDENONG – INVERLOCH	13

Source: V/Line

Q3: What was the number of individual journeys, including those passengers connecting to V/Line or DOI road coach services made on the following lines in each of August 2002, August 2003 and August 2004.

Line	August 2002				August 2003				August 2004			
	Rail	Coach		Total	Rail	Coach		Total	Rail	Coach		Total
		VLP	DOI			VLP	DOI			VLP	DOI	
(a) Geelong/South Geelong	182,218			182,218	163,652			163,652	154,643			154,643
(b) beyond Sth Geelong to stations from Winchelsea to Warrnambool (1)	WCR		734	734	WCR		1,041	1,041	WCR		713	713
(c) Ballarat	136,287	1,561		137,848	132,469	1,916		134,385	121,651	1,460		123,111
(d) Beaufort to Ararat (2)		6,262		6,262		7,186		7,186	3,546		4,583	8,129
(e) Bendigo	152,340			152,340	150,406			150,406	148,881			148,881
(f) Dingee to Swan Hill (3)	3,814	1,127		4,941	3,609	1,114		4,723	3,302	799		4,101
(g) Seymour	76,672			76,672	77,893			77,893	86,299			86,299
(h) Nagambie to Shepparton (4)	Hoy's	1,329	207	1,536	Hoy's	1,377	143	1,520	7,386	1,207	123	8,716
(i) Avenel to Albury (5)	20,284		231	20,515	20,102		206	20,308	18,380		156	18,536
(j) Traralgon	74,781			74,781	75,833			75,833	70,394			70,394
(k) Rosedale to Bairnsdale (6)		4,651	1,018	5,669		5,311	1,306	6,617	10,954	2,411	985	14,350
(l) beyond Cranbourne to Leongatha (7)		3,369		3,369		2,956		2,956		2,927		2,927
(m) Beyond Cranbourne to Inverloch (8)		2,498		2,498		2,730		2,730		2,146		2,146

Source: V/Line

Notes:

- 'WCR' and 'Hoy's' indicates services that were formerly operated by West Coast Railway and Hoy's Roadlines. Detailed disaggregated boarding data could not be compiled for these services in the time available.
- Due to the way coach data is collected, patronage for coach services is for entire service and not broken down into sections. Coach services included in the above tables are as follows:
 - (1): Geelong – Warrnambool
 - (2): Ballarat – Dimboola/Horsham (via Ararat) and Ballarat – Hopetoun/Ouyen (via Ararat)
 - (3): Bendigo – Mildura (via Swan Hill) and Bendigo – Swan Hill
 - (4): Melbourne – Shepparton
 - (5): Melbourne – Albury
 - (6): Sale – Narooma (via Bairnsdale) and Sale – Lakes Entrance (via Bairnsdale)
 - (7): Melbourne – Leongatha
 - (8): Melbourne – Inverloch

Transport: V/Line fast rail project

619. Mr MULDER to ask the Minister for Transport —

- (1) Since 17 January 2005, why has V/Line not based a number of ‘Sprinter’ railcars or locomotive hauled passenger cars and ‘N’ class locomotives at Bendigo during the Sunbury to Bendigo Fast Rail project shutdown to run passenger train services to Rochester, Echuca, Kerang and Swan Hill.
- (2) Will V/Line reconsider this decision.
- (3) Why has V/Line based a ‘Sprinter’ railcar at Ballarat to run train services to Beaufort and Ararat during the Bacchus March to Ballarat Fast Rail shutdowns that commenced in February.
- (4) Are alternative normally freight-only routes via Maryborough and Inglewood to Bendigo and via Meredith to Ballarat both available to transfer passenger trains to or from Bendigo or Ballarat in the event of breakdowns or maintenance being required while the normal routes via Kyneton and Ballan respectively are closed due to Fast Rail works.
- (5) Why are residents of towns north and northwest of Bendigo being treated differently from residents of Beaufort and Ararat.
- (6) What percentage of patronage changes have occurred on the Bendigo to Echuca former rail services and Bendigo to Kerang and Swan Hill former rail services since 17 January 2005 when these trains were replaced by coaches, compared with the same period in 2004 when trains ran the services.

ANSWER:

As at the date the question was raised, the answer is:

1. V/Line’s decision not to base locomotives and other rolling stock in Bendigo to operate train services to Swan Hill and Echuca during the Regional Fast Rail (RFR) shutdown was for the following reasons:
 - locomotives and railcars were required to operate a shuttle service between Melbourne and Sunbury on the Bendigo Line;
 - a desire to minimise the number of changes that customers would need to make from coaches to trains (ie multiple transport modes); and
 - operational issues in relation to servicing of trains at these locations during the line upgrade.
2. Yes. V/Line reinstated Swan Hill to Bendigo train services from Saturday, April 16. Services from Bendigo to Echuca will continue to be operated by road coaches.
3. V/Line has based a Sprinter railcar in Ballarat, during the Ballarat line RFR closure, to operate Ararat line services because of the availability and access to facilities to maintain Sprinter railcar sets in Ballarat.
4. Yes.
5. V/Line is not showing any bias to Ararat line residents versus those in towns north and north-west of Bendigo by continuing to operate trains during the period of the Bendigo Line RFR shutdown. There have been occasions where Ararat line services have also been replaced with buses due to RFR works on the Ballarat line.
6. This information is not yet available.

Transport: V/Line punctuality targets

629. Mr MULDER to ask the Minister for Transport with reference to compensation claims that V/Line Passenger Services Pty Ltd, V/Line Passenger Corporation, Metlink or the Department of Infrastructure received for V/Line’s failure to meet punctuality targets —

- (1) How many claims for compensation were received in each month between August 2004 and January 2005 on each of the following rail corridors —
 - (a) Geelong–Warrnambool;
 - (b) Ballarat–Ararat;
 - (c) Bendigo–Swan Hill–Echuca;
 - (d) Seymour–Albury–Shepparton;
 - (e) Warragul–Bairnsdale.
- (2) How much has been paid in compensation for each month between August 2004 and January 2005 on each of the following rail corridors —
 - (a) Geelong–Warrnambool;
 - (b) Ballarat–Ararat;
 - (c) Bendigo–Swan Hill–Echuca;
 - (d) Seymour–Albury–Shepparton;
 - (e) Warragul–Bairnsdale.

ANSWER:

As at the date the question was raised, the answer is:

- (1) See Tables below.

Number Of Claims

	Swan Hill Bendigo Echuca	Ararat Ballarat	Bairnsdale Traralgon Warragul	Albury Seymour	Warrnambool Geelong
Aug '04	9	Nil	9	3	4
Sept '04	23	Nil	10	5	2
Oct '04	24	4	12	5	14
Nov '04	34	9	16	3	51
Dec '04	13	10	10	4	37
Jan '05	32	17	17	3	46
TOTAL	135	40	74	23	154

- (2)

Compensation Payments

	Swan Hill Bendigo Echuca	Ararat Ballarat	Bairnsdale Traralgon Warragul	Albury Seymour	Warrnambool Geelong
Aug '04	\$345	Nil	\$386	\$39	\$143
Sept '04	\$1135	Nil	\$248	\$161	\$41

	Swan Hill Bendigo Echuca	Ararat Ballarat	Bairnsdale Traralgon Warragul	Albury Seymour	Warrnambool Geelong
Oct '04	\$1209	\$85	\$565	\$107	\$280
Nov '04	\$1437	\$191	\$793	\$304	\$1246
Dec '04	\$523	\$284	\$690	\$219	\$1110
Jan '05	\$1607	\$619	\$741	\$37	\$1582
TOTAL	\$6256	\$1179	\$3423	\$867	\$4402

Transport: question on notice 578

641. Mr THOMPSON to ask the Minister for Transport — when will question 578 asked on 9 November 2004 be answered.

ANSWER:

The question mentioned above has been answered.

Transport: West Gate Bridge traffic

657. Mr MULDER to ask the Minister for Transport with reference to traffic volumes on the West Gate Bridge between 1992 and 2005 —

- (1) For each year, how many vehicles or axle loads used the West Gate Bridge on a typical weekday in the —
 - (a) morning peak travelling eastbound;
 - (b) evening peak travelling eastbound;
 - (c) morning peak travelling westbound;
 - (d) evening peak travelling westbound.
- (2) In each year, on a typical weekday how many vehicles per hour are estimated to have travelled —
 - (a) eastbound during the morning peak;
 - (b) eastbound during the evening peak;
 - (c) westbound during the morning peak;
 - (d) westbound during the evening peak.
- (3) For each year, what proportion of a typical peak hour did VicRoads estimate the West Gate Bridge to be at capacity when the traffic travelled —
 - (a) eastbound;
 - (b) westbound.
- (4) What was the estimated typical travel time in minutes between Kings Way or Todd Road and the Western Ring Road or exit along the West Gate Freeway on a typical weekday in the —
 - (a) morning peak travelling eastbound;
 - (b) evening peak travelling eastbound;
 - (c) morning peak travelling westbound;

- (d) evening peak travelling westbound.
- (5) For each year, what was the average speed of vehicles during the —
 - (a) morning peak travelling eastbound;
 - (b) evening peak travelling eastbound;
 - (c) morning peak travelling westbound;
 - (d) evening peak travelling westbound.

ANSWER:

I am informed as follows:

Definitions:

For the purpose of answering Question number 1:

- The AM peak is defined as the total volume between the hours of 6 am to 9 am.
- The PM peak is defined as the total volume between the hours of 4 pm to 6 pm.

For the purpose of answering Question number 2:

- The AM peak is defined as the first occurrence of the highest hourly volume any time from 12 midnight to 12 noon.
- The PM peak is defined as the first occurrence of the highest hourly volume any time from 12 noon to 12 midnight.

1. The table titled ‘Table 1 – Vehicles per weekday on West Gate Bridge’ addresses Question number 1.
2. The table titled ‘Table 2 – Traffic Volume (Vehicles Per Hour)’ addresses Question number 2.
3. The table titled ‘Table 3 – Estimate of West Gate Bridge at Capacity’ addresses Question number 3.
4. The table titled ‘Table 4 – Average Travel Time (minutes) West Gate Freeway between Kings Way and Western Ring Road’ addresses Question number 4.
5. The table titled ‘Table 5 – Average Speed of vehicles (km/hr) on West Gate Bridge between Williamstown Road and Cook Street’ addresses Question number 5. It should be noted that the average speed of vehicles along the West Gate Bridge between Williamstown Road and Cook Street contains speed zones of 80 km/h and 100 km/h.

Table 1 – Vehicles per weekday on West Gate Bridge			
Data	Year	East Bound	West Bound
Average AM Peak	1992	16,166	
	1993	16,118	8,341
	1994	17,627	9,060
	1995	17,946	9,213
	1996	18,208	9,659
	1997	19,398	10,393
	1998	19,558	10,878
	1999	20,629	11,189
	2000	19,400	10,846
	2001	20,861	11,199

Data	Year	East Bound	West Bound
	2002	20,498	11,489
	2003	19,992	11,481
	2004	20,806	11,725
Average PM Peak	1992	7,468	
	1993	7,264	11,336
	1994	7,593	12,102
	1995	7,851	12,534
	1996	8,179	12,814
	1997	8,942	13,115
	1998	9,282	13,649
	1999	9,290	13,250
	2000	9,026	13,106
	2001	9,741	14,312
	2002	10,147	14,293
	2003	10,471	13,764
	2004	10,309	13,648

Please note:
 AM Peak – 6 am to 9 am
 PM Peak – 4 pm to 6 pm

Data	YEAR	West Gate Freeway Eastbound – East of Todd Road on Bridge	West Gate Freeway Westbound – East of Todd Road on Bridge
AM Peak	1992	6537	
	1993	6875	3323
	1994	7102	3515
	1995	7254	3591
	1996	7345	3674
	1997	7623	4109
	1998	7438	4217
	1999	7894	4397
	2000	7672	4235
	2001	7885	4368
	2002	7689	4403
	2003	7801	4527
	2004	7819	4603
PM Peak	1992	3830	
	1993	3701	6328
	1994	3854	6788

Table 2 – Traffic Volume (Vehicles Per Hour)			
Data	YEAR	West Gate Freeway Eastbound – East of Todd Road on Bridge	West Gate Freeway Westbound – East of Todd Road on Bridge
	1995	3955	6962
	1996	4100	7159
	1997	4554	7125
	1998	4700	7144
	1999	4750	6902
	2000	4516	7190
	2001	4957	7780
	2002	5156	7558
	2003	5351	7342
	2004	5317	7109

Table 3 – Estimate of West Gate Bridge at Capacity			
Data	YEAR	West Gate Bridge (Eastbound) Proportion of Freeway at Capacity (%)	West Gate Bridge (Westbound) Proportion of Freeway at Capacity (%)
AM Peak	1992	0	0
	1993	0	0
	1994	0	0
	1995	2	0
	1996	5	0
	1997	27	0
	1998	8	0
	1999	47	0
	2000	33	0
	2001	65	0
	2002	30	0
PM Peak	2003	35	0
	2004	50	0
	1992	0	0
	1993	0	0
	1994	0	0
	1995	0	0
	1996	0	0
	1997	0	0
	1998	0	0
	1999	0	0
	2000	0	0
2001	0	20	

Table 3 – Estimate of West Gate Bridge at Capacity			
Data	YEAR	West Gate Bridge (Eastbound) Proportion of Freeway at Capacity (%)	West Gate Bridge (Westbound) Proportion of Freeway at Capacity (%)
	2002	0	15
	2003	0	0
	2004	0	5

* 0 means the bridge is below capacity

* >0 means the bridge is that percentage above capacity

Table 4 – Average Travel Time (minutes) West Gate Freeway between Kings Way and Western Ring Road			
Data	Year	West Bound	East Bound
AM Peak Travel Time	1994	8.61	11.26
	1995	8.83	10.10
	1996	8.61	11.74
	1997	8.94	13.66
	1998	8.86	11.85
	1999	9.01	14.65
	2000	8.77	14.71
	2001	8.78	9.51
	2002	9.13	15.59
	2003	9.59	19.44
	2004	9.89	25.37
PM Peak Travel Time	1994	8.59	8.77
	1995	8.88	9.23
	1996	9.20	8.50
	1997	8.87	8.92
	1998	10.87	9.12
	1999	9.53	10.75
	2000	9.57	13.89
	2001	8.81	8.90
	2002	9.70	9.15
	2003	10.02	9.64
	2004	9.64	9.28
2005	10.80	9.94	

Table 5 – Average Speed of vehicles (km/hr) on West Gate Bridge between Williamstown Road and Cook Street			
Year	Data	Speed (km/hr)	
		Eastbound	Westbound
1994	AMPK Speed	80.7	84.1
	PMPK Speed	89.3	85.1
1995	AMPK Speed	77.2	84.8
	PMPK Speed	74.8	84.1
1996	AMPK Speed	79.8	85.4
	PMPK Speed	87.8	72.2
1997	AMPK Speed	68.3	74.9
	PMPK Speed	86.7	80.0
1998	AMPK Speed	83.6	84.8
	PMPK Speed	84.0	75.3
1999	AMPK Speed	73.3	94.6
	PMPK Speed	75.6	93.7
2000	AMPK Speed	82.3	89.2
	PMPK Speed	84.1	76.2
2001	AMPK Speed	91.4	89.5
	PMPK Speed	91.6	90.6
2002	AMPK Speed	58.2	80.8
	PMPK Speed	76.8	75.8
2003	AMPK Speed	38.5	69.8
	PMPK Speed	78.0	69.1
2004	AMPK Speed	49.6	67.9
	PMPK Speed	77.4	74.0

Please note: The speed limit along this section can vary from 80 kph to 100 kph

Transport: question on notice 573

662. Mr THOMPSON to ask the Minister for Transport — when will question 573 asked on 9 November 2004 be answered.

ANSWER:

The question mentioned above has been answered.

Transport: V/Line punctuality targets

672. Mr MULDER to ask the Minister for Transport with reference to 2005–06 V/Line punctuality targets —

- (1) Do the Budget Papers set a 2005–06 punctuality target for V/Line of 87 per cent; if so, is this target five per cent below V/Line’s normal monthly target for punctuality.

- (2) What percentage punctuality does the Government or V/Line expect to achieve in 2005–06 for each of the following lines —
- (a) Geelong–Colac–Warrnambool;
 - (b) Ballarat–Ararat;
 - (c) Sunbury–Kyneton–Castlemaine–Bendigo–Swan Hill and Echuca;
 - (d) Kilmore East–Seymour–Shepparton and Albury;
 - (e) Warragul–Traralgon–Bairnsdale.

ANSWER:

As at the date the question was raised, the answer is:

- (1) Yes, however the current threshold of 92% will continue to be applied in terms of compensation payments to customers.
Yes.
- (2a –e) 87 per cent.

Transport: V/Line compensation

673. Mr MULDER to ask the Minister for Transport with reference to V/Line compensation claims between August 2004 and March 2005 for failure to meet punctuality targets —

- (1) For each month, how many claims for compensation did V/Line Passenger Corporation, V/Line Passenger Services Pty Ltd, Metlink or the Department of Infrastructure receive for each of the following lines —
- (a) Geelong–Colac–Warrnambool;
 - (b) Ballarat–Ararat;
 - (c) Sunbury–Kyneton–Castlemaine–Bendigo–Swan Hill and Echuca;
 - (d) Kilmore East–Seymour–Shepparton and Albury;
 - (e) Warragul–Traralgon–Bairnsdale.
- (2) For each month, how much has been paid in compensation for each of the following lines —
- (a) Geelong–Colac–Warrnambool;
 - (b) Ballarat–Ararat;
 - (c) Sunbury–Kyneton–Castlemaine–Bendigo–Swan Hill and Echuca;
 - (d) Kilmore East–Seymour–Shepparton and Albury;
 - (e) Warragul–Traralgon–Bairnsdale.

ANSWER:

As at the date the question was raised, the answer is:

The information requested is provided in the following table. The information sought can only be provided for the broad rail corridors rather than specific line segments as has been requested.

V/Line - Claims for Passenger Compensation - August 2004 to March 2005

Line Group	ARARAT		BENDIGO		BAIRNSDALE		GEELONG/W/BOUL		SEYMOUR		OTHER		
	Month	Year	No.	Value	No.	Value	No.	Value	No.	Value	No.	Value	
	AUGUST	2004		Nil	9	\$344.80	9	\$385.80	4	\$143.00	4	\$38.80	Nil
	SEPTEMBER	2004		Nil	23	\$1,135.00	10	\$248.40	2	\$40.80	5	\$161.40	Nil
	OCTOBER	2004	4	\$84.80	24	\$1,209.00	12	\$564.00	14	\$280.00	5	\$106.60	Nil
	NOVEMBER	2004	9	\$190.60	34	\$1,437.00	16	\$793.00	52	\$1,266.00	4	\$313.40	Nil
	DECEMBER	2004	11	\$340.00	13	\$522.80	10	\$689.90	37	\$1,110.00	4	\$219.20	Nil
	JANUARY	2005	17	\$618.90	32	\$1,607.00	17	\$741.00	46	\$1,582.00	3	\$37.20	Nil
	FEBRUARY	2005	14	\$591.90	10	\$482.50	6	\$279.00	22	\$876.20	2	\$27.70	Nil
	MARCH	2005	13	\$261.00	4	\$236.00	7	\$237.00	12	\$421.40	3	\$84.70	Nil
	No. of Claims Received****		68		149		87		189		30		0
	Value of Claims Paid		\$2,087.20		\$6,974.10		\$3,938.10		\$5,719.40		\$989.00		\$ -

****Represents the number of claims received that met the criteria for payment of compensation

Transport: compensation claims

674. **Mr MULDER** to ask the Minister for Transport with reference to compensation claims for unpunctual services in February 2005 —

- (1) How many claims were received by —
 - (a) Connex;
 - (b) Yarra Trams;
 - (c) Metlink;
 - (d) OneLink;
 - (e) Department of Infrastructure.
- (2) How many claims received by each of Connex, Yarra Trams, Metlink, OneLink and the Department of Infrastructure were for ticket-holders with a ticket for —
 - (a) Zone 1;
 - (b) Zone 2;
 - (c) Zone 3;
 - (d) Zones 1 and 2;
 - (e) Zones 2 and 3.
- (3) For each of Connex, Yarra Trams, Metlink, OneLink and the Department of Infrastructure, what was the amount in compensation paid to ticket-holders with a ticket for —
 - (a) Zone 1;
 - (b) Zone 2;
 - (c) Zone 3;
 - (d) Zones 1 and 2;
 - (e) Zones 2 and 3.
- (4) When will compensation be paid on a line-by-line (train) or route-by-route (tram) basis for ticket-holders with tickets valid for four weeks or more.

ANSWER:

As at the date the question was raised, the answer is:

- (1)
 - (a) Connex – 4726;
 - (b) Yarra Trams – 233.
 - (c) Not applicable – Metlink is not a recipient of claims for unpunctual services
 - (d) Not applicable – OneLink is not a recipient of claims for unpunctual services
 - (e) Not applicable – the Department of Infrastructure is not a recipient of claims for unpunctual services

(2)

Connex:

- (a) Zone 1: 1994
- (b) Zone 2: 28
- (c) Zone 3: 11
- (d) Zone 1+2: 1728
- (e) Zone 2+3: 73
- (f) Zone 1+2+3: 892

Yarra Trams:

- (a) Zone 1: 179
- (b) Zone 2: 52
- (c) Zone 1+2: 2
- (d) Not applicable
- (e) Not applicable

Metlink, OneLink and the Department of Infrastructure – not applicable.

(3)

Connex:

- (a) Zone 1: \$11,363.40
- (b) Zone 2: \$110.70
- (c) Zone 3: \$45.10
- (d) Zone 1+2: \$15,855.50
- (e) Zone 2+3: \$560.90
Zone 1+2+3: \$10,664.00

Yarra Trams:

- (a) Zone 1: \$1056.10
- (b) Zone 2: \$213.20
- (c) Zone 1+2: \$19.00
- (d) Not applicable
- (e) Not applicable

Metlink, OneLink and the Department of Infrastructure – not applicable.

(4) There are no plans to introduce route-by-route or line-by-line compensation.

Transport: channel deepening project

- 692.** Ms ASHER to ask the Minister for Transport with reference to the channel deepening project — will the Dynamic Under Keel Clearance technology be considered as a part of the Environment Effects Study process on this project.

ANSWER:

As at the date the question was raised, the answer is:

The preparation and content of the Assessment Guidelines for the Supplementary Environment Effects Statement for the channel deepening project are the portfolio responsibility of the Minister for Planning.

This question should therefore be redirected to the Minister for Planning for response.

Transport: concession fare passengers

- 715.** Mr MULDER to ask the Minister for Transport — what percentage of fare-paying passengers travelling beyond Traralgon to East Gippsland and beyond Ballarat to western Victoria pay a concession fare.

ANSWER:

As at the date the question was raised, the answer is:

Between 1 January 2005 and 31 March 2005, 58 per cent of fare paying passengers travelling between Traralgon and to East Gippsland paid a concession fare, and 62 per cent of fare paying passengers travelling beyond Ballarat to western Victoria paid a concession fare.

Transport: V/Line revenue and expenses

- 717.** Mr MULDER to ask the Minister for Transport — what was V/Line's estimated cashbox fare revenue (excluding Government reimbursement of concession fares) and estimated operating expenses for each of the Ararat and Bairnsdale services since rail services have resumed.

ANSWER:

As at the date the question was raised, the answer is:

V/Line's passenger services to both Ararat and Bairnsdale are heavily integrated with a range of other train services to various destinations in both corridors. Because these are not operated as 'stand alone' operations, where costs and revenue can be precisely identified, it is not possible to provide a response to the Member for Polwarth's question.

Transport: adult fare passengers

- 718.** Mr MULDER to ask the Minister for Transport — do 42 per cent of V/Line passengers across its entire network pay an adult fare; if not, what is the percentage.

ANSWER:

As at the date the question was raised, the answer is:

Yes.

Transport: V/Line staff accommodation

719. Mr MULDER to ask the Minister for Transport —

- (1) Since the resumption of rail services, what amount has V/Line spent on accommodation in Bairnsdale for its conductors or catering assistants.
- (2) Have any staff other than conductors or catering assistants been accommodated at Bairnsdale; if so, what rank of employee have been accommodated and what has been the total expenditure on each rank of employee since 3 May 2004.

ANSWER:

As at the date the question was raised, the answer is:

1. \$55,526.75
2. Yes, staff including drivers, regional managers and other head office employees have been accommodated in Bairnsdale. Accommodation costs for these staff are not assigned to particular stations and are not captured in a manner that would permit an amount to be calculated for Bairnsdale.

Transport: public transport modal shares

722. Mr MULDER to ask the Minister for Transport —

- (1) Is public transport's modal share of trips in Melbourne 7.5 per cent, as stated at a recent Environment Victoria symposium held in the Department of Infrastructure theatre; if not, what is the correct percentage.
- (2) By what percentage are total passenger trips (by any mode) forecast to increase in Melbourne in —
 - (a) 2005–06;
 - (b) 2006–07.

ANSWER:

As at the date the question was raised, the answer is:

- (1) No. Surveys indicate that public transport's mode share of motorised trips has risen from 9.6 per cent in 1999 to 10.7 per cent in 2002.
- (2) The Department of Infrastructure monitors trends in public transport patronage and reports results from time to time.

Transport: Yarra Trams routes 78 and 79

723. Mr MULDER to ask the Minister for Transport —

- (1) Will the 'W' class trams operating along Chapel Street receive destination rolls modified to include destinations such as North Richmond, Prahran and St Kilda Beach; if so, when.
- (2) Can temporary signs for attachment to the front of drivers' cabs and similar to those provided for green-painted 'W' class trams operating on the City Circle route be provided forthwith; if not, why not.

ANSWER:

As at the date the question was raised, the answer is:

- (1) Yarra Trams has been investigating means to reprint tram roll destination screens but this is a specialised task and a supplier has yet to be sourced. Therefore Yarra Trams is to attach to the existing screen roll the three key route destinations of North Richmond, Prahran and St Kilda. It is expected that this fitment will occur over the next month.
- (2) In the interim, trams have been operating with destination information provided via the placement of corflute signs in their front and back windows.

Transport: Richmond railway station shelters

724. Mr MULDER to ask the Minister for Transport with reference to damaged glass passenger shelters —

- (1) Have some passenger shelters on a number of platforms recently been damaged by white paint etched into the glass.
- (2) Will the damaged glass be replaced; if so, when; if not, why not.
- (3) Is there a treatment available to return glass damaged in this way to a near-pristine state; if so, what is it and what is the cost.
- (4) What is the cost of a single glass panel used in shelters installed on Connex platforms.

ANSWER:

As at the date the question was raised, the answer is:

- (1) No – it is acid painted onto the glass
- (2) Yes – Connex is currently arranging quotes.
- (3) The glass in most of the shelters has been scratched, and some of the glass panels have been damaged using an acid which has eaten into the surface of the glass. From discussions with glass replacement companies, it is not cost effective to try and grind out the scratches.
- (4) Cost estimate is \$700.

Transport: Gordon railway station platform

731. Mr MULDER to ask the Minister for Transport —

- (1) What is the estimated cost of re-slewing the track at Gordon to realign with the existing wooden passenger platform.
- (2) What is the estimated cost of repairing this existing platform.
- (3) What is the length of the existing platform.
- (4) What is the maximum number of carriages that could be accommodated for services stopping at Gordon ensuring all doors are on the platform for each of —
 - (a) V'locity railcars;
 - (b) Sprinter railcars;
 - (c) 'N' set cars;
 - (d) 'H' set cars.

- (5) What is the estimated cost of constructing a basic steel and concrete platform on the existing alignment with step and ramp access and a single passenger shelter that is away from the existing wooden platform, long enough to fit a —
- (a) two car V'locity railcar set;
 - (b) three car 'N' set;
 - (c) five car 'H' set;
 - (d) four car V'locity set.

ANSWER:

As at the date the question was raised, the answer is:

- (1) There have been no engineering studies or surveys undertaken to assess the cost for reinstatement of the former Gordon Railway Station and platform or to construct a new station.
- (2) See (1) above.
- (3) The existing platform is approximately 21m long.
- (4)
 - (a) V'locity railcars – none.
 - (b) Sprinter railcars – one.
 - (c) N set cars – none.
 - (d) H set cars – none.
- (5) See (1) above.

Transport: vehicle traffic

732. Mr MULDER to ask the Minister for Transport with reference to traffic count survey points for each of Calder Freeway/Highway between Bendigo, Keilor and the junction point with CityLink; Western Highway/Freeway between Ballarat and Deer Park; Princes Freeway East or Princes Highway East between Bairnsdale and the commencement of the Monash Freeway; South Gippsland Highway between Leongatha and Dandenong; Bass Highway between Inverloch and the junction with the South Gippsland Highway; Geelong Road/Princes Freeway West or Princes Highway West between the West Gate Bridge and Warrnambool; Hume Freeway between Seymour and Craigieburn; Western Ring Road; Alexandra Parade, Fitzroy/Collingwood; Hoddle Street, Abbotsford/Collingwood/East Melbourne/Richmond; Punt Road, Richmond/South Yarra/Prahran/Windsor; Dandenong Road between Windsor/St Kilda East and Dandenong; Middleborough Road/Stephensons Road/Clayton Road between Box Hill and Clayton; Station Street, Box Hill; Blackburn Road, Blackburn between Clayton and Blackburn —

- (1) What is the estimated growth of vehicular traffic for each of —
 - (a) 2004–05;
 - (b) 2005–06;
 - (c) 2006–07.
- (2) At what points on each road is traffic counted.
- (3) What was the date of the most recent survey and how many vehicles were using each road at each counting point on that date.

ANSWER:

As at the date the question was raised, the answer is:

1. VicRoads does not have estimated growth of vehicular traffic for the periods of 2004–05, 2005–06 and 2006–07 on the requested roads.

Currently VicRoads undertakes comprehensive growth studies at every 10 year interval (ie. 2001, 2011, 2021, 2031, etc).

2. The table titled ‘Table 1 – Estimates of average two-way daily traffic for a set of road links defined by Road Name and Municipality’ addresses question number 2.

The column titled ‘Location Description’ for both directions of travel identifies each point on a road that data is counted.

3. The table titled ‘Table 1 – Estimates of average two-way daily traffic for a set of road links defined by Road Name and Municipality’ addresses question number 3.

The column titled ‘Flow Direction and End Date of Sample Count’ for both directions of travel identifies the date that the data was collected for each location. It should be noted that the data is sourced from weekly samples and summarised by year.

The column titled ‘Estimated ADT All Vehicles’ for both directions identifies the Average Daily Traffic (ADT) volumes at each location at the corresponding date.

TRAFFIC GROWTH AT VARIOUS NOMINATED LOCATIONS

TABLE 1 – Estimates of average two-way daily traffic for a set of road links defined by Road Name and Municipality

Road Name	Flow Direction and End Date of Sample Count	Estimated ADT All Vehicles	Actual Source Data – First Direction of Travel
BASS HWY	W BD to 26-Nov-01	3378	Bass Hwy 300m W of Lower Powlett Rd @ 127.7km from Melbourne
BASS HWY	SW BD to 17-Oct-01	1389	Bass Hwy 100m SW of Whitelaws Trk @ 162.7km from Melbourne
BASS HWY	S BD to 24-Nov-03	4928	Bass Hwy 500m S of Sth Gippsland Hwy
BLACKBURN RD	SE BD to 29-Apr-01	12763	Blackburn Rd Dep N from Eastern Fwy
BLACKBURN RD	S BD to 09-May-04	17995	Blackburn Rd N of Ferntree Gully Rd
BLACKBURN RD	S BD to 26-Mar-98	11463	Surrey Rd N of Springfield Rd
CALDER HWY	SE BD to 02-May-04	33770	Calder Fwy btw Ramps to Melton Hwy & Green Gully Rd
CALDER HWY	SE BD to 05-Dec-03	10870	Calder Fwy btw Gap Rd & Vineyard Rd
CALDER HWY	W BD to 21-Oct-04	37141	Calder Fwy W of Tullamarine Fwy
CALDER HWY	S BD to 24-Jun-98	375	Calder Hwy 500m N of Birchip-Wycheproof Rd @ 287.0km from Melbourne
CALDER HWY	S BD to 09-Sep-03	6168	Calder Hwy S of Lansell Plaza Shopping Centre Departure
CALDER HWY	W BD to 11-Dec-01	1151	Calder Hwy 1.8km NW of Bridgewater-Dunolly Rd @ 190.0km from Melbourne
CALDER HWY	S BD to 28-Feb-02	5209	Calder Hwy 100m N of Donovans Rd @ 74.3km from Melbourne
CALDER HWY	S BD to 10-May-98	3882	Calder Hwy 100m S of De-Labeche St @ 102.4km from Melbourne
CALDER HWY	S BD to 08-May-03	1474	Calder Hwy btw Rantfurly Way & Game St
DONCASTER-MORDIALLOC RD	S BD to 07-Sep-03	9645	Clayton Rd N of Fairbank Rd
DONCASTER-MORDIALLOC RD	S BD to 13-Mar-05	6974	Victoria St N of Doncaster Rd
DONCASTER-MORDIALLOC RD	S BD to 13-Feb-05	12282	Clayton Rd N of Dunstan St
DONCASTER-MORDIALLOC RD	S BD to 08-May-03	13402	Middleborough Rd S of Whitehorse Rd Departure
ALEXANDER PARADE	W BD to 13-Mar-05	40969	Alexandra Pde E of Nicholson St
HODDLE ST	S BD to 22-Jul-98	34359	Hoddle St N of Johnston St
HODDLE MAIN RD	S BD to 30-Mar-03	20606	Hoddle St N of South Terrace
PUNT RD / HODDLE ST	S BD to 28-Nov-99	22388	Punt Rd N of Moubray St
PUNT RD / HODDLE ST	S BD to 13-Feb-05	19768	Punt Rd N of Union St

Actual Source Data – First Direction of Travel	
Road Name	Actual Source Data – First Direction of Travel
Road Name	Location Description
Flow Direction and End Date of Sample Count	Estimated ADT All Vehicles
PUNT RD / HODDLE MAIN RD	Barkly St N of Inkerman St
HUME HWY	Hume Hwy S of Somerton Rd
HUME HWY	Hume Fwy 4.8 km N of Benalla-Winton Rd @208.3km Post
HUME HWY	Hume Fwy 259.1km btw Springhurst & Chiltern (Speed Validated Only)
HUME HWY	Hume Fwy 100m S of Alexandersons Rd @ 124.1km from Melbourne
HUME HWY	Hume Fwy 350m S of Wangaratta-Whitfield Rd @234.4km from Melbourne
HUME HWY	Hume Fwy Southwest of Murray Valley Hwy @302.5km Post
HUME HWY	Hume Fwy 120m N of Wallan-Whittlesea Rd @ 45.5km from Melbourne
PRINCES HWY EAST / DANDENONG RD	Princes Hwy 500m E of Telephone Rd @ 127.6km Post
PRINCES HWY EAST / DANDENONG RD	Princes Hwy East 100m W of Racecourse Rd @276.3km from Melbourne
PRINCES HWY EAST / DANDENONG RD	Princes Fwy East 500m W of Monash Way @151.1km Post
PRINCES HWY EAST / DANDENONG RD	Princes Hwy East E of Sale-Heyfield Rd
PRINCES HWY EAST / DANDENONG RD	Kingsway S of Flinders St
PRINCES HWY EAST / DANDENONG RD	Queens Rd NW of Union St
PRINCES HWY EAST / DANDENONG RD	Princes Hwy 50.2km btw Berwick & Pakenham (Speed Validated Only)
PRINCES HWY EAST / DANDENONG RD	Princes Hwy NW of Narre-Warren Rd
PRINCES HWY EAST / DANDENONG RD	Princes Hwy E NW of Gladstone Rd
PRINCES HWY EAST / DANDENONG RD	Princes Hwy NW of Wellington Rd
PRINCES HWY EAST / DANDENONG RD	Princes Hwy East btw Wilmot St & Macgregor St
PRINCES HWY WEST	Princes Hwy West SW of Grieve Pde
PRINCES HWY WEST	Princes Fwy West btw West Gate Fwy & Kororoit Ck Rd Outbound
PRINCES HWY WEST	Ballarat Rd E of Moore St
PRINCES HWY WEST	Smithfield Rd SW of Epsom Rd
PRINCES HWY WEST	Racecourse Rd E of Western Link
PRINCES HWY WEST	Princes Fwy NE of Jetty Rd
PRINCES HWY WEST	Princes Hwy West E of Colac @ 144.9km Post

QUESTIONS ON NOTICE

Road Name	Flow Direction and End Date of Sample Count	Estimated ADT All Vehicles	Actual Source Data – First Direction of Travel
PRINCES HWY WEST	W BD to 23-Aug-99	1560	Princes Hwy West 600m W of Roycrofts Rd @207.1km from Melbourne
PRINCES HWY WEST	W BD to 19-Feb-05	974	Princes Hwy West btw Mount Clay Rd & Lovells La
PRINCES HWY WEST	S BD to 13-Sep-03	18425	Settlement Rd N of Breakwater Rd
PRINCES HWY WEST	W BD to 23-Aug-99	2969	Princes Hwy West 600m W of Great Ocean Rd @250.6km from Melbourne
SOUTH GIPPSLAND HWY	S BD to 22-May-00	1819	Sth Gippsland Hwy N of Koonwarra-Inverloch Rd
SOUTH GIPPSLAND HWY	S BD to 07-Nov-02	1248	South Gippsland Hwy 120m S of Meadows Rd @215.0km from Melbourne
SOUTH GIPPSLAND HWY	S BD to 26-May-04	5150	Sth Gippsland Hwy N of Western Port Rd
SOUTH GIPPSLAND HWY	S BD to 31-Aug-04	13220	High St N of Lyall St
SOUTH GIPPSLAND HWY	S BD to 03-Aug-01	10432	South Gippsland Hwy S of Fowler Rd
STATION ST	S BD to 21-Jun-00	11938	Tram Rd N of Eastern Fwy Ramp
STATION ST	S BD to 25-Apr-04	10273	Station St N of Woodhouse Gve
WEST GATE FWY	W BD to 13-Nov-04	66817	West Gate Fwy btw Williamstown & Millers Rd Outbound
WEST GATE FWY	W BD to 19-Sep-04	67415	West Gate Fwy E of Todd Rd on Bridge
WESTERN HWY	W BD to 24-Feb-02	22171	Western Hwy E of Cornwall Rd
WESTERN HWY	W BD to 02-Mar-00	14132	Ballarat Rd W of Gordon St
WESTERN HWY	W BD to 22-Jul-98	17808	Western Hwy W of Sinclairs Rd
WESTERN HWY	W BD to 24-Apr-05	2850	Western Hwy 200m NW of Petticoat Gully Rd @208.4km from Melbourne
WESTERN HWY	W BD to 22-Jun-98	3102	Western Fwy 900m W of Daylesford-Ballarat Rd @106.9km Post
WESTERN HWY	W BD to 09-Dec-03	1454	Western Hwy 800m W of & Dinboola-Rainbow Rd (335.0km)
WESTERN RING RD	SE BD to 14-Nov-04	49240	Western Ring Rd btw Fitzgerald Rd & Boundary Rd Inbound
WESTERN RING RD	S BD to 14-Nov-04	49593	Western Ring Rd btw Hume Hwy and Pascoe Vale Rd Inbound
WESTERN RING RD	SW BD to 14-Nov-04	56786	Western Ring Rd btw Tullamarine Fwy & Pascoe Vale Rd Inbound
WESTERN RING RD	SE BD to 14-Nov-04	46777	Western Ring Rd btw Boundary Rd & West Gate Fwy Inbound

QUESTIONS ON NOTICE

Road Name	Actual Source Data – Second Direction of Travel		
	Flow Direction and End Date of Sample Count	Estimated ADT All Vehicles	Location Description
BASS HWY	E BD to 26-Nov-01	3399	Bass Hwy 300m W of Lower Powlett Rd @ 127.7km from Melbourne
BASS HWY	NE BD to 17-Oct-01	1392	Bass Hwy 100m SW of Whitelaws Trk @ 162.7km from Melbourne
BASS HWY	N BD to 24-Nov-03	4824	Bass Hwy 500m S of Sth Gippstand Hwy
BLACKBURN RD	NW BD to 29-Apr-01	13188	Surrey Rd Dep S from Eastern Fwy
BLACKBURN RD	N BD to 15-Jun-04	20139	Blackburn Rd S of Duerdin St
BLACKBURN RD	N BD to 19-Feb-98	10433	Surrey Rd N of Ventura St
CALDER HWY	NW BD to 02-May-04	35522	Calder Fwy btw Ramps to Melton Hwy & Green Gully Rd
CALDER HWY	N BD to 31-May-98	12589	Calder Fwy 1.1km. S of Bulla-Diggers Rest Rd I/Change @ 30.4km from Melbourne
CALDER HWY	E BD to 21-Oct-04	36815	Calder Fwy W of Tullamarine Fwy
CALDER HWY	N BD to 24-Mar-98	387	Calder Highway North of Sea Lake @ 364.1km Post
CALDER HWY	E BD to 09-Sep-04	6459	Don St We of Calder Hwy Sec 2
CALDER HWY	E BD to 11-Dec-01	1145	Calder Hwy 1.8km NW of Bridgewater-Dunolly Rd @ 190.0km from Melbourne
CALDER HWY	NW BD to 08-Mar-02	5406	Calder Hwy 100m SE of Malmesbury-Metcalf Rd
CALDER HWY	N BD to 10-May-98	3822	Calder Hwy 100m S of De-Labeche St @ 102.4km from Melbourne
CALDER HWY	N BD to 08-May-03	1477	Calder Hwy btw Ranfurly Way & Game St
DONCASTER-MORDIALLOC RD	N BD to 07-Sep-03	9084	Clayton Rd S of Fairbank Rd
DONCASTER-MORDIALLOC RD	N BD to 26-Feb-98	7139	Victoria Rd N of Doncaster Rd
DONCASTER-MORDIALLOC RD	N BD to 13-Feb-05	11541	Clayton Rd S of North Rd
DONCASTER-MORDIALLOC RD	N BD to 08-May-03	14157	Middleborough Rd N of Whitehorse Rd Departure
ALEXANDER PARADE	E BD to 13-Feb-05	35643	Alexandra Pde W of Wellington St
HODDLE ST	N BD to 22-Jul-98	35403	Hoddle St S of Eastern Fwy Off
HODDLE MAIN RD	N BD to 22-Jul-98	15762	Hoddle St N of Eastern Fwy E BD Onramp
PUNT RD / HODDLE ST	N BD to 18-Mar-03	22722	Punt Rd S of Toorak Rd
PUNT RD / HODDLE ST	N BD to 13-Feb-05	18241	Punt Rd S of Union St
PUNT RD / HODDLE MAIN RD	N BD to 23-Apr-99	10877	Barkly St S of Carlisle St
HUME HWY	N BD to 17-Sep-98	21983	Hume Hwy N of Truck City Dr

QUESTIONS ON NOTICE

Road Name	Flow Direction and End Date of Sample Count	Estimated ADT All Vehicles	Actual Source Data – Second Direction of Travel Location Description
HUME HWY	N BD to 21-Feb-05	5986	Hume Fwy 4.8 km N of Benalla-Winton Rd @ 208.3km from Melbourne
HUME HWY	N BD to 14-Nov-02	4022	Hume Fwy 259.1km btw Springhurst & Chiltern (Speed Validated Only)
HUME HWY	N BD to 09-Dec-04	4752	Hume Fwy 100m S of Avenel-Nagamble Rd @ 112.9km from Melbourne
HUME HWY	N BD to 18-Aug-04	3636	Hume Fwy 350m S of Wangaratta-Whitfield Rd @ 234.4km Post
HUME HWY	NE BD to 08-May-05	7070	Hume Fwy Southwest of Murray Valley Hwy @ 302.5km Post
HUME HWY	N BD to 21-Jul-04	8159	Hume Fwy 120m N of Wallan-Whitelsea Rd @ 45.5km Post
PRINCES HWY EAST / DANDENONG RD	E BD to 17-Dec-01	8107	Princes Fwy 900m W of Gordon Rd @ 113.3km from Melbourne
PRINCES HWY EAST / DANDENONG RD	E BD to 21-May-02	2629	Princes Hwy East W of Lakes Entrance @ 313.3km Post
PRINCES HWY EAST / DANDENONG RD	E BD to 21-Jul-98	8841	Princes Fwy East 3.2km E of Morwell-Yallourn Rd @ 144.0km from Melbourne
PRINCES HWY EAST / DANDENONG RD	E BD to 17-Apr-02	3778	Princes Hwy 2.1k E of Wrights La @ 182.4km from Melbourne
PRINCES HWY EAST / DANDENONG RD	NW BD to 24-Apr-05	35128	Kingsway SE of Southern Link Exit
PRINCES HWY EAST / DANDENONG RD	NW BD to 15-Jul-98	40082	Queens Rd SE of Link Rd
PRINCES HWY EAST / DANDENONG RD	NE BD to 25-May-04	12120	Princes Hwy East NE of Racecourse Rd Departure
PRINCES HWY EAST / DANDENONG RD	NW BD to 20-Nov-03	18469	Princes Hwy SE of Belgrave-Hallam Rd
PRINCES HWY EAST / DANDENONG RD	NW BD to 13-Feb-05	22027	Princes Hwy E SE of Gladstone Rd
PRINCES HWY EAST / DANDENONG RD	NW BD to 03-May-01	23251	Princes Hwy NW of Wellington Rd
PRINCES HWY EAST / DANDENONG RD	NW BD to 28-Jun-98	35280	Dandenong Rd SE of Burke Rd
PRINCES HWY WEST	NE BD to 07-Apr-98	19582	Princes Hwy West SW of Grievie Pde
PRINCES HWY WEST	NE BD to 14-Nov-04	61790	Princes Fwy West btw Kororoit Ck Rd & Newland St Inbound
PRINCES HWY WEST	NE BD to 15-Nov-01	17376	Geelong Rd NE of Cemetery Rd
PRINCES HWY WEST	NE BD to 28-May-98	18245	Smithfield Rd SW of Epsom Rd
PRINCES HWY WEST	E BD to 05-Sep-00	17600	Racecourse Rd W of Wellington St
PRINCES HWY WEST	NE BD to 21-Feb-99	26902	Princes Fwy NE of Jetty Rd
PRINCES HWY WEST	E BD to 08-May-05	3902	Princes Hwy West E of Colac @ 144.9km Post
PRINCES HWY WEST	E BD to 23-Aug-99	1576	Princes Hwy West 600m W of Roycrofts Rd @ 207.1km from Melbourne
PRINCES HWY WEST	E BD to 19-Feb-05	999	Princes Hwy West btw Mount Clay Rd & Lovells La

QUESTIONS ON NOTICE

Road Name	Actual Source Data – Second Direction of Travel		
Road Name	Flow Direction and End Date of Sample Count	Estimated ADT All Vehicles	Location Description
PRINCES HWY WEST	NE BD to 22-Feb-99	18526	Princes Fwy 800m E of Beach Rd @ 53.0km Post
PRINCES HWY WEST	E BD to 23-Aug-99	3126	Princes Hwy West 600m W of Great Ocean Rd @250.6km from Melbourne
SOUTH GIPPSLAND HWY	E BD to 13-Oct-02	1835	South Gippsland Hwy 400m W of Hookers Rd @ 91.4km from Melbourne
SOUTH GIPPSLAND HWY	E BD to 07-Nov-02	1178	South Gippsland Hwy 300m W of Hyland Hwy @222.0km from Melbourne
SOUTH GIPPSLAND HWY	E BD to 24-Oct-00	1819	South Gippsland Hwy 2.1 kms E of Kettles Rd at 89.1 Km
SOUTH GIPPSLAND HWY	NW BD to 01-Mar-05	12393	Sth Gippsland Hwy btw Cameron St & Earlston Cct
SOUTH GIPPSLAND HWY	N BD to 03-Aug-01	10612	South Gippsland Hwy S of Fowler Rd
STATION ST	N BD to 26-Feb-98	11731	Tram Rd N of Eastern Fwy
STATION ST	N BD to 21-Jun-00	10701	Station St S of Eastern Fwy Ramp
WEST GATE FWY	E BD to 14-Nov-04	68598	West Gate Fwy btw Millers Rd & Grieve Pde Inbound
WEST GATE FWY	E BD to 19-Feb-05	67865	West Gate Fwy btw Todd Rd Service Centres & Western Link Inbound
WESTERN HWY	E BD to 22-Mar-05	21460	Ballarat Rd W of Duke St
WESTERN HWY	NW BD to 02-May-04	16376	Ballarat Rd SE of Churchill Av
WESTERN HWY	E BD to 22-Jul-98	18586	Western Hwy W of Sinclairs Rd
WESTERN HWY	E BD to 24-Apr-05	2711	Western Hwy 200m NW of Petticoat Gully Rd @208.4km from Melbourne
WESTERN HWY	E BD to 18-Mar-98	3061	Western Hwy (Ballarat) btw Midland Hwy & Daylesford-Ballarat Rd @ 107.2km Po
WESTERN HWY	E BD to 09-Dec-03	1909	Western Hwy 800m W of & Dimboola-Rainbow Rd (335.0km)
WESTERN RING RD	NW BD to 14-Nov-04	48201	Western Ring Rd btw Fitzgerald Rd & Boundary Rd Outbound
WESTERN RING RD	N BD to 14-Nov-04	42674	Western Ring Rd btw Hume Hwy and Pascoe Vale Rd Outbound
WESTERN RING RD			
WESTERN RING RD	NW BD to 14-Nov-04	46570	Western Ring Rd btw Boundary Rd & West Gate Fwy Outbound

Transport: Marshall railway station ticket sales

733. Mr MULDER to ask the Minister for Transport —

- (1) With reference to rail ticket sales between Marshall Station and Melbourne on each of 23, 24 and 25 May 2005 —
 - (a) how many tickets were sold at Marshall Railway Station for each day at —
 - (i) an adult fare;
 - (ii) a concession fare;
 - (b) what was the total revenue on each day from ticket sales made at the station.
- (2) How many commuters have purchased a date-to-date ticket for a minimum of 10 weeks between Marshall Station and Melbourne.

ANSWER:

As at the date the question was raised, the answer is:

- (1) On 23 May 2005 ticket sales were \$70.20. Three Adult tickets, four Concession tickets and two Pensioner Free Voucher tickets were issued.

On 24 May 2005 ticket sales were \$10.40. One Concession Ticket and one Pensioner Free Voucher ticket were issued.

On 25 May 2005 there were no tickets to Melbourne issued.

- (2) To date there has not been a Date to Date ticket issued from Marshall Station.

It should be noted that these ticket sales may not necessarily indicate the level of patronage/use of Marshall Station, as customers may buy their tickets elsewhere.

Transport: Cheltenham train doors

739. Mr THOMPSON to ask the Minister for Transport with reference to several elderly passengers who were unable to alight at Parliament Station from the 10.27 am train departing Cheltenham Station on 4 May 2005 as the train doors were closed and the train did not stop when the alarm button was activated and a number of commuters were forced to disembark at Melbourne Central Station and then find alternate means of transport back to Parliament Station —

- (1) Why were passengers aboard the 10.27 am ex-Cheltenham train unable to disembark.
- (2) Why did the 10.27 am ex-Cheltenham train continue its journey after the alarm button was activated.
- (3) What steps can the Minister take to ensure that commuters are able to disembark safely at their nominated destination.

ANSWER:

As at the date the question was raised, the answer is:

- (1) In this case, it seems the driver had judged that all passengers intending to disembark had disembarked.
- (2) Activating the emergency intercom button in train carriages will not stop a train. The emergency intercom is provided to enable passengers to communicate with the driver in an emergency. The driver is not compelled

to respond immediately, but is required to respond at the first available opportunity when the safe running of the train would not be affected.

- (3) Priority seating is allocated in train carriages, near the doors, for seniors and passengers with special needs. These arrangements are intended to ensure that these passengers are seated as close to the doors as possible, making it easier for them to leave the carriage in a timely manner once the train has come to a stop.

Transport: Sandringham rail line problem

746. **Mr MULDER** to ask the Minister for Transport with reference to a jolting sensation from ‘up’ Sandringham suburban trains travelling through the curve about 250 metres on the ‘down’ side of Richmond Station —

- (1) Is the Department of Infrastructure, Connex or Mainco Melbourne aware of the situation.
- (2) Will this kink in the track be attended to; if so, when.
- (3) Have ride quality tests recently been conducted in this section for each of Comeng, Hitachi or Siemens trains; if so, when did this occur and what results were obtained.

ANSWER:

As at the date the question was raised, the answer is:

- (1) & (3) Connex, through their maintenance provider Mainco, performs track tests on a quarterly basis across the metropolitan network using the EM100 – Rail Flaw Detector. The last such test was conducted on Tuesday, 10 May 2005.

Connex conducted additional quality tests on this section of track and no issues were identified.

- (2) Not applicable.

Transport: V/Line speed limits

747. **Mr MULDER** to ask the Minister for Transport with reference to speed limits between Spencer Street and North Melbourne for V/Line trains travelling to or from platforms 1 to 8 south inclusive at Spencer Street —

- (1) What speed limit currently applies.
- (2) On what date were these speed limits imposed.
- (3) Have the speed limits ever been higher; if so, when.

ANSWER:

As at the date the question was raised, the answer is:

- (1) 25 kilometres per hour.
- (2) The speed limit has always been 25 kilometres per hour.
- (3) No.

Transport: V/Line signalling delays

748. **Mr MULDER** to ask the Minister for Transport —

- (1) How many signalling delays have occurred to V/Line trains between Spencer Street and North Melbourne Junction between 1 and 15 June 2005 inclusive.
- (2) What was the average number of minutes that a V/Line service was delayed from an inability to enter or exit its route between Spencer Street and North Melbourne Junction by red signals between 1 and 15 June 2005.

ANSWER:

As at the date the question was raised, the answer is:

V/Line has advised that it can only provide the information sought for arriving services only (ie from North Melbourne Station arriving at Spencer Street Station).

- (1) 86 inbound trains.
- (2) 1.99 minutes of delay for each delayed inbound service.

Transport: V'locity train speeds

- 749.** Mr MULDER to ask the Minister for Transport — will V/Line's V'locity railcars travel any faster between Spencer Street and North Melbourne Junction than Sprinter railcars or locomotive-hauled passenger trains.

ANSWER:

As at the date the question was raised, the answer is:

No.

Transport: Spencer Street and North Melbourne train speeds

- 750.** Mr MULDER to ask the Minister for Transport — what is the Department of Infrastructure, Pacific National or V/Line doing to ensure that average train speeds can be safely lifted and signalling delays minimised between Spencer Street and North Melbourne.

ANSWER:

As at the date the question was raised, the answer is:

There are no plans to increase train speeds. New signalling equipment controlling access to and from Spencer Street Station, which is being delivered as part of the Spencer Street Station Redevelopment project, will facilitate train operations and minimise delays.

Transport: Metlink farebox revenue

- 769.** Mr MULDER to ask the Minister for Transport with reference to the answer to question 350 received on 5 October 2004 — what was the farebox revenue collected for each of the ticket types by zone for the —

- (1) Second quarter of 2004–05.
- (2) Third quarter of 2004–05.
- (3) Fourth quarter of 2004–05.

ANSWER:

As at the date the question was raised, the answer is:

Farebox Revenue (\$) by Ticket Type and Zone – Second Quarter (December) FY 2004–2005

Fare Type	Ticket Type	Zone 1	Zone 12	Zone 123	Zone 2	Zone 2+L	Zone 2,3	Zone 3	Zone 3+L	Bacchus Marsh + Zone 12	Bacchus Marsh + Zone 123	Bacchus Marsh + Zone 2	Gisborne + Zone 123	Gisborne + Zone 2
Concession	2 Hour	2,940,165	905,407	333,982	1,624,690	-	133,349	978,181	-	-	-	1,713	669	432
Concession	2 Hour * 10	833,630	207,216	34,580	344,988	-	18,390	128,635	-	-	-	-	-	-
Concession	5 X Daily	-	-	-	-	-	-	-	-	-	-	-	-	-
Concession	60 +	-	-	3,278,824	-	-	-	-	-	-	-	-	-	-
Concession	City Saver	50,828	-	-	-	-	-	-	-	-	-	-	-	-
Concession	City Saver X10	60,881	-	-	-	-	-	-	-	-	-	-	-	-
Concession	Daily	3,052,556	1,719,305	828,823	1,232,362	-	188,778	883,985	-	-	-	1,389	730	566
Concession	Daily 5 Pack	192,430	70,112	28,559	28,617	-	370	9,846	-	-	-	-	-	-
Concession	Monthly	835,831	489,244	148,815	238,738	-	26,459	109,416	-	-	-	-	-	-
Concession	Off Peak	-	-	-	-	197,375	-	-	80,943	-	-	-	-	-
Concession	Student Pass 6 Month	91,215	-	-	-	-	178,253	-	-	-	-	-	-	448
Concession	Student Pass Yearly	9,425	-	-	-	-	11,458	-	-	-	-	-	-	-
Concession	Weekly	1,260,024	486,838	213,477	286,732	-	56,766	179,484	-	-	-	-	-	-
Full Fare	2 Hour	9,148,453	2,473,829	907,847	919,342	-	244,830	470,920	-	-	-	-	9	-
Full Fare	2 Hour * 10	6,047,293	1,822,523	334,055	228,860	-	47,771	45,195	-	-	-	-	-	-
Full Fare	5 X Daily	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	City Saver	547,391	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	City Saver X10	434,845	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Daily	9,297,494	4,187,770	2,079,901	450,200	-	193,252	244,296	-	-	-	22	-	-
Full Fare	Daily 5 Pack	1,424,828	538,296	117,336	32,395	-	108	162	-	-	-	-	-	-
Full Fare	Delegate Card	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Group Traveller	-	-	64,668	-	-	-	-	-	-	-	-	-	-
Full Fare	Judges Pass	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Monthly	6,182,310	3,936,153	1,800,024	217,752	-	54,650	50,199	-	-	-	-	-	-
Full Fare	Off-Peak	-	-	-	-	499,637	-	-	218,328	-	-	-	-	-
Full Fare	Prepaid Travel Authority	-	-	78,768	-	-	-	-	-	-	-	-	-	-
Full Fare	Sunday Saver	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Weekly	7,917,712	3,219,464	1,622,218	198,547	-	115,616	89,193	-	-	-	-	-	-
Full Fare	Yearly	1,617,048	1,240,636	639,343	3,517	-	2,720	690	-	-	-	-	-	-

QUESTIONS ON NOTICE

Farebox Revenue (\$) by Ticket Type and Zone – Third Quarter (March) FY 2004-2005

Fare Type	Ticket Type	Zone 1	Zone 12	Zone 123	Zone 2	Zone 2+L	Zone 23	Zone 3	Zone 3+L	Bacchus Marsh + Zone 12	Bacchus Marsh + Zone 123	Bacchus Marsh + Zone 2	Gisborne + Zone 12	Gisborne + Zone 123	Gisborne + Zone 2
Concession	2 Hour	2,972,971	955,785	359,132	1,526,377	-	135,529	936,764	-	-	-	1,553	639	-	673
Concession	2 Hour * 10	823,275	236,922	52,996	372,572	-	23,714	168,291	-	-	-	-	-	-	-
Concession	5 X Daily	60,662	64,355	41,735	9,569	-	6,547	4,470	-	-	-	-	-	-	-
Concession	60 +	-	-	2,746,133	-	-	-	-	-	-	-	-	-	-	-
Concession	City Saver	80,744	-	-	-	-	-	-	-	-	-	-	-	-	-
Concession	City Saver X10	14,756	-	-	-	-	-	-	-	-	-	-	-	-	-
Concession	Daily	3,119,368	1,978,413	995,260	1,228,718	-	215,847	868,705	-	-	-	1,647	1,092	-	405
Concession	Daily 5 Pack	235,354	92,116	55,144	14,707	-	570	6,224	-	-	-	-	-	-	-
Concession	Monthly	922,550	737,960	270,027	300,435	-	44,925	142,279	-	-	-	-	-	-	-
Concession	Off-Peak	-	-	-	-	228,470	-	-	90,116	-	-	-	-	-	-
Concession	Student Pass 6 Month	457,492	-	-	-	-	947,669	-	-	-	10,534	-	-	1,720	-
Concession	Student Pass Yearly	3,375,125	-	-	-	-	4,667,681	-	-	-	62,556	-	-	12,065	-
Concession	Weekly	1,163,069	514,397	227,956	280,491	-	70,068	189,843	-	-	-	-	-	-	-
Full Fare	2 Hour	8,547,887	2,367,261	903,266	882,013	-	230,041	443,192	-	-	-	6	-	-	-
Full Fare	2 Hour * 10	6,138,118	1,910,981	421,218	236,104	-	53,580	51,479	-	-	-	-	-	-	-
Full Fare	5 X Daily	506,897	414,018	251,532	9,806	-	10,379	3,774	-	-	-	-	-	-	-
Full Fare	City Saver	600,422	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	City Saver X10	305,164	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Daily	9,514,029	4,429,039	2,180,164	452,205	-	201,833	233,016	-	-	-	11	-	-	-
Full Fare	Daily 5 Pack	1,528,305	581,917	169,011	90	-	576	32,137	-	-	-	-	-	-	-
Full Fare	Delegate Card	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Group Traveller	-	-	86,044	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Judges Pass	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Monthly	6,455,063	4,173,151	2,062,279	231,687	-	63,417	58,845	-	-	-	-	-	-	-
Full Fare	Off-Peak	-	-	-	-	567,697	-	-	246,565	-	-	-	-	-	-
Full Fare	Prepaid Travel Authority	-	-	72,210	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Sunday Saver	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Weekly	6,932,624	2,770,461	1,381,955	187,768	-	100,860	88,174	-	-	-	-	-	-	-
Full Fare	Yearly	2,323,716	2,042,155	972,967	6,880	-	5,564	4,128	-	-	-	-	-	-	-

Preliminary Farebox Revenue (\$) by Ticket Type and Zone – Fourth Quarter (June) FY 2004-2005

Fare Type	Ticket Type	Zone 1	Zone 12	Zone 123	Zone 2	Zone 2+L	Zone 23	Zone 3	Zone 3+L	Bacchus Marsh + Zone 12	Bacchus Marsh + Zone 123	Bacchus Marsh + Zone 2	Gisborne + Zone 12	Gisborne + Zone 123	Gisborne + Zone 2
Concession	2 Hour	3,222,432	986,594	350,685	1,671,640	-	141,558	1,037,732	-	-	-	1,996	752	-	648
Concession	2 Hour * 10	1,017,691	288,462	63,030	448,491	-	32,550	190,190	-	-	-	-	-	-	-
Concession	5 X Daily	164,611	160,847	117,583	17,468	-	12,496	6,917	-	-	-	-	-	-	-
Concession	60 +	-	-	3,213,622	-	-	-	-	-	-	-	-	-	-	-
Concession	City Saver	79,657	-	-	-	-	-	-	-	-	-	-	-	-	-
Concession	City Saver X10	16,015	-	-	-	-	-	-	-	-	-	-	-	-	-
Concession	Daily	3,385,466	2,134,393	1,055,259	1,325,023	-	227,135	932,336	-	-	-	1,419	1,226	-	143
Concession	Daily 5 Pack	270,972	99,724	63,088	28,587	-	162	10,969	-	-	-	-	-	-	-
Concession	Monthly	1,142,413	869,374	293,969	322,201	-	53,664	138,855	-	-	-	-	-	-	-
Concession	Off-Peak	-	-	-	-	320,820	-	-	108,176	-	-	-	-	-	-
Concession	Student Pass 6 Month	41,495	-	-	-	-	111,731	-	-	-	229	-	-	1,032	-
Concession	Student Pass Yearly	232,986	-	-	-	-	377,634	-	-	-	6,416	-	-	-	-
Concession	Weekly	1,401,050	548,592	244,661	306,223	-	65,478	186,606	-	-	-	-	-	-	-
Full Fare	2 Hour	8,294,296	2,249,089	810,416	879,983	-	219,576	445,908	-	-	-	12	-	-	6
Full Fare	2 Hour * 10	6,867,340	2,118,358	498,161	286,037	-	60,822	57,628	-	-	-	-	-	-	-
Full Fare	5 X Daily	1,109,540	870,115	565,623	15,675	-	21,894	8,455	-	-	-	-	-	-	-
Full Fare	City Saver	621,399	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	City Saver X10	323,831	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Daily	9,113,539	4,143,846	1,926,179	425,369	-	199,227	227,080	-	-	-	-	-	-	-
Full Fare	Daily 5 Pack	1,710,602	524,228	170,005	47,789	-	306	486	-	-	-	-	-	-	-
Full Fare	Delegate Card	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Group Traveller	-	-	76,997	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Judges Pass	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Monthly	7,537,184	4,732,886	2,159,262	279,781	-	62,396	56,433	-	-	-	-	-	-	-
Full Fare	Off-Peak	-	-	-	-	575,397	-	-	217,833	-	-	-	-	-	-
Full Fare	Prepaid Travel Authority	-	-	55,057	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Sunday Saver	-	-	842,909	-	-	-	-	-	-	-	-	-	-	-
Full Fare	Weekly	7,238,210	2,680,079	1,273,648	188,980	-	105,125	90,897	-	-	-	-	-	-	-
Full Fare	Yearly	1,681,480	1,471,521	706,917	2,064	-	8,346	688	-	-	-	-	-	-	-

Note: Metlink advise that the figures for the June quarter are provided on a preliminary basis and may be subject to change.

Transport: City Loop station escalators

770. Mr MULDER to ask the Minister for Transport —

- (1) For how many days in 2004–05 was at least one escalator out of service at the following stations —
 - (a) Flagstaff;
 - (b) Melbourne Central;
 - (c) Parliament;
 - (d) Flinders Street;
 - (e) Spencer Street.
- (2) Will the escalators at the three City Loop stations (excluding Flinders and Spencer Streets) be replaced; if so, when.
- (3) Who bears the cost of any repairs or installation of new escalators.
- (4) What was the cost of repairs, if any, to each station’s escalators in 2004–05.

ANSWER:

As at the date the question was raised, the answer is:

- (1) Available records on escalator shut downs for maintenance purposes are measured in periods of 4 hours or more. During 2004–05 the recorded shut down periods were—
 - (a) Flagstaff: 7
 - (b) Melbourne Central: 4
 - (c) Parliament: 1
 - (d) Flinders Street: 21
 - (e) Spencer Street. Nil

Some escalators in the City Loop Stations are switched off during off peak periods, where there are multiple escalators and few commuters, to reduce energy usage.

- (2) The escalators in the Melbourne Underground Loop continue to be fit for purpose and there is no plan to replace them.
- (3) The Department of Infrastructure funds the maintenance of escalators, except those at Spencer Street. The Spencer Street Station Authority currently funds the maintenance of existing escalators while Civic Nexus will do so following completion of the Spencer Street Station project.
- (4) The cost for maintenance during 2004–05 to escalators at Flagstaff, Melbourne Central, Parliament, Flinders Street and Spencer Street Stations was \$720,000.

Transport: Sunbury–Kyneton rail service

772. Mr MULDER to ask the Minister for Transport — when will rail services recommence between Sunbury and Kyneton.

ANSWER:

As at the date the question was raised, the answer is:

The recent completion of track upgrades and the successful commissioning of new signals between Watergardens and Sunbury means that trains are now back on the line for at least half of Bendigo line rail users*.

Major works are continuing between Sunbury and Bendigo to install the state-of-the-art signalling system which will greatly improve service reliability for Bendigo line customers. Rail services are expected to be returned to Kyneton and then to Bendigo later this year once the new signalling system is fully commissioned and tested.

V/Line will communicate with customers in advance about changes to services through local newspapers, announcements and information at stations.

* 50% of Bendigo line rail users travel between Sunbury and metropolitan Melbourne
75% of Bendigo line rail users travel between Kyneton and metropolitan Melbourne

Transport: Parliament railway station lifts

794. Mr MULDER to ask the Minister for Transport —

- (1) Was the lift out of service at Parliament railway station on Friday, 5 August 2005, from 10.00 am to 1.00 pm due to ‘scheduled maintenance’.
- (2) Were wheelchair bound passengers who were travelling at that time required to go to Melbourne Central Station in lieu.
- (3) What notice were such passengers travelling to Parliament given by train drivers when they joined ‘up’ trains that morning or early afternoon.

ANSWER:

As at the date the question was raised, the answer is:

- (1) The lift was scheduled to be out of service between 10.00am and 1.00pm due to maintenance and repair works but these works were completed by 11.30am.
- (2) Yes.
- (3) Notification posters were put up at Parliament Station on Tuesday, 2 August 2005, advising customers that the lift would not be operating between 10.00 am to 1.00 pm on Friday, 5 August 2005.

In addition drivers were advised to inform wheelchair passengers who were intending on alighting at Parliament Station of the works.

Transport: City Loop lift maintenance

795. Mr MULDER to ask the Minister for Transport with reference to maintenance of the lifts at Parliament, Melbourne Central, Flagstaff and Spencer Street railway stations —

- (1) How often is maintenance scheduled to be carried out on these lifts.
- (2) Can these lifts be maintained either between 1.00 am and 5.00 am when the stations are closed to passengers or between 9.00 pm and 12.00 am when passenger demand on a weekday is at its lowest.

ANSWER:

As at the date the question was raised, the answer is:

- (1) Planned maintenance is undertaken for approximately 1 hour per month for each lift.
- (2) Planned maintenance is undertaken after the morning peak period.

Transport: railway station lift replacement

796. Mr MULDER to ask the Minister for Transport with reference to Parliament, Melbourne Central and Flagstaff railway stations —

- (1) Are the lifts at any of these stations slated for replacement, if so, when and what is the expected cost of any such replacement.
- (2) Will Connex, Metlink, the Department of Infrastructure or some other entity pay for the replacement of the lifts at any of these stations; if so, what is the expected cost of each such replacement and what percentage will each party pay.

ANSWER:

As at the date the question was raised, the answer is:

- (1) There are no plans to replace any lifts at underground rail loop stations.
- (2) The Department of Infrastructure would fund any lift requiring replacement.

Transport: Hitachi trains

797. Mr MULDER to ask the Minister for Transport with reference to the six full length Hitachi trains —

- (1) When will these trains be withdrawn and scrapped.
- (2) What services did each set operate on Wednesday, 3 August 2005, showing the scheduled time of departure from the originating station and the terminating station of each trip.
- (3) Are the Hitachi trains still being used on off-peak services, including at night.

ANSWER:

As at the date the question was raised, the answer is:

- (1) It is intended to keep the six Hitachi trains until the Commonwealth Games. The trains are now generally being used as a backup so that Connex can take other trains off the network for maintenance.

However, given the high level of patronage growth currently being experienced across the network, the decision to withdraw the trains will be reviewed after the Commonwealth Games.

- (2) Services run by Hitachi trains on 3 August 2005:

SERVICES RUN BY HITACHI TRAINS – 3 AUGUST 2005

Train No	Depart Time	Origin	Destination
4251	4:38	Dandenong	Cranbourne
4451	4:55	Westall	Dandenong
3201	5:00	FSS	Lilydale
4253	5:08	Dandenong	Cranbourne
4250	5:09	Cranbourne	Dandenong
4255	5:31	Dandenong	Cranbourne
4270	5:32	Cranbourne	Dandenong
4806	5:44	Frankston	FSS
5604	5:46	Upfield	FSS
4257	5:55	Dandenong	Cranbourne
4007	6:04	FSS	Pakenham
4252	6:09	Cranbourne	Dandenong
3808	6:17	Lilydale	FSS
5007	6:24	FSS	Upfield
4259	6:31	Dandenong	Cranbourne
4702	6:44	Cranbourne	FSS
5612	7:06	Upfield	FSS
4704	7:10	Cranbourne	FSS
2015	7:22	FSS	Glen Waverley
4626	7:29	Pakenham	FSS
5015	7:44	FSS	Upfield
2622	8:02	Glen Waverley	FSS
5620	8:26	Upfield	FSS
4023	8:43	FSS	Pakenham
6202	9:00	Williamstown	Newport
6203	9:17	Newport	Williamstown
4642	10:10	Pakenham	FSS
4037	11:32	FSS	Pakenham
4006	13:10	Pakenham	FSS

Train No	Depart Time	Origin	Destination
4605	14:24	FSS	Pakenham
6611	14:37	FSS	Sydenham
4707	14:38	FSS	Cranbourne
6375	15:20	FSS	Williamstown
6018	15:29	Sydenham	FSS
2809	15:32	FSS	Alamein
4018	15:53	Pakenham	FSS
6370	15:53	Williamstown	FSS
4116	15:56	Cranbourne	FSS
6819	16:05	FSS	Werribee
4717	16:24	FSS	Cranbourne
3823	16:46	FSS	Lilydale
X103	16:57	FSS	Sandringham
6434	17:03	Werribee	FSS
4843	17:11	FSS	Frankston
X110	17:31	Sandringham	FSS
4126	17:36	Cranbourne	FSS
5845	17:48	FSS	Broadmeadows
4885	18:00	FSS	Frankston
5250	18:28	Broadmeadows	FSS
4861	18:35	FSS	Frankston
5853	19:09	FSS	Broadmeadows
4356	19:10	Frankston	FSS
5258	20:04	Broadmeadows	FSS
5859	20:39	FSS	Broadmeadows
5264	21:34	Broadmeadows	FSS
5865	22:09	FSS	Broadmeadows
5270	23:04	Broadmeadows	FSS
4883	23:46	FSS	Frankston

- (3) Yes, however, Connex endeavours not to run Hitachi trains during off peak periods. After the pm peak, most trains operate as three-car sets, which excludes use of the Hitachi trains as they can only operate as six-car sets.

Transport: Vermont South–Knox City transit link

798. Mr MULDER to ask the Minister for Transport with reference to the Vermont South–Knox City Transit Link, excluding Route 732 buses coming from or continuing on to Box Hill railway station on Wednesday, 3 August 2005 —

- (1) How many passenger trips were recorded for —
 - (a) outbound trips towards Knox City;
 - (b) inbound trips from Knox City.
- (2) How many trips were operated in each direction by the Transit Link bus service on that date.
- (3) What percentage of passengers paid an adult fare.

ANSWER:

As at the date the question was raised, the answer is:

- (1) The data is provided by the Automatic Ticketing System (ATS) and is based on ticket validations only. On Wednesday, 3 August 2005, there were 488 inbound validations and 207 outbound validations on shuttle buses operating between Vermont South and Blackburn Rd.
- (2) The number of shuttle bus services that operate on the transit link between Knox and Vermont South (excluding through bus services) is 130 per day made up of 65 in each direction.
- (3) The percentage of ticket validations that were adult tickets was 22 per cent.

Transport: Vermont South buses and trams

800. Mr MULDER to ask the Minister for Transport —

- (1) Why are many bus trips timed to depart Vermont South three minutes after the scheduled arrival of the tram.
- (2) Were any trials conducted to assess whether passengers could transfer more quickly between buses and trams at Vermont South.

ANSWER:

As at the date the question was raised, the answer is:

- (1) Three minutes allows for ease of passenger transfer and optimum bus usage particularly given that tram arrival times can vary at the end of outbound trips.
- (2) The Vermont South tram/bus interchange was designed to fit within the available space in the Burwood Highway median with the aim of ensuring efficient, safe and convenient transfer of passengers between trams and buses, as well as for passengers joining or leaving the service at this point. Trials were not considered necessary.

The interchange, judged to be an optimal design for the location, was developed by the Department of Infrastructure in close consultation with Yarra Trams, Ventura Bus Lines and VicRoads.

Transport: Epping–South Morang TrainLink bus service

805. Mr MULDER to ask the Minister for Transport with reference to the Somerton–Epping–South Morang ‘Trainlink’ bus service on Wednesday, 3 August 2005 —

- (1) How many passengers used the bus service in each direction.
- (2) How many trips commenced in the Epping–South Morang section of the route.
- (3) How many trips operated between Epping–South Morang in each direction.

ANSWER:

As at the date the question was raised, the answer is:

- (1) 737 passengers in total travelled. This represents the total number of ticket validations for both directions combined on bus Route 571, which incorporates TrainLink that operates between Epping Railway Station and South Morang (Plenty Valley Shopping Centre). Discrete passenger data by section and each direction for Route 571 is not available.
- (2) 138 trips. In addition, four trips commenced just after midnight on 4 August 2005, which are part of the normal weekday bus service timetable.
- (3) 69 trips from Epping to South Morang and 69 trips in the reverse direction. Two additional trips in either direction (a total of four) commenced just after midnight on 4 August 2005, which are part of the normal weekday bus service timetable.

Transport: Cranbourne–Cranbourne East TrainLink bus service

806. Mr MULDER to ask the Minister for Transport on Wednesday, 3 August 2005 —

- (1) How many passengers used the Cranbourne–Cranbourne East ‘Trainlink’ bus service in each direction.
- (2) How many trips operated between Cranbourne and Cranbourne East in each direction.

ANSWER:

As at the date the question was raised, the answer is:

- (1) 336 passengers in total travelled on Route 896 Cranbourne – Cranbourne East Trainlink over the entire day. Data is recorded for passengers carried on the route in total – it is not recorded separately for travel in each direction.
- (2) 41 trips operated between Cranbourne Station and Cranbourne East. In addition, two trips commenced after midnight on 4 August 2005 as part of the normal weekday timetable. 44 trips operated between Cranbourne East and Cranbourne Station. In addition, one trip commenced after midnight on 4 August 2005 as part of the normal weekday timetable.

Transport: V/Line Sale–Canberra service

808. Mr MULDER to ask the Minister for Transport with reference to the Sale–Canberra section of the ‘Capital Link’ service —

- (1) How many passengers were conveyed on the Bairnsdale–Canberra coach on Monday, 1 August 2005.
- (2) How many passengers were conveyed on the Canberra–Sale coach for journeys joining at locations prior to Bairnsdale on Tuesday, 2 August 2005.
- (3) In the period from Monday, 1 August 2005, to Tuesday, 2 August 2005, at what location did each passenger conveyed over any part of the Sale–Canberra route —
 - (a) board the coach;
 - (b) alight from the coach.
- (4) How many passengers did each of the Bairnsdale–Canberra and Sale–Canberra services (relating to journeys to or from east of Bairnsdale) carry in —

- (a) 2003–04;
- (b) 2004–05.

ANSWER:

As at the date the question was raised, the answer is:

- (1) 6
- (2) 15
- (3)

1 August 2005

Boarded

Orbost	1
Bairnsdale	5

Alighted

Orbost	1
Cooma	2
Jolimont	3

2 August 2005

Boarded

Jolimont	2
Kingston	2
Cooma	2
Bairnsdale	9

Alighted

Lakes Entrance	1
Stratford	1
Sale	13

- (4) The data is unable to be broken down in the requested manner.

Transport: V/Line SpeedLink service

809. Mr MULDER to ask the Minister for Transport — on how many occasions in July 2005 was the V/Line ‘Speedlink’ service late in departing Albury station for its journey to Shepparton or Adelaide by —

- (1) Five minutes.
- (2) 15 minutes.
- (3) 30 minutes.
- (4) An hour.
- (5) Two or more hours.

ANSWER:

As at the date the question was raised, the answer is:

- (1) 2
- (2) 1

- (3) 0
- (4) 0
- (5) 0

Transport: V/Line link services

811. **Mr MULDER** to ask the Minister for Transport — excluding government top-ups of concession fares, what was the annual loss of each of the following services in 2004–05 —

- (1) ‘Speedlink’.
- (2) ‘Daylink’.
- (3) ‘Canberra Link’.
- (4) ‘Capital Link’.
- (5) ‘Sapphire Coast Link’.

ANSWER:

As at the date the question was raised, the answer is:

- (1) ‘Speedlink’. \$216,000
- (2) ‘Daylink’. Nil
- (3) ‘Canberra Link’. \$36,000
- (4) ‘Capital Link’. Nil
- (5) ‘Sapphire Coast Link’ Nil

Transport: VicRoads traffic controllers

813. **Mr MULDER** to ask the Minister for Transport with reference to VicRoads ‘traffic controller’ jobs for each of May 2005, June 2005 and July 2005 — how many jobs were for —

- (1) Traffic signals.
- (2) Major signal fault.
- (3) Hardware failure.
- (4) Causing traffic delays.
- (5) Accident damage.
- (6) Graffiti.
- (7) Programmed works.
- (8) Other damage such as vandalism.
- (9) Other causes.

ANSWER:

As at the date the question was raised, the answer is:

In relation to traffic controller jobs, the following table shows the numbers for the various traffic controller jobs in all the VicRoads regions for the months of May, June, and July in the year 2005.

VicRoads Traffic Controller Jobs	MAY 2005	JUNE 2005	JULY 2005	TOTAL
Traffic signal	26	37	16	79
Major signal fault	0	0	0	0
Hardware failure	0	0	0	0
Causing traffic delay	0	0	0	0
Accident damage	1	1	0	2
Graffiti	78	98	50	226
Programmed works	62	79	31	172
Other damage such as vandalism	12	6	2	20
Other causes (ie electrical faults)	410	349	324	1083
TOTAL	589	570	423	1582

Transport: Yarra Trams routes 86 and 96

821. Mr MULDER to ask the Minister for Transport with reference to the raised section of rail of the outbound tram track that turns from Bourke Street into Spring Street over the more northerly pedestrian crossing of Spring Street at that intersection —

- (1) Why does the track have a raised section of rail.
- (2) Is this dangerous to pedestrians.
- (3) Given that the heavier 'D2' class low floor trams are now partly operating on the route 96 service, what can be done to reduce the height in millimetres above street level of the rail.

ANSWER:

As at the date the question was raised, the answer is:

- (1) The track has a tight radius and the outer rail edge is raised to minimise tram derailments.
- (2)&(3) Track renewal of the entire curve section at the intersection of Bourke Street and Spring Street is planned to be completed by February 2006. Yarra Trams is currently investigating options which will increase the curve radius to reduce tram wheel squeal and minimise the potential for derailments, and allow for a track configuration that is flush with the roadway with no raised edges.

Transport: Dandenong–Pakenham train cancellation

822. Mr MULDER to ask the Minister for Transport with reference to the 8.37am suburban service from Dandenong to Pakenham — between 1 May 2005 and 10 August 2005 —

- (1) On what dates was the service cancelled.
- (2) On what dates did the service run more than five minutes and 59 seconds late.

ANSWER:

As at the date the question was raised, the answer is:

- (1) There are no reports of the cancellation of this service between 1 May 2005 and 10 August 2005.
- (2) This service is reported as having run more than five minutes and 59 seconds late on the following dates:
 - 2/05/05
 - 5/05/05
 - 16/05/05
 - 8/06/05
 - 9/06/05
 - 20/06/05
 - 1/07/05
 - 27/07/05
 - 4/08/05

Transport: Spencer Street shunting accident

823. Mr MULDER to ask the Minister for Transport — did a rough ‘ease-up’ of one V’locity two-car railcar set onto another occur at Spencer Street on Sunday 7 August; if so —

- (1) What damage did each railcar set sustain.
- (2) What were the fleet numbers of the V’locity railcars involved.
- (3) How much did repairs cost.
- (4) Who undertook the repairs.
- (5) Have any investigations been conducted; if so, by whom.
- (6) How many staff members, if any, were interviewed about this incident.
- (7) What was the result of any staff interviews or investigations.
- (8) What was the estimated speed of impact.
- (9) What training will be given to staff to minimise the chances of a repeat occurrence.

ANSWER:

As at the date the question was raised, the answer is:

V/Line has no record of any incident involving a V’locity railcar at Spencer Street on Sunday 7 August, 2005.

Transport: Craigieburn rail electrification extension

836. Mr MULDER to ask the Minister for Transport — once the Craigieburn electrification extension is opened —

- (1) What arrangements will be put in place to ensure that delays to V/Line services will be minimised.

- (2) For how many minutes will a typical Connex arrival at Craigieburn stand in the 'down' platform on a —
- (a) weekday;
 - (b) weekend.

ANSWER:

As at the date the question was raised, the answer is:

- (1) The operation of V/Line Passenger services through Craigieburn will be managed by Connex in a manner consistent with the existing Metropolitan Train Operating Protocol.

Late running penalties incurred under V/Line Passenger's Operating Performance Regime are effectively passed through to Connex under the Connex-V/Line Passenger Access Agreement. Therefore, Connex will continue to have a financial incentive to minimise the delay that it causes to V/Line Passenger trains.

- (2) The master timetable for Craigieburn has not yet been developed. Until it is, it would be speculative to estimate how many minutes a typical Connex arrival at Craigieburn will stand in the 'down' platform.

Transport: VicRoads sign disposal

840. Mr MULDER to ask the Minister for Transport —

- (1) How are obsolete VicRoads signs disposed of.
- (2) How many VicRoads signs were disposed of, and for what reason was each sign disposed of, in —
 - (a) 2002–03;
 - (b) 2003–04;
 - (c) 2004–05;
 - (d) 2005–06 to date.

ANSWER:

As at the date the question was raised, the answer is:

- (1) Obsolete signs are disposed of by VicRoads contractors, works provider groups or incident management resources in the proper manner through metal recycling plants.
- (2) During the course of a year, many signs are replaced as a result of new projects, accident damage, vandalism or wear and tear. VicRoads systems do not provide details on the number of signs disposed of in a particular year.

Transport: VicRoads Corio site office

843. Mr MULDER to ask the Minister for Transport with reference to the VicRoads site office at Corio —

- (1) How many square metres is the building.
- (2) How many staff occupy the premises on a permanent basis.
- (3) Until 16 August 2005, what was the cost of —
 - (a) rental or lease payments;

- (b) staffing;
 - (c) telephone;
 - (d) electricity;
 - (e) other expenses.
- (4) Are the premises leased; if so —
- (a) for how long;
 - (b) when did the lease first start;
 - (c) what is the annual cost of the lease.

ANSWER:

As at the date the question was raised, the answer is:

- 1) The net usable area of the building is 290 square metres, including reception, public display area and meeting rooms.
- 2) 16.
- 3) For the financial years 2004/05 and 2005/06 (part), costs are:
 - a) Rental or lease payments
 - 2004/05 – \$92,720 including outgoings.
 - 2005/06 – \$7,727 including outgoings.
 - b) Staffing
 - 2004/05 – \$1,219,644 including overheads.
 - 2005/06 – \$125,103 including overheads.
 - c) Telephone
 - 2004/05 – \$25,337.
 - 2005/06 – \$3,165.
 - d) Electricity
 - 2004/05 – \$19,196.
 - 2005/06 – \$1,576.
 - e) Other Expenses
 - Cleaning
 - 2004/05 – \$20,876.
 - 2005/06 – \$1,898.
- 4) Are the premises leased; if so –
 - a) The premises are leased for a period of 5 years, plus three further options of one year each.
 - b) The lease commenced on 19 July 2004.
 - c) The annual cost of the lease is \$90,000 per annum plus outgoings.

Transport: carriages and railcars

845. **Mr MULDER** to ask the Minister for Transport — on Wednesday, 17 August 2005 what rail services that terminated or originated at each of Geelong/South Geelong; Warrnambool; Melton; Bacchus Marsh; Ballarat; Ararat; Craigieburn; Kilmore East; Seymour; Shepparton; Albury; Sunbury; Bendigo—Swan Hill; Warragul; Traralgon; Sale and Bairnsdale were operated using —

- (1) 'N' carriage sets.
- (2) 'FN' carriage sets.
- (3) 'VN' carriage sets.
- (4) 'VZ' carriage sets.
- (5) 'Z' carriage sets.
- (6) 'SH' carriage sets.
- (7) 'FSH' carriage sets.
- (8) 'VSH' carriage sets.
- (9) 'VLH' carriage sets.
- (10) 'Sprinter' railcars.

ANSWER:

As at the date the question was raised, the answer is:

'N' Sets	Site	Originated	Terminated
	Traralgon	1	1
	Bairnsdale	2	2
	Sale	1	1
	Shepparton	2	2
	Sunbury	2	2
	Bendigo	1	1
	Swan Hill	1	1
	Ballarat	1	1
	Geelong	0	1
	South Geelong	4	3
	Warrnambool	1	1
'FN' Sets	Site	Originated	Terminated
	Traralgon	1	1
	Albury	3	3
	Geelong	1	1
	South Geelong	2	0
	Warrnambool	1	1

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'VN' Sets	Site	Originated	Terminated
	Sunbury	1	0
	Geelong	2	2
	South Geelong	4	6
	Warrnambool	1	1
'VZ' Sets	Site	Originated	Terminated
	Traralgon	0	1
	Bacchus Marsh	1	1
	Geelong	1	0
	South Geelong	1	2
'Z' Sets		0	0
'SH' Sets	Site	Originated	Terminated
	Sunbury	3	2
	Bacchus Marsh	1	1
'FSH' Sets	Site	Originated	Terminated
	Seymour	1	1
	Bacchus Marsh	2	2
	Sunbury	5	2
	South Geelong	1	1
'VSH' Sets	Site	Originated	Terminated
	Seymour	1	1
	Bacchus Marsh	2	2
	Ballarat	1	1
	South Geelong	3	3
'VLH' Sets	Site	Originated	Terminated
	Traralgon	0	1
	Sunbury	2	5
	South Geelong	1	1
'Sprinter' Sets Site		Originated	Terminated
	Warragul	1	1
	Traralgon	6	6
	Seymour	5	6
	Kilmore East	1	0
	Sunbury	12	13
	Melton	6	6

'Sprinter' Sets Site		Originated	Terminated
	Bacchus Marsh	3	3
	Ballarat	6	7
	Ararat	2	2

Transport: H and N-set carriages

846. Mr MULDER to ask the Minister for Transport —

- (1) Will the 'H' set cars converted from 'Harris' suburban trains and the 'N' sets remain in service beyond 30 June 2006; if so, how many sets of each type will remain in service.
- (2) How many individual 'H' set carriages will remain in service beyond 30 June 2006.
- (3) How many individual 'N' set carriages will remain in service beyond 30 June 2006.

ANSWER:

As at the date the question was raised, the answer to all questions is:

The future deployment of V/Line's H and N class train sets will be determined in V/Line's Rolling Stock Management Strategy, due for finalisation later this year.

Transport: taxi licences

848. Mr MULDER to ask the Minister for Transport —

- (1) How many taxi licences were there as at 18 August 2005 in each of the Melbourne metropolitan, Dandenong and Frankston taxi zones delineated as —
 - (a) full time;
 - (b) 'green tops'.
- (2) How many taxi licences were there as at 18 August 2005 in —
 - (a) Ballarat;
 - (b) Bendigo;
 - (c) Geelong.
- (3) What locations other than Melbourne metropolitan, Dandenong, Frankston, Ballarat, Bendigo and Geelong have taxi licences and how many taxi licences were there in each of the other locations as at 18 August 2005.
- (4) How many taxi licences were surrendered, and from what suburb, city, town or locality was each such licence surrendered, in —
 - (a) 2002–03;
 - (b) 2003–04;
 - (c) 2004–05;
 - (d) 2005–06 up to 18 August 2005.
- (5) What was the postcode of each 'green top' taxi licence holder who was issued with one or more 'green top' taxi licence that commenced operation between 1 January 2003 and 18 August 2005.

- (6) Listed by postcode, how many 'green top' taxi licences were issued to each separate licence holder between 1 January 2003 and 18 August 2005.

ANSWER:

As at the date the question was raised, the answer is:

- (1)&(2) Taxi licences as at 18 August 2005

Taxi Zone /Depot/ Location	Full Time Licences	Peak Service (Green Top) Licences
Metropolitan	3,273	199
Dandenong	91	0
Frankston	60	0
Ballarat	56	0
Bendigo	43	0
Geelong	130	0

- (3) Locations other than Melbourne metropolitan, Dandenong, Frankston, Ballarat, Bendigo and Geelong that have taxi licences as at 18 August 2005:

Operational Area	Total
Alexandra / Yea	2
Anglesea	2
Apollo Bay	1
Ararat	6
Bairnsdale / Paynesville	11
Bannockburn	2
Beechworth	2
Benalla	5
Boort	1
Bright	2
Broadford	1
Camperdown	4
Casterton	1
Castlemaine	7
Churchill / Morwell / Traralgon	3
Cobram	3
Colac	8
Corryong	1
Cowes	6
Creswick	2
Daylesford	5
Dimboola	2
Dinner Plain	1
Drysdale	1

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Operational Area	Total
Drysdale / Portarlington	2
Echuca	9
Emerald	6
Euroa	3
Garfield	2
Grantville	2
Halls Gap	1
Hamilton	7
Healesville	9
Heathcote	3
Horsham	8
Inverloch	2
Kerang / Barham / Koondrook	5
Kilmore	3
Koo Wee Rup / Tooradin / Lang Lang	2
Korumburra / Leongatha / Bass	5
Kyabram	3
Kyneton	7
Lakes Entrance	5
Loch Sport	1
Lorne	1
Maffra	2
Mansfield	3
Maryborough / Dunolly	5
Melton / Bacchus Marsh / Ballan	15
Merbein	1
Metung	2
Mildura (Sunraysia Zone)	21
Moe / Newborough	12
Morwell	12
Mount Beauty	1
Myrtleford	2
Neerim South	1
Numurkah	2
Ocean Grove	4
Ocean Grove / Pt Lonsdale	1
Orbost	2
Ouyen	1
Pakenham	6
Point Lonsdale	2
Port Fairy	3
Portland	8

Operational Area	Total
Robinvale	3
Rochester	3
Romsey	2
Rushworth	1
Sale	10
Seymour	8
Shepparton	21
St Arnaud	3
Stawell	6
Sunbury / Gisborne / Macedon	17
Swan Hill	9
Tatura	2
Terang	1
Timboon	2
Torquay	4
Traralgon	13
Wahgunyah	1
Wallan	1
Wandong	1
Wangaratta	11
Warracknabeal	1
Warragul / Drouin / Trafalgar	10
Warrnambool	19
Wedderburn	1
Welshpool	2
Westernport / Port Phillip Zones	31
Whittlesea	3
Winchelsea	1
Wodonga	13
Wonthaggi	6
Woodend	2
Yackandandah	1
Yarram	1
Yarrawonga	3

(4) Taxi licences surrendered:

- (a) 2002–03; – 0
- (b) 2003–04; – 0
- (c) 2004–05; – 3
- (d) 2005–06 up to 18 August 2005 – 0

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Date Licence Surrendered	Licence Type	Suburb/Town
July 2004	Conventional taxi	Nathalia*
March 2005	Conventional taxi	Mallacoota
May 2005	Conventional taxi	Nagambie
*Nathalia operator surrendered the licence for Nathalia however commenced a new service at Numurkah.		

(5)&(6) 'Green Top' peak service taxi licence issues between 1 January 2003 and 18 August 2005:

P/Code	Date of Issue	Suburb
3003	3/07/03	West Melbourne
Total		1
3012	19/03/03	West Footscray
Total		1
3013	9/07/03	Yarraville
Total		1
3015	24/10/03	Spotswood
3015	11/12/03	Spotswood
3015	4/05/05	Newport
Total		3
3018	24/05/05	Altona
Total		1
3020	31/03/03	Sunshine West
3020	19/06/03	Sunshine North
3020	11/07/03	Sunshine North
Total		3
3021	13/03/03	St Albans
3021	2/10/03	St Albans
3021	7/04/05	St Albans
Total		3
3022	30/03/05	Ardeer
Total		1
3023	4/03/03	Caroline Springs
3023	15/04/03	Deer Park
3023	13/04/05	Deer Park
3023	4/05/05	Burnside
Total		4
3025	24/01/03	Altona North
Total		1
3028	14/02/03	Altona Meadows
3028	14/05/03	Seabrook
Total		2
3029	7/02/03	Hoppers Crossing

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P/Code	Date of Issue	Suburb
3029	3/10/03	Hoppers Crossing
3029	20/08/04	Hoppers Crossing
3029	26/10/04	Hoppers Crossing
3029	15/04/05	Hoppers Crossing
Total		5
3030	19/02/03	Werribee
3030	12/05/05	Point Cook
Total		2
3033	25/03/03	East Keilor
Total		1
3034	1/10/03	Avondale Heights
Total		1
3037	29/04/03	Sydenham
3037	23/08/04	Delahey
3037	5/04/05	Delahey
Total		3
3038	28/07/03	Keilor Downs
3038	1/10/03	Taylors Lakes
3038	1/10/03	Taylors Lakes
3038	8/10/03	Taylors Lakes
3038	13/04/04	Taylors Lakes
3038	21/04/05	Keilor Downs
Total		6
3039	1/04/05	Moonee Ponds
Total		1
3041	8/04/05	Strathmore
Total		1
3043	7/09/04	Gladstone Park
Total		1
3044	9/09/04	Pascoe Vale
3044	8/10/04	Pascoe Vale
Total		2
3046	6/06/03	Oak Park
3046	2/09/04	Glenroy
3046	5/10/04	Oak Park
3046	28/04/05	Glenroy
3046	6/06/05	Oak Park
Total		5
3047	28/02/03	Broadmeadows
3047	3/07/03	Broadmeadows
3047	29/07/03	Dallas

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P/Code	Date of Issue	Suburb
3047	22/09/04	Broadmeadows
3047	23/05/05	Broadmeadows
Total		5
3048	1/07/03	Meadow Heights
3048	3/10/03	Meadow Heights
3048	1/09/04	Meadow Heights
3048	8/09/04	Meadow Heights
3048	31/03/05	Meadow Heights
Total		5
3051	8/05/03	North Melbourne
Total		1
3053	11/04/03	Carlton
Total		1
3054	13/04/05	Carlton
Total		1
3055	21/02/03	Brunswick East
3055	18/03/03	Brunswick West
3055	20/04/05	Brunswick West
Total		3
3056	20/02/03	Brunswick
3056	23/09/04	Brunswick
3056	20/04/05	Brunswick
Total		3
3057	1/10/03	Brunswick East
Total		1
3058	13/03/03	Coburg
3058	11/06/03	Coburg
3058	1/07/03	Coburg
3058	2/07/03	Coburg
3058	10/07/03	Coburg
3058	25/08/04	Coburg
3058	7/04/05	Coburg
3058	21/04/05	Coburg North
Total		8
3059	1/10/03	Greenvale
Total		1
3060	11/06/03	Fawkner
3060	29/10/04	Fawkner
3060	3/06/05	Fawkner
Total		3
3064	10/04/03	Roxburgh Park
3064	7/05/03	Roxburgh Park

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P/Code	Date of Issue	Suburb
3064	16/02/04	Roxburgh Park
3064	9/09/04	Roxburgh Park
3064	7/04/05	Roxburgh Park
3064	7/04/05	Roxburgh Park
3064	29/04/05	Craigieburn
3064	13/05/05	Craigieburn
Total		8
3071	22/10/03	Thornbury
Total		1
3072	15/04/03	Preston
3072	28/05/03	Preston
3072	4/07/03	Preston
3072	3/09/04	Preston
3072	22/09/04	Preston
3072	21/10/04	Preston
3072	12/11/04	Preston
Total		7
3073	4/03/03	Reservoir
3073	16/07/03	Reservoir
3073	2/10/03	Reservoir
3073	30/07/04	Reservoir
3073	3/09/04	Reservoir
3073	22/09/04	Keon Park
3073	23/09/04	Reservoir
3073	28/09/04	Reservoir
Total		8
3074	7/04/03	Thomastown
3074	27/09/04	Thomastown
3074	5/10/04	Thomastown
3074	6/04/05	Thomastown
3074	25/05/05	Thomastown
Total		5
3075	1/04/03	Lalor
3075	28/07/03	Lalor
3075	1/10/03	Lalor
3075	3/09/04	Lalor
3075	11/10/04	Lalor
3075	8/04/05	Lalor
3075	19/05/05	Lalor
Total		7
3076	*4/04/03 & 31/05/05	Epping

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P/Code	Date of Issue	Suburb
3076	1/10/03	Epping
3076	7/10/04	Epping
Total		4
3081	10/07/03	Heidelberg West
Total		1
3082	3/07/03	Mill Park
3082	3/09/04	Mill Park
3082	8/09/04	Mill Park
3082	9/05/05	Mill Park
Total		4
3083	17/04/03	Bundoora
3083	2/07/03	Bundoora
3083	30/03/05	Bundoora
3083	27/04/05	Bundoora
3083	4/05/05	Bundoora
Total		5
3085	10/02/03	Yallambie
Total		1
3087	18/07/05	Watsonia
Total		1
3088	23/05/03	Greensborough
Total		1
3089	1/04/05	Diamond Creek
Total		1
3104	26/09/03	North Balwyn
3104	1/10/03	Balwyn North
3104	5/10/04	North Balwyn
3104	6/10/04	North Balwyn
Total		4
3105	6/06/05	Bulleen
Total		1
3106	2/10/03	Templestowe
3106	24/09/04	Templestowe
Total		2
3107	6/05/05	Templestowe Lower
Total		1
3109	1/10/03	Doncaster East
3109	6/04/05	Doncaster East
Total		2
3121	7/09/04	Richmond
Total		1
3130	3/11/04	Blackburn North

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P/Code	Date of Issue	Suburb
Total		1
3132	28/09/04	Mitcham
Total		1
3141	5/03/03	South Yarra
Total		1
3146	29/03/05	Glen Iris
Total		1
3148	3/07/03	Chadstone
Total		1
3149	14/02/03	Mount Waverley
3149	28/11/03	Mount Waverley
Total		2
3150	4/04/03	Glen Waverley
Total		1
3151	20/08/04	Burwood East
Total		1
3152	1/04/03	Wantirna
3152	11/04/03	Wantirna
3152	22/10/04	Wantirna
3152	20/04/05	Wantirna
Total		4
3153	22/10/04	Bayswater North
Total		1
3161	15/04/05	North Caulfield
Total		1
3162	13/03/03	South Caulfield
Total		1
3163	31/03/03	Carnegie
3163	25/07/03	Carnegie
3163	1/10/03	Murrumbeena
3163	2/10/03	Glenhuntly
Total		4
3165	13/03/03	Bentleigh
3165	3/08/04	East Bentleigh
3165	18/05/05	Bentleigh East
Total		3
3166	1/07/03	East Oakleigh
3166	2/10/03	Oakleigh
Total		2
3169	18/02/03	Clayton South
3169	8/10/04	Clayton South

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P/Code	Date of Issue	Suburb
Total		2
3172	16/04/03	Springvale South
Total		1
3174	27/05/03	Noble Park
3174	24/09/04	Noble Park
Total		2
3175	7/05/03	North Dandenong
Total		1
3178	13/09/04	Rowville
3178	15/06/05	Rowville
Total		2
3181	27/03/03	Prahran
Total		1
3183	1/10/04	St Kilda East
Total		1
3185	11/07/03	Elsternwick
3185	30/09/04	Elsternwick
Total		2
3187	28/03/03	Brighton East
3187	1/10/03	East Brighton
Total		2
3191	30/07/03	Sandringham
Total		1
3222	22/09/04	Clifton Springs
Total		1
3752	8/07/03	South Morang
3752	11/05/05	South Morang
Total		2
3796	17/09/03	Mount Evelyn
Total		1
3802	27/08/04	Endeavour Hills
3802	29/10/04	Endeavour Hills
Total		2
3803	26/03/03	Hallam
3803	25/05/05	Hallam
Total		2
3805	29/09/04	Narre Warren South
Total		1
3931	30/03/05	Mornington
Total		1
3976	16/05/03	Hampton Park
3976	30/05/05	Hampton Park

P/Code	Date of Issue	Suburb
Total		2
3977	5/05/05	Cranbourne
Total		1
Grand Total		199

Note * Issued two Green Top licences first in 2003 and second in 2005.

Transport: wheelchair-accessible taxis

849. Mr MULDER to ask the Minister for Transport — how many wheelchair accessible taxis are there in the following taxi zones —

- (1) Melbourne metropolitan.
- (2) Dandenong.
- (3) Frankston.
- (4) Ballarat.
- (5) Bendigo.
- (6) Geelong.
- (7) any other location.

ANSWER:

As at the date the question was raised, the answer is:

The Number of Wheelchair accessible taxis is:

– Melbourne metropolitan	217
– Dandenong	9
– Frankston	9
– Ballarat	6
– Bendigo	5
– Geelong	16
– Any other location	82
TOTAL	344

Transport: taxi accidents

850. Mr MULDER to ask the Minister for Transport with reference to accidents involving taxis in each of 2002–03, 2003–04, 2004–05 and 2005–06 up to 18 August 2005 —

- (1) For each year, how many accidents involving taxis were there in the following taxi zones —
 - (a) Melbourne metropolitan;
 - (b) Dandenong;
 - (c) Frankston;

- (d) Ballarat;
 - (e) Bendigo;
 - (f) Geelong;
 - (g) any other Victorian taxi zone.
- (2) For each year, in accidents involving taxis, how many taxi passengers were —
- (a) killed;
 - (b) seriously injured;
 - (c) injured.
- (3) For each year, how many taxi passengers killed, seriously injured or injured in accidents involving taxis were —
- (a) 0–4 years old;
 - (b) 5–15 years old;
 - (c) 16–17 years old;
 - (d) 18–20 years old;
 - (e) 21–25 years old;
 - (f) 26–29 years old;
 - (g) 30–39 years old;
 - (h) 40–49 years old;
 - (i) 50–59 years old;
 - (j) 60–69 years old;
 - (k) over 70 years old;
 - (l) of an unknown age.

ANSWER:

As at the date the question was raised, the answer is:

The Victorian Taxi and Tow Truck Directorate does not collect the information requested.

This request may be able to be answered by the Victoria Police Accident Reports Unit.

Transport: multipurpose taxi program

852. Mr MULDER to ask the Minister for Transport — how much has been saved on a month to month basis from the Multi Purpose Taxi Program since taxi meters were linked to in-taxi electronic funds transfer at point of sale (EFTPOS) terminals.

ANSWER:

As at the date the question was raised, the answer is:

It is not possible to accurately state the monthly fraud savings achieved by the linking of the meters and the EFTPOS terminal alone. However, it is estimated that savings of \$3.1 million were realised in the 2004/2005 financial year for all the measures taken to reduce fraud. This equates to approximately \$258,000 per calendar month.

Transport: taxidriver training courses

854. **Mr MULDER** to ask the Minister for Transport with reference to taxi drivers who, after completing their taxi driver training course and being issued with a licence to drive a taxi, requested a refund for the cost of the course in 2004–05 —

- (1) How many taxi drivers requested a refund.
- (2) Were any refunds given; if so how many and what was the total amount refunded.

ANSWER:

As at the date the question was raised, the answer is:

- (1) None.
- (2) Not applicable.