

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

19 April 2002

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Friday, 19 April 2002

The **PRESIDENT** (Hon. B. A. Chamberlain) took the chair at 9.33 a.m. and read the prayer.

ABSENCE OF MEMBERS

Hon. P. R. HALL (Gippsland) (*By leave*) — I advise honourable members that due to the late calling of an assembly of the Legislative Council this morning and to the fact that the National Party is holding its annual state conference in Shepparton, commencing today as planned, the Honourable Jeanette Powell and the Honourable Bill Baxter will be absent from the house as they are attending that conference, having made that decision prior to the scheduling of the sitting of the house for today.

PAPERS

Laid on table by Clerk:

Surveillance Devices Act 1999 — Reports, 2001, from the Chief Commissioner of Police; Chairperson, National Crime Authority; and Secretary, Department of Natural Resources and Environment, pursuant to section 37 of the act.

MELBOURNE CITY LINK (FURTHER MISCELLANEOUS AMENDMENTS) BILL

Second reading

Hon. C. C. BROAD (Minister for Energy and Resources) — I move:

That this bill be now read a second time.

This bill makes a range of improvements to the City Link arrangements.

This bill has six purposes. The first purpose is to temporarily reserve certain Crown land under the Crown Land (Reserves) Act 1978 for the purposes of the City Link project so that licences can be issued to Transurban over that land for the installation and operation of reticulation pipes.

Transurban is required to implement a ground water management system that will prevent or minimise ground settlement. This requirement is being met in part by recharging the aquifers in the vicinity of the City Link tunnels at various recharge sites. The ground water management system will ensure that the appropriate ground water equilibrium level is reached and maintained for the duration of the concession period. Such a system is necessary to protect private

and public property in the vicinity of the City Link tunnels from ground settlement.

This amendment will enable Transurban to honour the agreement it reached with the Bracks government to use recycled water for recharge purposes. This will significantly reduce the amount of fresh water required for recharge.

As part of this commitment, Transurban is installing a reticulation system from a treatment plant near Swan Street to the recharge wells. Virtually all the reticulation pipes will run through land to be leased to Transurban. However, Transurban has identified the need for two additional narrow strips of land. These strips are situated on Crown land. One strip consists of unreserved and permanently reserved Crown land, situated on the south side of the Yarra River, between the Yarra River and Alexandra Avenue. The other strip consists of unreserved and temporarily reserved Crown land, between the Yarra River and Batman Avenue. There will be continued public access to the land to be reserved by this bill.

The second purpose of the bill is to restrict the acquisition of unit holdings in the Transurban Holding Trust. The act currently imposes a 20 per cent unit holder restriction on unit holdings in the Transurban City Link Unit Trust. The amendment, which is consequential on the Transurban restructure, imposes that ownership cap on unit holdings in the Transurban Holding Trust as that trust now holds all the units in the Transurban City Link Unit Trust.

The third purpose of the bill is to make provision for further backdating of temporary registration to support the new extended weekend pass. The new pass was introduced by Transurban after negotiation with this government and provides an improved product for the casual user. It enables motorists to use City Link from Friday midday to Sunday midnight at the same price as a 24-hour pass.

Legislation passed last session provided a legislative basis for this product by extending the period for temporary registration. This bill extends the backdating provisions for this product. Currently customers may purchase a pass until midnight of the day following the day of first use. Thus the current backdating provision only allows backdating for up to two calendar days, whereas the extended weekend pass is valid over a three-day calendar period. The amendment will enable backdating for the full period of an extended pass.

The fourth purpose of the bill is to provide greater flexibility in leasing land to Transurban. Currently the

act only enables Crown land to be leased to Transurban for the purposes of managing the roadway and ancillary works or related purposes. The bill enables the state to lease Crown land to Transurban for any purpose so long as it is not inconsistent with the road management and ancillary works purposes. Approval of a lease of land for a purpose that is not wholly or partly for the purpose of managing a roadway and ancillary works will require the approval of the minister administering part IX of the Land Act 1958. This amendment will be supported by amendments to the concession deed (referred to in the act as the agreement), enabling Transurban to sublease or licence small parcels of land included in its leases, subject to the approval by the minister of the terms and conditions of the sublease or licence. These subleasing or licensing arrangements could be used to facilitate better use of small parcels of land that do not have a community use and may otherwise stay vacant. An example is car parking facilities under elevated parts of the link.

The fifth purpose of the bill is to provide a legislative regime for the construction of a Transurban office building on land to be leased to Transurban in Burnley. Certain aspects of the City Link project are exempt from compliance with the Building Act 1994 and planning schemes under the Planning and Environment Act 1987, and exempt from the requirement to pay council rates.

The bill provides that the Planning and Environment Act 1987 and the Building Act 1994 will apply to the Burnley office site, and council rates will be payable by Transurban in respect of the site. This approach is consistent with the approach taken in relation to the link control site and the customer service site, two buildings that are part of the City Link project.

A special planning regime will apply to the Burnley office site. This is necessary because in 1999 the previous government entered into an agreement with Transurban which provided that Transurban would not be required to obtain a planning permit for the development on the Burnley office site, but would be required to go through an informal process with the City of Yarra, which is the responsible authority under the Planning and Environment Act 1987.

Though this government does not support Transurban being subject to a special planning regime, it is bound to honour the agreement entered into by the previous government. This government will therefore provide, by a special planning scheme amendment, that Transurban will not be required to obtain a planning permit for this development, but plans for the

development will be subject to approval by the Minister for Planning.

The sixth purpose of the bill is to amend the provisions of the act dealing with infringement notices, so as to establish a lower penalty the first time a person commits a tolling offence.

The current penalty is \$100.00. Tolling on the western link has been in operation for over two years and for more than one year on southern link. Users have now had time to become accustomed to the requirements of tolling and the infringement regime. However, the government recognises that a \$100 fine may be a heavy fine for first time offenders. The bill provides that the penalty for the first offence will be \$40. The bill makes provision for the penalty for the first offence to be varied by regulations. The government will continue to monitor the effectiveness and appropriateness of this penalty level.

I commend the bill to the house.

Debate adjourned on motion of Hon. G. B. ASHMAN (Koonung).

Debate adjourned until next day.

HEALTH PRACTITIONER ACTS (FURTHER AMENDMENTS) BILL

Second reading

Hon. M. R. THOMSON (Minister for Small Business) — I move:

That this bill be now read a second time.

Victoria's health system relies on the high-quality expertise and care provided by members of the health professions. The health system is changing rapidly, with growing corporate involvement in the provision of health services and increasing expectations of patients.

In this context it is essential that the statutory framework for regulating the health professions is flexible and responsive to contemporary issues. In order to adequately protect the public, there must be sufficient powers to ensure the maintenance of professional standards. This bill addresses both these important issues.

This bill amends five health practitioner registration acts as well as the Health Records Act 2001. The most significant amendments are to the Medical Practice Act 1994 and the Nurses Act 1993.

The amendments to the medical practice act are designed to:

empower the Medical Practitioners Board of Victoria to regulate unsatisfactory professional performance of registered practitioners;

establish powers to deal with corporate owners who direct or incite their registered medical practitioner employees to act unprofessionally; and

provide the board with greater flexibility in carrying out its functions.

Ensuring the continuing competence of the medical profession is a complex challenge and a shared responsibility. The community expects practitioners who are registered to practise with due skill and care. The Medical Practitioners Board has an important role to play.

Both interstate and internationally, greater attention is being given to linking renewal of registration to demonstration of professional competence. A range of options for addressing this challenge was canvassed in the discussion paper, 'Regulation of medical practitioners and nurses in Victoria' released by the Department of Human Services in August 2001.

This bill establishes powers for the Medical Practitioners Board to assess or review the performance of medical practitioners whose overall level of knowledge, skill, judgment or care in the practice of medicine is below the standard that their peers would expect. These powers are in addition to the board's existing powers to regulate unprofessional conduct, and are aimed at preventing harm and promoting high standards of practice.

The board will be empowered to receive notifications of unsatisfactory professional performance of registered medical practitioners, in addition to notifications about unprofessional conduct and ill health. The board will then have the power to appoint a preliminary investigator who will organise, if necessary, one or two suitably qualified medical practitioners to conduct a performance assessment of the practitioner.

The performance assessment is a relatively informal process from which the board may seek the practitioner's agreement to undertake further education or alter the way he or she practises medicine. If there are more serious concerns about the performance of a practitioner the board may appoint a performance review panel or refer the matter for a formal hearing.

A performance review is a more formal process that examines the practitioner's performance in greater depth. It is undertaken by a panel of two or more persons, at least one of whom must be a registered medical practitioner with expertise in the relevant area of practice, and one must be a lay person who is not medically qualified.

This panel provides a report to the board with recommendations for action. The board may impose conditions, restrictions or limitations on a practitioner's registration if it believes this is necessary to adequately protect the public.

It is intended that these processes be cooperative and educational rather than adversarial. To achieve this important objective, it is expected that the Medical Practitioners Board will consult with a range of medical bodies including the AMA and the specialist medical colleges as it establishes its performance assessment and review processes.

Many other strategies have been examined to address maintenance of professional competence. Options such as mandatory participation in continuing medical education as a condition of registration renewal, requiring demonstration of recent practice, and random performance audits have been considered but have not been included in this bill.

However, the bill does empower the Medical Practitioners Board to collect information on renewal of registration regarding a practitioner's professional activities and participation in education. Over time these powers will enable the board to identify practitioners who it believes may be at higher risk of poor performance and, if necessary, initiate a performance assessment. This is designed to be a more flexible approach that recognises the diversity of medical practice. If, however, the data collected by the board and other bodies indicates the need for further regulation, the minister will re-examine the options.

This bill also establishes a scheme for the regulation of corporate owners of medical practices. It is a form of negative licensing that targets only those employers who direct or incite registered medical practitioners to engage in unprofessional conduct.

Many stakeholders have highlighted the potential for corporate owners of medical practices to adversely influence the professional behaviour of medical practitioners. The existing definition of unprofessional conduct already allows the Medical Practitioners Board to take action against any medical practitioner who gives or receives an inducement that influences referral

decisions. However, the government is concerned that increasingly, commercial interests may be placed above those of patients.

There is the potential for corporatised medical practices to unduly influence a medical practitioner's referral patterns, set unacceptable consultation targets, or adversely influence clinical decision making in relation to ordering of diagnostic tests or prescribing of drugs. Potential for over-servicing is not the only concern. There is potential for under-servicing to have damaging effects on patient health.

The bill establishes an offence under the Medical Practice Act for an employer who directs or incites a registered medical practitioner to engage in unprofessional conduct. For the purposes of this offence, an employer includes any person who owns, manages, controls or operates the business that employs the registered medical practitioner, including the director, secretary or executive officer of the body corporate. The offence is also extended to cover any person who provides services to the business of a medical practitioner and in return receives a share or interest in the profits or income of that business of providing the medical services.

Those persons found guilty of this offence may be prohibited by the secretary of the Department of Human Services from operating a business that provides medical services. There are also offences established for any person who breaches such a prohibition. The significant penalties reflect the gravity of these offences.

Health services establishments, as defined in the Health Services Act 1988, are exempted from these offence provisions as they are already subject to regulation under that act.

Public health care agencies such as public hospitals and also community health centres are also exempted as they operate as not-for-profit organisations providing publicly funded services. These agencies are governed by separate statutory controls and accountability mechanisms under the Health Services Act.

This scheme is designed to ensure that patients' interests remain paramount, regardless of the business structure in which medical services are provided. If in the future this form of negative licensing is insufficient to achieve this objective, the government will re-examine the options for more stringent regulation.

Implementing powers for performance assessment and review has required restructuring of the Medical Practice Act to clearly delineate the board's powers to

address unprofessional conduct, unsatisfactory professional performance and ill health. Additional amendments empower the Medical Practitioners Board to:

vary conditions imposed on the registration of practitioners with the agreement of the practitioner;

immediately suspend, impose conditions on registration or enter into an agreement with an impaired practitioner if she/he poses a serious risk to the public;

employ a number of methods to allow flexible conduct of preliminary investigations;

enter into an agreement with a practitioner or impose conditions on her/his registration as an alternative to immediate suspension; and

where a practitioner's registration has been cancelled, fix a period within which an application for re-registration cannot be accepted by the board.

Other amendments in this bill are intended to improve the administrative efficiency of the Medical Practitioners Board and address concerns raised by the board about exercise of its powers. These:

amend the definition of unprofessional conduct to include breach of an agreement made with the board by a registered practitioner;

clarify the board's power to conduct a preliminary investigation, formal or informal hearing on its own motion as well as in response to a complaint or notification;

require practitioners to provide a public mailing address on renewal of registration as well as on initial registration; and

grant the board the statutory power to call pre-hearing conferences.

Significant reforms are also proposed to the Nurses Act 1993. Provisions similar to the negative licensing scheme for corporate medical practices are also proposed to regulate the activities of nurses agents. Nurses agents provide a valuable service to our health system. There are, however, concerns about nurses agents who may direct or incite nurses they supply to health services to act unprofessionally. This regulatory scheme is designed to target only those nurses agents who are found to inappropriately influence or undermine the professional practice of nurses.

This bill makes minor amendments to the powers of five registration boards to regulate false and misleading advertising by registrants. The effect of these amendments is to require ministerial approval of advertising guidelines prepared by the registration boards prior to publication of such guidelines in the *Government Gazette*. An additional amendment to the Chinese Medicine Registration Act 2000 seeks to alter the period of registration to conclude on 30 June of each year (rather than the current 31 December).

The bill also amends the Health Records Act. That act will regulate the handling of health information in Victoria. However, the standards contained in it regarding the collection, use and disclosure of health information do not apply to a news medium in connection with its news activities. The publication of health information in a news article by a news medium within Victoria is therefore not regulated by the legislation.

This exemption was included in the original act in recognition of the need to ensure the freedom of the media to enable public discourse on matters of public interest. The exemption was seen as integral to a democratic society. To balance this public interest with an individual's right to privacy of their health information, the exemption is confined to activities in connection with the dissemination of news and current affairs.

Health privacy principle 9 of the act — which is known as HPP 9 — regulates the transfer of health information outside Victoria. It would apply to the publication-related activities of a news medium. The bill rectifies this unintended anomaly by also exempting a news medium from HPP 9 in connection with its news activities. This means that the act will not distinguish between publications made within or outside the state. For example, the act would not regulate the distribution of a Victorian newspaper interstate or the making of a national broadcast from Victoria. The amendment is consistent with the overall purpose of the exemptions already conferred under the act.

The development of this bill has involved an extensive process of consultation and discussion. The boards, the professional associations and a range of other stakeholders have provided valuable input into the development of these amendments.

I commend this bill to the house.

Debate adjourned on motion of Hon. M. T. LUCKINS (Waverley).

Debate adjourned until next day.

QUESTIONS WITHOUT NOTICE

Legislative Council: Friday sittings

Hon. BILL FORWOOD (Templestowe) — I welcome the opportunity this morning to ask a question to the Leader of the Government and in doing so remind her of the Premier's commitment in response to the Independents charter that he would instruct ministers to answer questions directly, and I ask: is it not true that the only reason the minister changed the time of the sitting of the house today was to disrupt the jobs-for-mates inquiry and to prevent evidence that would show crooked behaviour by the Premier of this state?

Hon. M. M. GOULD (Minister for Education Services) — The Leader of the Opposition has obviously forgotten what he did on Wednesday. What he did on Wednesday was to change the sessional orders on his motion to allow for the upper house to sit on Fridays. It was his motion, and with the numbers on that side of the chamber the sessional orders were changed until the end of June this year.

The Leader of the Opposition moved an urgency motion on Tuesday that took up 3 hours of debate — 3 hours on an urgency motion! When he moved his motion on Wednesday he said most of his arguments for sitting on Friday were expressed in the urgency motion on Tuesday. He was claiming that the government was not open and not accountable, whereas the opposition has forgotten what it did on Tuesday and Wednesday.

The government is more than happy to sit and answer the opposition's questions. The upper house of the Parliament is sitting today.

Hon. BILL FORWOOD (Templestowe) — Mr President, like the government, the opposition is delighted to be here on Friday. The point I am making — —

Honourable members interjecting.

The PRESIDENT — Order! The rules for supplementary questions give the honourable member a minute to put his proposition. He cannot be drowned out and not heard during that time. I ask him to continue.

Hon. BILL FORWOOD — The motion that came before this house enables it to sit at 10 o'clock on

Fridays. I put it to you that the reason we are sitting at 9.30 a.m. today is that the government wanted to close down the Reeves inquiry because of the crooked behaviour of the Premier.

Hon. M. M. GOULD (Minister for Education Services) — The Leader of the Opposition has not even spoken with his colleagues. The inquiry met this morning from 9.00 a.m. until 9.30 a.m. It was only half an hour and it started half an hour early. The witnesses have been heard so nothing was changed, nothing at all.

**Information and communications technology:
regional infrastructure**

Hon. E. C. CARBINES (Geelong) — I refer my question to the Minister for Information and Communication Technology. Yesterday the minister indicated that the government would shortly release its regional communications infrastructure strategy. Can the minister provide any further detail as to what is contained in that strategy?

Hon. M. R. THOMSON (Minister for Information and Communication Technology) — I welcome the question from the honourable member, and I am pleased to be able to announce the details of Regional Connections, which is the Bracks government's regional infrastructure strategy. Infrastructure for telecommunications and telecommunications regulations is really a matter for the federal government, but there have been problems with the provision of telecommunications infrastructure into regional and rural Victoria. This means there is a lack of competition there, and that means higher prices and sometimes lack of access to technology for regional and rural Victorians.

Regional Connections is the Bracks government's action plan for helping regional Victorians get a better telecommunications deal. Regional Connections will help to improve and stimulate competition in regional areas and among telecommunication markets. It will also create competition for infrastructure. The details of the strategy are to promote a more competitive wholesale carrier market by providing access to backbone infrastructure such as the Victrack optical fibre network that will accompany the laying of rail for Victrack.

Regional Connections will support investment in competitive customer access networks. One of the problems is the last mile — the connection to the customer from the backbone infrastructure. We will be piloting network trials to be able to use that information regardless of the infrastructure that may be used for that

last connection to the customer to provide information for others who may wish to invest in infrastructure at that customer access network level.

Reducing the cost of information discovery is really important for regional telecommunication companies who do not have access to that kind of information when they need to make business cases for providing infrastructure. We will be making available the access to the information that the state government has and will be putting pressure on Telstra and communicating to the federal government the need for the information held by Telstra to be made available to regional telco companies to enable them to make a business case for putting infrastructure into rural and regional Victoria.

One of the other things we as a government can do is to look at how our own telecommunications spend is made available to regional community telcos. It is a good time, as we look at the renewal of our own contracts in telecommunications, to see how the very substantial Victorian government spend on telecommunications can assist regional telecommunications companies — community companies — to provide assistance in preparing business cases for providing that infrastructure.

Regional Connections provides a vision of how we can improve communications in rural and regional Victoria. This is a demonstration —

The PRESIDENT — Order! Time!

Minister for Energy and Resources: conduct

Hon. C. A. FURLETTI (Templestowe) — My question without notice is directed to the Minister for Energy and Resources, but before doing so I note with some degree of appreciation the fact that the Leader of the Government in this place has indicated that she called the house to sit today, because in this morning's *Bendigo Advertiser* the Minister for Energy and Resources is reported as having called off a meeting in Bendigo:

... to discuss antiregional power distribution costs, claiming she had to stay in Melbourne because the state opposition had forced a meeting of the upper house.

Given that the Leader of the Government today admitted that the government had adjourned the house, will the Minister for Energy and Resources admit that she has lied to the people of Bendigo and apologise to them for that deception?

Hon. C. C. BROAD (Minister for Energy and Resources) — I welcome the opportunity on this Friday to deal with these matters before the house. I also

welcome the opportunity to extend my apologies to the City of Greater Bendigo and to the honourable member for Bendigo East who arranged the meeting in Bendigo to discuss these important matters with the council. I look forward to at the earliest opportunity rescheduling that meeting to discuss these very important matters for the Bendigo community.

As the Leader of the Government clearly outlined to the house earlier this week, question time on Tuesday was delayed for 3 hours while the opposition demanded that ministers make themselves available while the house sits on Fridays.

On Wednesday the opposition moved a motion to change sessional orders to have the house sit on Friday, and the government has indicated that is in line with our commitment to being open and accountable, and here we are!

The Bracks government has restored the powers of the Auditor-General after they were stripped by the previous Kennett government. We have strengthened the powers of freedom of information after they were cut by the previous Kennett government. This government will be here on Friday or any other day to deal with business before this Parliament, as it has done already this morning.

Hon. C. A. FURLETTI (Templestowe) — I ask a supplementary question. I think the people of Victoria, particularly those in country and regional Victoria, are well aware of the contempt with which they are treated by this Bracks Labor government — —

Honourable members interjecting.

Hon. C. A. FURLETTI — And the minister can harp and carp — —

Honourable members interjecting.

The PRESIDENT — Order! The honourable member has a limited time to ask the supplementary question and I would ask for him to be allowed to continue without interruption.

Hon. C. A. FURLETTI — The issue is that this government continues to blame the former Kennett government for its failings and on this occasion tries to have the opposition carry the blame for sitting today. The minister should apologise to members of the house, and I ask that she apologise to the people of Victoria and to this house for the deception and lie that she perpetrated yesterday.

Hon. C. C. BROAD (Minister for Energy and Resources) — As I have already done, I apologise to the people of Bendigo for not being able to meet my commitment this morning because of the wilful changes — —

Honourable members interjecting.

The PRESIDENT — Order! Mr Furletti has asked the question: he should just keep quiet while the minister responds! Similarly, it needs the cooperation of both sides of the house for this to happen — we had three honourable members assisting the minister — so in the spirit of the house let the question be asked in silence and let the answer be heard in silence.

Hon. C. C. BROAD — I have not been able to meet that commitment because of the changes the opposition made to sessional orders after I made that commitment to the people of Bendigo. I also regret that the people of Bendigo are stuck with higher electricity prices because of the actions of the former Kennett government.

Schools: safety and security

Hon. JENNY MIKAKOS (Jika Jika) — Will the Minister for Education Services advise what action the Bracks government is taking to improve safety in Victorian schools?

Hon. M. M. GOULD (Minister for Education Services) — The Bracks government takes the issue of safety in Victorian schools very seriously. It is important that school staff, students and parents feel secure in their school environment, unlike when the previous government closed schools and failed to adequately maintain others and left them to rot. We have put a number of measures in place to assist the security of schools. These are based around extensive crime prevention and risk management advice. Importantly, security and emergency management services are provided to schools 24 hours a day by the department's emergency and security management branch. The branch's role includes assisting schools with management following school fires and providing counselling to school communities if disasters or distressing events occur.

Student focus programs have been instituted to encourage and support safe school environments. These include student support services officers, student welfare coordinators, anti-bullying programs, drug education, codes of conduct for all schools and child protection initiatives. In addition to these measures closed-circuit television sets are being installed as well as improved fencing and lighting around the schools. The introduction of these measures helps schools to

reduce property damage caused by graffiti and vandalism.

I am pleased to advise the house that the Bracks government has a large variety of measures in place which will help to provide a safe and secure environment in Victorian schools. The previous government left schools to rot; it closed down 100 schools and the schools left behind were left to crumble. Quite simply, the opposition did not care about our schools or our children's education — it will never care!

Environment: greenhouse strategy

Hon. R. M. HALLAM (Western) — Given the passionate support of the Minister for Energy and Resources for the need to reduce greenhouse gas emissions, I ask: is the minister able to cite hard evidence of any such reduction which is directly attributable to a Bracks government initiative?

Hon. C. C. BROAD (Minister for Energy and Resources) — I welcome this opportunity to address the house on the very important matter of climate change and what is being done to reduce greenhouse gas emissions. The Bracks government takes this matter very seriously indeed and, as I outlined to the house yesterday, we urge the federal Liberal government to take action in this area in relation to ratification of the Kyoto protocol. The report which was released — or leaked, depending on which versions of press reports you read — drawing attention to growth in greenhouse gas emissions, underlines the urgency of this task for the nation.

The Victorian government believes that action by the government to demonstrate leadership to the whole community is very important. That is why we have established the Sustainable Energy Authority of Victoria, an election commitment which this government has delivered on, to assist local government and businesses to reduce their energy consumption by improving their energy efficiency. It is why the government has taken action to purchase 5 per cent of its own power requirements from green power. This power comes from renewable energy sources which produce zero gas emissions.

It is also why the Victorian government has taken a number of other actions. These include setting a target for government buildings to reduce their energy consumption and setting a target for reducing the amount of freight transported to our ports by road and transferring it onto rail. All of these actions will contribute and already are in a number of instances

contributing to reducing climate change by reducing greenhouse gas emissions.

Hon. R. M. HALLAM (Western) — Given the minister's inability or reticence to cite any specific greenhouse gas reductions achieved under her administration, I refer her to the draft environmental impact statement on the corporatisation of the Snowy Mountains Hydro-electric Authority as produced by the federal Department of Industry, Science and Resources. It reports:

... environmental flows to the Snowy River equivalent to a 28 per cent flow regime ... would reduce the scheme's net contribution to greenhouse gas reductions by some 10 per cent, or around 564 000 tonnes of carbon dioxide. This would be equivalent to the permanent clearing of some 28 200 hectares of forest.

So that is the greenhouse gas effect of the minister's Snowy River commitment. I know the minister is fond of claiming that the Bracks government has turned Victoria around. My supplementary question is: in respect of greenhouse gas emissions, is the minister taking Victoria forwards or backwards?

Hon. C. C. BROAD (Minister for Energy and Resources) — This is not the first time that that particular reference in that report has been raised in this place. When it has been raised previously I have rejected that statement and I do so again today. It is patently obvious that it depends on what that generation is replaced with, and the Victorian government certainly is working very strongly to ensure that that generation is replaced with renewable energy generation.

I am also very pleased to say that officers and advisers are working in Canberra as we speak to finalise all of the documents in relation to the corporatisation of the Snowy Mountains Hydro-electric Authority, and I confidently expect that the Prime Minister will be signing those documents very soon.

Sport and recreation: industry awards

Hon. D. G. HADDEN (Ballarat) — Can the Minister for Sport and Recreation inform the house of what steps he has taken to ensure that participants in the sport and recreation industry are given adequate recognition for the improvement which their work brings to the state of Victoria?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I am very pleased to be able to answer any questions in this house at any time, but before I directly answer the question, can I say how sad I am that we have to be here today because there are lots of

things we could be doing across the state, growing the state and continuing the work of this government.

Hon. Andrew Brideson — If I could turn the clock back 30 or 40 seconds, Mr President, I wish to raise a point of order. It appears to me that the minister on his feet is making a ministerial statement or a personal explanation. It has nothing at all to do with the question that was asked and I call upon you to bring him back to the question.

The PRESIDENT — Order! The principal requirement in answers to questions is, of course, that the answer must be relevant to the question asked and that the answer should be given and not debated. As President Hunt said:

The purpose of question time is to seek and give information, not to debate the issues.

Perhaps the minister would now like to move along to answer the question that was actually asked of him by a member on his side.

Hon. J. M. MADDEN — Thank you for the opportunity to answer this question, Mr President. In introducing this issue in terms of the preamble, I am always pleased to be able to announce the outstanding work that the Bracks government continues to do in this state. We are a decent government, a strong government and a government that is growing the whole of the state, unlike the opposition, who we know are divided. They do not care; they continue to pretend to care, but we know they do not.

We care, and we care about people in sport and in communities. Today's announcement is about the sports industry awards and about endorsing the work of volunteers, about supporting organisational management, about community facility design and about rewarding communities for that, about education of communities and the sporting sector, about community events, and about safety and applied research in the community in the sports sector. The opposition would not appreciate this, but it should know that the sector is one of the most rapidly growing industry sectors, growing faster than the telecommunications and service industries, the hospitality industry and the accommodation sector. That is why this government is pleased to have the sport and recreation awards. Those awards will encourage the outstanding results achieved by organisations, businesses, individuals and sporting, fitness and racing sectors, outdoor recreation sectors and community recreation industries in this state.

We continue to care. We continue to endorse the work of Victorians across the state to grow the entire state, unlike opposition members who enjoy, and continue to enjoy — and they know it — the luxury of the plush velvet of this gentlemen's club. They should be out in the community today, and they are not because they changed the sessional orders. They are happy to sit here because they do not want to work in their communities where they should be on a day like today.

Liquor: licences

Hon. W. I. SMITH (Silvan) — I welcome the opportunity to ask a question on a Friday and to particularly ask a question of the Minister for Small Business. The minister is currently negotiating an industry agreement between Coles Myer, Woolworths and the two liquor associations — the Liquor Stores Association of Victoria and the Master Grocers Association of Victoria. What date does the minister expect this contract to be signed?

Hon. M. R. THOMSON (Minister for Small Business) — I thank the honourable member for her question. The discussions that are occurring have been going on for some time. We would like to give an opportunity to the parties to have a look at what they can do to achieve an agreement. We are leaving its future up to the industry.

While we are pleased to see that the industry players are trying to work constructively to provide their own solutions for their future and provide security for small businesses into the long term, the opposition is on a campaign of fear. The opposition knows that the best outcome for the industry is an industry agreement. It knows that. It knows that is the best way out.

I want to get on the record that during the debate on Wednesday it was stated that the 8 per cent was never breached under the Kennett government. Let's get the record straight: it was breached continuously from November 1998 until April 2000 — it was breached! The Honourable Theo Theophanous came into this Parliament with a private member's bill to close that loophole so it could not continue to be breached. What did the then government do? Did it support the private member's bill? No, it did not. It did not care about small business in the liquor industry then; it does not care now. It is playing politics with an issue. I would hope the industry players — Coles Myer, Woolworths, the Liquor Stores Association of Victoria and the Master Grocers of Victoria — are able to reach an agreement shortly because it is in the best interests of small business that they do so.

This government has been open about that since it introduced the legislation into this Parliament to close the loopholes, and it has been open about the 8 per cent no longer being a viable means of protecting small business. We are looking forward to an agreement which looks at providing some security for small businesses in the liquor industry. I hope those discussions are successful. I hope they go well because it really is the only way to secure the small business sector in the long term.

Hon. W. I. SMITH (Silvan) — One of the liquor associations has sought legal advice on the contract that this government is brokering at the moment. The legal advice it has received as to the validity of the contract is that it is not worth the paper it is written on. It believes it is being sold a pup. Both associations have lost confidence in the contract. They have lost confidence in the minister. They believe the she is duplicitous in her dealings. Will the minister now acknowledge that her personal actions in brokering this deal have caused chaos and uncertainty in the liquor industry?

Hon. T. C. Theophanous — On a point of order, Mr President, the honourable member has been going on for some time about some legal advice being sought by an industry association and has refused to name which association that is. I ask that, given she is asking the minister to respond to some legal advice from a particular organisation, she should be required to name the organisation so that the minister can respond in an appropriate manner, because I suspect it is the same organisation that I mentioned yesterday in the house — —

The PRESIDENT — Order! The requirement in relation to questioning the questioner about aspects of the question has never been one that has been put on questions in this house as far as I am aware, so I do not uphold the point of order.

Honourable members interjecting.

The PRESIDENT — Order! The honourable member only has 18 seconds left; I expect the house to respect that time.

Hon. W. I. SMITH — The fact is that the contract is not worth the paper it is written on, and it is one of the industry groups that the minister has been negotiating with inside her — —

Honourable members interjecting.

Hon. W. I. SMITH — The fact is that the minister will not close the loophole and give any surety. Will

she now acknowledge that she personally has caused the chaos and uncertainty in the liquor industry?

Hon. M. R. THOMSON (Minister for Small Business) — The only chaos being caused in this industry is by the opposition in creating an environment of fear. I reiterate that it is in the best interests of small business, as was conceded by the Honourable Bruce Atkinson, if they could reach an industry agreement to provide security and enable a transitional period. Let me say again that I wrote to all liquor store owners and independent grocers outlining the in-principle agreement. I believe the associations and small business want to ensure that there is an agreement reached for their futures.

Gas: supply security

Hon. S. M. NGUYEN (Melbourne West) — Could the Minister for Energy and Resources please advise the house on what the Bracks government is doing to increase Victoria's supplies of gas?

Hon. C. C. BROAD (Minister for Energy and Resources) — I thank the honourable member for his question. I am very pleased to be able to inform the house that Victoria is now in the enviable position of having increased security of gas supplies due to significant increases in the available sources of gas. I note concern in the petroleum industry regarding levels of exploration. However, Victoria is in a very strong position in relation to the level of exploration which is under way and in development. That is in part due to the actions of the Victorian government in our policy settings for business and our support to the industry through the provision of exploration data.

In addition to existing sources of supplies from Longford — I was very happy to attend the recent recommissioning with the Premier — and in addition to the underground gas storage facilities at Port Campbell, Victoria has a number of projects under construction. OMV's Patricia Baleen gas field project in the Gippsland Basin will feed gas from an independent gas plant into the eastern gas pipeline near Orbost. The Bream A Gas cap is to be developed in the Gippsland Basin and will provide a significant increase to the amount of gas available to Esso's Longford facility. This is as well as five new onshore gas fields which have been discovered in the Otway Basin by Santos and which will pass through its gas plant near Port Campbell.

The Minerva field is expected to commence construction later this year through an independent gas plant, which is also near Port Campbell. Additional to

those direct sources of gas is a wider availability and increased security of supply through connections with other states through the eastern gas pipeline, the interconnect and potentially two gas pipelines to South Australia.

The Bracks government has ensured that security of gas supply is a top priority. We are turning the state around through these initiatives, which demonstrate that we have the vision and the plan for the future of gas supply and exploration in Victoria. This vision position contrasts sharply with the previous government, the only vision of which for gas was to sell off the retail and distribution system. Newly discovered fields will add to the diversity of supply and hence to Victoria's gas supply system. They include the Bassgas project and the Geographe–Thylacine gas field discovered last year in the Otway Basin by the Woodside Petroleum joint venture.

Through these projects Victorian consumers now have increased security of gas supply, and the Bracks government is continuing to deliver and to make sure that Victorians will enjoy even greater security of supply in the future from multiple producers through multiple gas plants supported by a commercial underground gas storage capacity.

Gas: SEA Gas pipeline

Hon. C. A. FURLETTI (Templestowe) — I am pleased to have this opportunity on a Friday to direct a question to the Minister for Energy and Resources on the SEA Gas pipeline, which is a matter I raised last Tuesday during the adjournment debate and which the minister refused to answer because she has not been back since. I expected that the minister would have been across the portfolio, particularly given she signed a permit for SEA Gas to own and operate the pipeline.

Will the minister confirm if the land acquisition and easement procurement along the pipeline route was a condition precedent to the grant of the permit, which I would expect to be within her knowledge, and whether she has made inquiries to determine the number of landowners who have not signed such an agreement; and if so, whether her department has misled some of the landowners who have not signed?

Hon. C. C. BROAD (Minister for Energy and Resources) — In relation to the matter raised by the honourable member, which he has raised in the house on a number of occasions but still not furnished any information about, I can advise the house of a number of matters. SEA Gas was awarded a permit authorising the route, and that route has been considered for its

environmental and planning impacts and evaluated to be satisfactory. The award of the permit does not go to the matters raised by the honourable member. However, in granting the permit SEA Gas was advised that I required my department to facilitate negotiations between landowners and SEA Gas in the finalisation of land interest agreements. As with all pipeline projects, I am pleased to say it would need to be demonstrated to me that appropriate processes had been followed by the holder of the permit prior to me considering any actions to intervene in those processes.

I am advised that officers from my department have explained those processes to the land-holders affected and have assisted in attempting to resolve those issues. It is my understanding based on further advice that it is likely that only a small number of landowners may not be able to reach agreement with SEA Gas. However, the department is continuing to facilitate negotiations where matters are brought to its attention.

As the honourable member is also aware, certain matters have been referred to the police and are matters for the police to deal with. There is a further stage in the processes which involves SEA Gas making an application for a licence to construct the pipeline. We are not yet at that stage and are yet to see how the current processes are concluded.

Hon. C. A. FURLETTI (Templestowe) — I thank the minister for her answer. Obviously the Friday sittings work to extract answers from this open and accountable government! As I have indicated before, it is like extracting teeth. Would the minister indicate to the house, given that there are only a few landowners still to reach agreement —

Honourable members interjecting.

The PRESIDENT — Order! I suggest the house allows the honourable member to complete his supplementary question, without assistance from anyone.

Hon. C. A. FURLETTI — Given the minister's response that only a few landowners remain to sign the agreement, could she indicate whether any compulsory acquisition processes have been initiated?

Hon. C. C. BROAD (Minister for Energy and Resources) — The answer is no.

Teachers: recruitment

Hon. R. F. SMITH (Chelsea) — In light of the massive cuts to the teaching profession that took place during the period of the previous government can the

Minister for Education Services please advise what actions the Bracks government is taking to return teachers to the Victorian school system?

Hon. M. M. GOULD (Minister for Education Services) — I thank the honourable member for his question, and I know he has a concern with what the previous government did to the teaching profession in this state.

Honourable members interjecting.

The PRESIDENT — Order! I am trying to hear the minister's response and I suggest the honourable members sitting behind her keep quiet and allow her to be heard.

Hon. M. M. GOULD — The Bracks government is turning around Victoria's education system and is working very hard to enhance the teaching profession in Victoria. We are developing initiatives to recruit teachers to Victorian schools. It is clear that the previous government had a reckless disregard for the potential of what happened to the teaching profession as a result of it cutting more than 9000 teachers, at a cost of \$300 million to the Victorian community. Sadly, the federal government is still actively working to further the shortage of teachers by not providing sufficient university places in Victoria to adequately overcome the existing shortage.

Regardless of this, the Bracks government is working to enhance the profession of teaching and to recruit great teachers to our schools. I have previously advised the house that we are establishing the Victorian Institute of Teaching and forming a new partnership with the teaching profession after it was so brutally attacked by the opposition when it was in government. The Bracks government has also reached a collective agreement with teachers which is designed to attract graduates to the teaching profession and to retain and reward the best teachers.

We also employ graduates for an annual teachers graduate recruitment program that is designed to support principals. A departmental teacher recruitment Internet site promotes teaching as a career and information sessions are held for first-year graduates. Secondary school students are being encouraged to take up the teaching profession because year 12 students turned away from teaching as a profession because the previous government sacked and demoralised 9000 teachers. In addition, departmental officers support and employ primary and secondary school teachers to retrain and undertake professional development to enhance curriculum areas. The Bracks

government is acting to address the destruction of the teaching profession by the former government and the continuing obstacles put in place by the federal government. The Bracks government is delivering for our schools, for our students and for Victoria.

ANSWERS TO QUESTIONS WITHOUT NOTICE

Legislative Council: Friday sittings

Hon. BILL FORWOOD (Templestowe) — I move:

That the Council take note of the answer given by the Minister for Education Services to a question without notice asked by the Honourable Bill Forwood relating to the Urban and Regional Land Corporation Managing Director Select Committee.

Standing order 205 states:

All select committees sitting at the time that the President is about to take the chair shall be informed by the Usher of the Black Rod that the President is about to take the chair, and all proceedings after such notice shall be null and void, unless such committees be otherwise empowered to sit.

This week the house enabled itself to sit on Fridays, if it so desired. Yesterday afternoon the Deputy Leader of the Government approached me and said that today was a day that the house would like to sit. Rather than the Leader of the Government moving, as would have been normal, that the house should adjourn so that we could return today, Friday, at 10.00 a.m., the Leader of the Government came in and moved that the commencement time today should be 9.30 a.m.

It had been previously announced that the commencement time today for the meeting of the select committee on the Urban and Regional Land Corporation managing director would be 9.30 a.m. I believe the committee was to take evidence from three or four witnesses, including some new witnesses, as well as some witnesses due to return to answer additional questions. The issue then became that because of standing order 205 it would be impossible for the committee to sit.

Despite the attempt by the government to disrupt the committee, the decision was taken by the committee's chairman that at least some work would be done. They resolved to meet at 9 o'clock. I understand it met for about 30 minutes and took some evidence. But that does not get around the fact that the reason the government changed the time of today's sitting of the house — let's not worry that we are sitting on a

Friday — from 10 o'clock to 9.30 a.m. was to disrupt the committee.

Hon. T. C. Theophanous — Rubbish!

Hon. BILL FORWOOD — The honourable member says 'Rubbish'. The reason the government changed the starting time was to close down the Reeves inquiry. There is no doubt that the Reeves inquiry is doing damage to the government. It started before Christmas and is doing damage.

Honourable members interjecting.

Hon. BILL FORWOOD — Don't put your head in the sand and believe it is not.

Hon. I. J. Cover — A festering sore.

Hon. BILL FORWOOD — It is a festering sore that the people of Victoria are really suspicious about. We know that part of the reason for the petulant dummy-spitting in relation to the adjournment debate was that the government is cross about the fact that the two upper house inquiries — one into Reeves, the other into Frankston — have shown the government to be just slightly tarnished, just a little bit tawdry and a touch on the sordid side; there is a bit of a whiff around with what is happening with the government, a bit of a whiff around about the behaviour of the Premier and the Minister for Health.

Hon. C. A. Furletti — More than Werribee.

Hon. BILL FORWOOD — Yes, more than Werribee — there is a little whiff around about the actions of the former parliamentary health secretary. That has come about because of the decision of this chamber to set up two select inquiries. We should never lose sight of the fact that the government does not like the scrutiny or being held to account. The high-sounding words that Labor members went to the people with before the last election have been shown to be absolutely breached by their actions. So today's little effort of just changing the time by half an hour with no reason other than to disrupt the inquiry — —

Hon. T. C. Theophanous interjected.

Hon. BILL FORWOOD — Mr Theophanous was on his feet pretty quickly and saying to this side, 'Now we are going to have to cancel the witnesses'. You know what it is like. You cannot help a little bit of a goat sometimes; but he gave the game away. We are happy to be here on Fridays. We were happy to come at 10 o'clock on Fridays. But what was really apparent was that what the government does not want is scrutiny

of its actions. It will do anything it can to prevent itself being held to account for the grubby little crooked things that are happening behind the scenes, particularly in relation to the appointment of the Premier's mate, Jim Reeves, as the managing director of the Urban and Regional Land Corporation.

Hon. T. C. THEOPHANOUS (Jika Jika) — The opposition was never serious when it moved its motion to change the sessional orders and to allow for sittings on Friday. What happened was that the government called its bluff and the opposition was found wanting. That is the situation. The opposition never wanted to sit on the Friday.

Hon. Bill Forwood interjected.

Hon. T. C. THEOPHANOUS — For your information — and you know very well why — the time 9.30 a.m. was allocated on advice from the clerks who said that if the time was not changed the opposition would not have the opportunity, if it so desired, to move an amendment so that we can meet next Tuesday. We were providing the opposition with the maximum opportunity and testing it to see whether it was committed to sitting on Friday or not.

Hon. Bill Forwood interjected.

Hon. T. C. THEOPHANOUS — The opposition never, ever wanted to sit on Fridays; it was just a try-on. We are happy to accommodate the opposition any time it wants to sit on a Friday.

I am staggered by the notion that we would in some way interfere with the Reeves committee. The opposition has the numbers on the Reeves committee! It can make us sit on the Reeves committee after the house finishes, tomorrow, at midnight, on Sunday, whenever it wants. So how can it say that we in the minority are somehow disrupting the Reeves committee?

The Reeves committee is a total sham. It is a committee that is out of control, one where the opposition has thrown out all convention. Let me give you two examples. First of all, the opposition and the National Party took the chair and the deputy chair positions on the committee, against all convention. That is example 1.

Honourable members interjecting.

Hon. T. C. THEOPHANOUS — Yes, you did! Mr President, against all convention they took both the chair and the deputy chair. Also, against all convention they subpoenaed people to come before the committee

before they were even asked, which is something not even the Australian Senate was prepared to do in its inquiries.

And what about the members of the committee? It is made up of the chairman and the deputy chairman, the Honourables Neil Lucas and Roger Hallam, people who were caught out and were not prepared to make available to the committee their own little deal that had been done before Mr Lucas was elected to Parliament to give him a cosy little contract for \$100 000 by Mr Hallam to tide him over until he came into this chamber without any reference to any process, simply as a handout to Mr Lucas. He should not even be chairing a committee. He is not fit to chair such a committee, Mr President.

Hon. N. B. Lucas — On a point of order, Mr President, I take great exception to what Mr Theophanous has just said, which was along the lines that I am not fit to chair the select committee. I ask him to withdraw it.

Hon. T. C. THEOPHANOUS — On the point of order, Mr President, in the course of this kind of debate it is appropriate to express a view about how competent an individual is. We do it all the time in this place. For me to say that I do not think Mr Lucas is fit to chair that committee is a matter of the opinion I have in relation to his competencies and the way he has conducted himself on that committee. I am entitled to have that opinion and I am entitled to express it. Mr Lucas is entitled to defend himself or to make any other comment in defence of the way he has run that committee.

Hon. Bill Forwood — On the point of order, Mr President, Mr Theophanous does have the right to accuse Mr Lucas of being incompetent. He certainly does not have the right to accuse him of being dishonest! He accused him of dishonesty in the appointment — —

The PRESIDENT — Order! As I understand it, Mr Lucas took offence at the statement that he was not fit to lead the committee. Those are the words that are being objected to and that is what this subsequent discussion is about.

Hon. Bill Forwood — On the basis that he had taken money, right?

The PRESIDENT — Order! I am sorry, you are connecting two things, which is not what Mr Lucas has taken objection to.

Hon. N. B. Lucas — On the point of order, Mr President, Mr Theophanous indicated that I was unfit to chair the committee, having made a statement regarding a consultancy I had with a previous minister in the Kennett government. In my view he was inferring that there was something wrong with me having that position and as a result I was not fit. That is why I asked him to withdraw. Mr Forwood is actually right — the context in which I raised the matter was that Mr Theophanous said that I am unfit and gave the reasons. That upsets me greatly and he should withdraw!

The PRESIDENT — Order! As it happens, the temporary chairmen, the Deputy President and I have recently had discussions about the application of this provision of standing orders. As I have said in this house many times before, the honourable member must object to the words that have been stated and the Chair has to take the view that it is objectively offensive. There is no doubt that over the years the position of the bar has changed, and in fact looking at some of the objections that were ruled out of order 10 years ago, in retrospect one would tend to laugh at them.

In relation to this matter, it is my view that this does not exceed the limits of robust debate in the house and therefore I cannot require the withdrawal of those words.

Hon. T. C. THEOPHANOUS — What you have is an absolute sham committee. To give an example, the committee has recently gone about disregarding the privacy laws that apply in this country and disregarding people's right to privacy, and it has recently decided to subpoena Telstra to get the phone records that came to and from the Brisbane City Council and Mr Reeves — —

The PRESIDENT — Order! I want to ask a question in relation to that. Did those matters come out of the open hearings of the committee or the deliberative hearings of the committee?

Hon. T. C. THEOPHANOUS — They are matters which have been communicated by way of letter to the government from the committee.

The PRESIDENT — Order! That is not the question.

Hon. T. C. THEOPHANOUS — I am able to speak about a letter which has come from the committee to the government and is a matter — —

The PRESIDENT — Order! The rules are very clear in relation to this. Matters arising from the

deliberations of the committee must not be communicated to the public or to this house other than by a report of the committee. I ask the honourable member not to go down that line, but to move on to the next aspect.

Hon. T. C. THEOPHANOUS — I would be very interested to see how —

The PRESIDENT — Order! Move on, Mr Theophanous.

Hon. T. C. THEOPHANOUS — I would be very interested to see how the committee, a committee I have described as a sham, deals with this issue which has been communicated to the government and has been communicated by way of a letter and therefore is in the public domain in that sense.

The PRESIDENT — Order! I think the honourable member has finished.

Hon. C. A. FURLETTI (Templestowe) — Thank you, Mr President; I appreciate your exercising your discretion in that way. It is an indication of the Honourable Theo Theophanous's conduct not only in this place but also in the conduct of the inquiry. This is a situation where both government members at every possible opportunity, whether in this place or in the inquiry itself, have conducted themselves in ways which have demeaned, intimidated and prejudiced the conduct of the inquiry, all because of a situation —

Hon. Gavin Jennings interjected.

Hon. C. A. FURLETTI — Mr Jennings, I am happy to quote from the record as to the intimidation that you and the Honourable — and I use the word loosely — Theo Theophanous have conducted —

The PRESIDENT — Order! This line of debate on matters arising from the internal workings of the committee is not something that I am prepared to contemplate because the lines between what was said publicly and what was part of the deliberations of the committee become very indistinct. The fact is that the rules about disclosing deliberations of the committee are very firm and are strongly applied throughout our system, and I will not allow them to be breached by any side of the house.

Hon. T. C. Theophanous — On a point of order, Mr President, I take exception to Mr Furletti using the word 'intimidation' in relation to me.

The PRESIDENT — Order! The honourable member has taken objection. I believe that does not go

over the high jump mark, either, and I do not uphold the point of order.

Hon. C. A. FURLETTI — Isn't it amazing, the thinness of the skin of the grub! This debate surrounds the answer by the Leader of the Government in this place when she indicated that because of the sessional orders which had been amended earlier this week we were sitting here today, but the issue that was raised in the question by the Leader of the Opposition was why the amendment was made to the time of commencement, which my inquiries indicate has not been changed in at least 30 years and possibly more.

The focus that was on the time of the commencement of the sitting of the house today was totally ignored in typical fashion by the Leader of the Government in this place, and it is ironic that it happened to have been the same time as the select committee sought to begin its workings. Isn't it a classical example of the government and the explanation given by the Honourable Theo Theophanous — the explanation that the Leader of the Government could not give in answer to the question but which was sought to be given by the Honourable Theo Theophanous? The government changed the starting time to allow us the opportunity to move an amendment to sit on Tuesday!

This is the government of the state of Victoria: it moves a motion to allow the opposition to amend its motion. What an absolute farce! This is another attempt to delay for a further week the clarification of the Premier's involvement in that smelly, grubby, dirty, dishonest Reeves affair. At every opportunity members on the other side take the chance to discredit and derail that inquiry, which at the end of the day will have a similar result to that other witch-hunt and sham the government complains about — the one into the Frankston central activities district development, where —

Honourable members interjecting.

The PRESIDENT — Order! It is not bad one voice coming from there, but when two are coming in a tier it is very difficult to sort out the wheat from the chaff!

Hon. C. A. FURLETTI — The parliamentary secretary says he stood down, but we all know he resigned. Why? Because that witch-hunt actually found dirty, smelly, grubby conduct. He was told to resign by his leader, and that is not over yet either.

So the real reason for our being here is not to conduct the business of the house which, as honourable members know, from looking at the notice paper, does not exist. This is a government bereft of legislative program; this is a government that introduces

one-clause bills; this is a government that is here today to try to give the Premier another week's grace. That is why this government is here. The minute the pressure is applied what does Mr Theophanous do? He attacks the man, the chair of the standing committee, as he attacks witnesses!

I refer honourable members to the ruling of the President of earlier this day and to the written transcript of the evidence given and the questions and manner in which these committee members asked those questions — intimidation! It shows the perverse personality of the committee members who are seeking at every opportunity to derail the inquiry, which includes bringing us here today.

The PRESIDENT — Order! Time!

Hon. GAVIN JENNINGS (Melbourne) — I would like to take down the hyperbole and excitement in the chamber, because we are witnessing a demonstration by very angry and bitter people about the fact that the Parliament is sitting this morning.

Parliament does not normally sit on a Friday, although members of the Victorian community may or may not be aware of that. In fact, it is sitting today following a change to sessional orders that occurred in the middle of this sitting week. The Leader of the Opposition moved a motion, which was supported by the Liberal and National parties in this place, that this chamber sit on Fridays as a matter of course unless the Leader of the Government moves a specific motion to change the sitting arrangements. When the house adjourns on a Thursday we will now normally sit on a Friday unless the government chooses to move a different time. So according to the sessional orders that have been imposed on this chamber by the Liberal and National parties the government is obliged at the adjournment on a Thursday to sit on the Friday.

The government standing up to the opposition and requiring it to sit on Fridays is a price the opposition clearly never expected to pay. The opposition clearly had the expectation that the government would never comply with the sessional orders and force the chamber to come back. As to the aspect of the honourable member's contribution which went to the intrigue surrounding the 9.30 a.m. starting time, I give 100 per cent support to the argument put by my colleague Mr Theophanous about the genesis of the 9.30 a.m. start. As I told the Leader of the Opposition this morning, the genesis of the 9.30 a.m. start came about yesterday afternoon when I sought advice from the Clerk on the question of whether the government should forewarn the opposition that it intended to come

back on Friday and what mechanisms and opportunity were available to the opposition to amend the adjournment motion if it chose to. On that basis 9.30 a.m. was selected because it drew us into line with the starting time of the Legislative Assembly.

The Leader of the Opposition knows that to be the truth because when, in the middle of his fury this morning I said to him, 'I'll call the Clerk as a witness' — in jest — he stopped. He stopped because he knew the truth: that it was providing the opposition with an opportunity, if it was not prepared to live up to its bluster about making the house accountable and sitting on Friday, to make us adjourn until Tuesday. He knows that to be the truth, yet he will run away from that truth and desperately try to cling onto this tenuous relationship to the select committee.

Anybody who has been a witness to the activities of the select committee knows a number of facts. One of the facts is that the barrel is being scraped at the moment by the committee in trying to generate witnesses to support its proposition. The witness this morning, who was called to appear for half an hour, was indeed the witness who was going to appear before the committee today — there was no net effect change of the hearings to the select committee — and the evidence of that witness did not contribute, in my assessment, to the argument being put by the opposition.

The opposition is desperate to draw attention to the select committee and to besmirch the role of government members of the committee in our attempt to ascertain the whole truth. I would not ask the opposition to withdraw its imputations about my behaviour because I am very happy with public scrutiny. I am happy not only for members of the Victorian community to have a look at my role in that committee, but for the media or anybody else to make an assessment about my contribution in obtaining the truth in relation to the matters before the select committee.

Hon. P. A. KATSAMBANIS (Monash) — Let me say at the outset that it is always a pleasure to fulfil my parliamentary duties and it is great to see that we are here today to debate an extensive government legislative program.

It is an absolute sham and disgrace that this morning we had to endure ministers taking drinks halfway through monosyllabic words in order to extend the length of second-reading speeches, which they sometimes race through. It goes to show that the government is playing games with the public of Victoria and with the

parliamentary process itself. This government holds the parliamentary process in contempt.

This is a government that came to power promising to be open and transparent; however, very quickly it fell into the trap of being a government governing for and on behalf of the benefit of itself and its mates. When it has been called to account again and again this government has had to try to run and hide. This morning is one more example of how this government attempts to hide from scrutiny and to run away from parliamentary scrutiny and examination of its grubby, tawdry actions.

The government knew full well this morning that the committee, called to examine the role of the Premier in the appointment of his mate to a senior government job, was meeting at 9.30 a.m. It knew that and it took every opportunity at its disposal to ensure that the committee did not meet. It is a credit to the chair of the committee and a credit to the members of the opposition and of the National Party that they managed to make the committee sit regardless of the government.

However, let's make no bones about it: this government is trying to run away and escape the scrutiny that it deserves for its grubby actions. And it is not the first time. This is not the first time this government has tried to somehow or another hide or mask the activities of the committee.

I refer to a piece on the AAP newswire on 22 February by Ben Packham headed 'Bracks's spin doctors master art of smoke and mirrors'. The article says that every time this committee meets the government attempts to hide it. The first time was when it made an announcement about Crown Casino being let off its contractual obligation to build a theatre. It did that on the same day as Treasury bureaucrats were giving evidence about Mr Reeves's appointment. They said there were concerns and that it was an open secret that Mr Bracks wanted his man in the job.

The next day the government announced a 30 per cent cut in logging — the same day that evidence was heard at the committee that Mr Reeves would have required a 24-hour nursemaid had he taken the position he was appointed to.

Today the government attempts to stop evidence even being taken by calling an extraordinary sitting of Parliament for 9.30 a.m. on a Friday at the same time as the committee was due to meet. This is open, this is transparent — and that is as far as this government goes in honesty and transparency. Clearly, it is an open and

transparent attempt to make the committee's workings totally unworkable.

Today this government once more shows that it has absolutely no commitment to openness and accountability in government in Victoria. It once more shows its ineptitude and its inability to stand up and take the medicine it deserves. This affair is grubby and stinks to high heaven. The Reeves appointment is something that needs to be properly scrutinised by both Parliament and a parliamentary committee. The fact that government members on that committee continually try to frustrate its operations and that the government, by its actions of using major announcements on the same day as the committee meets and making the Parliament have an extraordinary sitting at the time the committee was due to sit, all goes to indicate that this government has something to hide. But the truth will come out and the government will pay for it.

Motion agreed to.

Teachers: recruitment

Hon. P. R. HALL (Gippsland) — I move:

That the Council take note of the answer given by the Minister for Education Services to a question without notice asked by the Honourable R. F. Smith relating to teacher work force planning.

I hope that is the last we have heard about debate on sessional orders. We have spent far too much time on that topic this week and as we are here on Friday we may as well make it a decent day's work. I am changing tack and talking about another important issue that has been raised by way of the minister's answer on work force planning in the teaching area.

This is an important issue, certainly for the schools represented by members of the National Party in country Victoria. One of the serious problems faced by our schools is the difficulty in attracting teachers to some areas. When I go around talking to schools in parts of country Victoria that view is common amongst many principals. Such was the importance of this topic that the Auditor-General conducted a review entitled *Teacher Work Force Planning* which reported to this Parliament in November of last year. The Auditor-General commented on some possible options to address teacher supply and distribution. His recommendations included the need for an improved targeting of the teacher scholarship program, and the minister referred to that program in her answer to the question.

It is interesting to note where participants in this scholarship program went in 2000–01. Some 49 went to country schools and 131 went to metropolitan schools. One would have thought it was more difficult to staff schools in the country, and that is the case. Of the 180 participants in the program only 4 went to the Gippsland region. Certainly, there was an under-representation of scholarship holders taking up positions in the Gippsland region and that is a real concern.

The second dot point suggestion the Auditor-General made was about teaching practicum at schools with recruitment difficulties. I would agree wholeheartedly with that. The National Party has advocated strongly that a component of the teaching practice undertaken by teachers in training be required to be spent at a school in country Victoria. That is the case now with doctors. I know that each of the Victorian universities that trains doctors requires a mandatory work placement at a country hospital during their training period and we in the National Party have argued strongly for some time now that that same situation should apply for teachers in training.

The third recommendation made by the Auditor-General was for increased marketing of schools on university campuses. That exists now. Some schools undertake their own marketing and they need a hand with that. That sort of program needs to be coordinated, and there is a role for the department to be involved in that.

The fourth recommendation was to provide incentives to teachers to relocate to rural areas. Again the National Party strongly supports that and has suggested in the past that one of the great incentives to assist teachers to come to country areas is the provision of housing. We had a teacher housing authority at one stage that disappeared under successive governments yet accommodation and housing facilities in country towns are still one of the disincentives for young people to go out and practise in rural schools.

The next recommendation made by the Auditor-General was about retraining teachers in difficult-to-fill subjects. Once again, that would require a commitment by the government to release those teachers from schools so they could retrain in subject areas.

There are a couple of other recommendations on which the government should act more positively. It also needs to look at the scholarship program and the criteria for its issuing. I have suggested before in this house that some good potential recipients have missed out because

they were not in their final year of teacher training. The scholarship program could well be extended to the last couple of years of a teacher training program to ensure that we lock in potential teachers at an early stage and get them in those difficult-to-staff schools.

Finally, one of the major problems that still exists in country schools is the difficulty in attracting appropriate teaching staff to those areas, and I encourage the government to do more in that regard.

Motion agreed to.

JEWISH CARE (VICTORIA) BILL

Second reading

Debate resumed from 18 April; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

The DEPUTY PRESIDENT — Order! Having had the opportunity of examining this bill, the President is of the opinion that it is a private bill.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That this bill be dealt with as a public bill.

Motion agreed to.

Hon. ANDREA COOTE (Monash) — I have great pleasure in being able to debate this bill in the house today. When this bill had its second reading in the other place the Liberal Party was pleased to debate it on that same day. However, the government introduced a technicality and decided to put the bill off for another day, which was very disappointing and quite thoughtless given the nature of this bill. It is therefore additionally pleasing for me to be here on this Friday to debate a bill which is of great significance to my electorate.

I will say at the outset that the Liberal Party is delighted to support this bill. It provides for gifts, dispositions or trusts of property made in favour of or for charitable purposes of Jewish Community Services or Montefiore Homes for the Aged whether made by deed or otherwise to be vested in Jewish Care (Victoria). This house has seen several other bills of this nature coming through the Parliament — the Anglicare bill and the Scotch College bill were two such bills.

It is important for us to take this opportunity to recognise the great amount of work the Jewish

community does, and I have great pleasure in highlighting some of that in this debate today.

Since 1948 the Jewish community has been very involved in philanthropy and has contributed an enormous amount not only to its own community but to this state. The current legislation would see Jewish Care having to go to the Supreme Court every time it received a request which was dedicated to Montefiore Homes for the Aged or Jewish Community Services. We have only to pause for a moment to think of the enormity of this paperwork and bureaucracy and how time consuming and costly this would be to Jewish Care. Indeed, people who give their money to bequests are very irritated to know that so much of it would go in bureaucratic work and in time. They want to know that the money they have given will go exactly where it is scheduled to go. This bill tidies up that formality and makes it a much more streamlined approach. We would all be pleased to see that money go to where it was scheduled to go.

As a matter of background, Jewish Care (Victoria) was incorporated on 1 February 2001 as a result of the amalgamation of Jewish Community Services, which in turn was incorporated on 1 July 1988, and Montefiore Homes for the Aged, which was incorporated on 28 June 1991. Jewish Care (Victoria) continues to provide all the services provided before the amalgamation of Jewish Community Services and Montefiore Homes for the Aged, and it is important to recognise that. I will talk further about the breadth and depth of those services and their importance to the Jewish community. It is intended that Jewish Care and the Jewish community generally will benefit from property given for charitable purposes and to trust funds created in favour of Jewish Community Services and Montefiore Homes for the Aged or the predecessors of those bodies.

Monash Province is very fortunate in having a large Jewish community. In the seat of Caulfield, which is within the Monash Province, we have the largest number of Holocaust survivors outside Israel — something of which this state should be very proud. As an issue we should reflect on the fact that we welcomed people from the horrors that were happening in Europe and made them feel comfortable; it is a very important part of how we as Victorians look at people who are in distress and welcome them into our communities.

Members of that Jewish community who have come here have done some remarkable things. They have given an enormous amount of strength and dedication to Victoria and we are very pleased to have had them. However, the Jewish Holocaust survivors have personal

problems of their own, which is very concerning. We should pause to reflect how difficult it is for these Holocaust survivors to grow old. They have no examples of the aged and elderly — most were eradicated during the Second World War. We take for granted the way we learn from our own aged people how to be old, how younger carers can visualise the needs and special care that elderly people need. The Holocaust survivors particularly do not have any such role models, and Montefiore really addresses that by developing programs that show an understanding of these needs.

Montefiore Homes for the Aged, which is a significantly large building, is located in St Kilda Road and takes up a whole block between St Kilda and Punt roads. Both I and my colleague the Honourable Peter Katsambanis have been there on many occasions. It is a happy occasion to go to Montefiore. The people there are always cheerful and interested. They have an enormous amount of activities — there are some excellent programs — and it is a pleasing and uplifting experience to see how well adjusted these people are and how happy and interested they are to see us. I have to say they love having politicians come. It is almost like they have a captive audience! They often give me very rigorous scrutiny, and they enjoy having me there captive for up to 2 hours at a time. I have to say they keep me very much on my toes! I am certainly pleased to see these elderly people right up with the political nuances of the day.

Northcote Avenue is a state-of-the-art nursing home run by Montefiore Homes for the Aged in the electorate of Caulfield. If anyone wants to see a very well run aged care nursing home I recommend paying a visit to this facility. It is extremely well run and has a lovely atmosphere. All the clients and patients are made comfortable and treated with dignity and specialised care, which is very pleasing to see.

I do a number of citizenship ceremonies in my electorate, and I know my colleague the honourable Peter Katsambanis does also. It has been interesting to see the number of Jewish people from South Africa who are coming to our electorate, in particular to the City of Glen Eira. Many of them are young, and we are pleased to see them coming to this country, especially to Victoria, bringing their skills and acumen with them. They are joining in with the Jewish community and are great contributors to the City of Glen Eira. I know they will go on to become very good citizens. It is moving to see that they have made their home in Victoria, bringing their children with them. Jewish Community Services, Jewish Care and the Jewish community

welcome and help them settle in and integrate very well.

One interesting group of citizens within Monash Province is a huge number of elderly Russian Jewish community members who have relocated to Victoria, many coming here while in their 70s and older. A number of them have settled in the Park Street, South Melbourne high-rise blocks. One of the concerns they have expressed is a sense of fear because they do not understand the language, but what I find interesting is that although they knew in Russia that they were Jewish because it was stamped on their passports, they did not really understand what it meant to be Jewish. Because they were under such a rigid regime they were not allowed to practise their religion freely and they were driven underground. They were uncertain about what the food, ceremonies, holidays and festivals meant because they were not able to practise their religion openly. They are very pleased to be here in Victoria and cannot believe the openness.

Ms Leonie Burke, the honourable member for Prahran in another place, and I, hosted about 30 or 40 of these people to morning tea at Parliament House a couple of weeks ago. Leonie and I were actually serving the tea and they could not believe that Australian politicians were so accessible — that we were there integrating and working with them and that we were pleased to hear their concerns. It was very interesting for both the honourable member for Prahran and me to see how impressed they were with the access they had to their politicians.

I have a huge admiration for these elderly Park Street, South Melbourne Russian Jewish immigrants. They have come to this country unable to speak the language, but they are prepared to start a new life, and they display great courage. I also pay an enormous tribute to the Jewish community, to Jewish Community Services and to the National Council of Jewish Women, who have welcomed and helped them integrate into our community so well. I have enjoyed many opportunities to socialise with them and they make wonderful doughnuts! They are also good folk dancers. I think I should do more folk dancing and less doughnut eating. It is a very pleasing experience to be with this group of people, and it is pleasing for them to know they have the support of Jewish Community Services to assist them. If they become infirm, Jewish Care will look into the special needs that these Russian Jewish people have.

Before I go on to talk about what Jewish Care (Victoria) is doing, I would like to talk about what Montefiore Homes for the Aged and Jewish

Community Services have done for those communities. The mission statement of the Montefiore Homes states that its purpose is:

To serve the older members of the Jewish community by providing excellent aged care that will enable them to achieve their desired quality of life and remain involved with the traditions and practices of Judaism with their families and community.

I am very pleased and honoured to have seen this in action. In fact it is quite interesting to see younger members of the Jewish community so involved with their elderly people. One person from the Jewish community said it was their great honour to look after their elderly people. I explained before about the Holocaust concerns and how they are dealt with as a specific problem. Montefiore Homes had programs that dealt with this, as did Jewish Community Services.

One member of the Jewish community said to me, 'It is just how we are; how we look after our community. Our older people gave us so much and it is our honour to look after them. We respect the older members of our community, and because we respect them this reflects on who we are and how we live our lives'.

There is a whole range of programs at the Montefiore Homes and some of them are worth talking about. As I said before, they like to see politicians, and they get people in to discuss current topics. They play bingo and have excursions. It is interesting to see what their day care program involves. The brochure on its Sunday program states:

Adult Day Care is a community-based support service, allowing older people with various needs to continue to function independently in the community. Adult Day Care also provides support and respite for the carers of these people.

...

Day Care provides older Jewish men and women with an opportunity to be with people who have similar cultural and religious backgrounds. Activities undertaken in the program include exercises, discussion and music groups, guest speakers, arts and crafts, bus trips and outings.

...

A hot kosher lunch is provided each day as well as morning and afternoon tea.

This costs \$8 per person per attendance and is subsidised by the state and federal governments.

It is important for us to remember how necessary it is to understand the sensitivities of culture as people get older. Older people often revert to their language of birth and go back in time. Their memories of their earlier years are often more vivid than more recent ones. This needs to be properly analysed and worked

through with this community, which has such special needs.

Montefiore Homes held a fundraiser recently. They hold it annually and it has been very interesting to see how the whole community joined together and worked cooperatively. I am always astonished at the amounts of funds that they raise. It is very important that this bill tidies up this loophole to enable their fundraising to progress more smoothly.

I would like to read from a letter I received from Dr David Fonda, the former president of Montefiore Homes, because I think it outlines some of Montefiore's ethos and philosophy for what it has done in the past and will continue to do under its new name, Jewish Care. It states:

The future is 'ours', as in yours and mine. The work of the homes in its 153 years of existence has impacted on many members of the Jewish community. I doubt there are more than a few people in our community who have never known someone either residing here or attending a day care program.

Montefiore has touched many lives and will continue to do so into the future. We believe we have secured the future of the homes through the formation of Jewish Care (Vic) — the new organisation that combines Montefiore and Jewish Community Services. The merger gives us the opportunity to achieve even more for the older members of the community.

He goes on to say:

In 1848, when it was formed, Montefiore was the first of its kind in the colony of Victoria. Today it continues to be the first in so many initiatives and the quality of service it provides. The Homes has a rich history which will provide Jewish Care with a strong platform, so we can continue 'Building Our Future'.

I think that is something we are seeing today, and I am certain that the speakers on this bill after me will also reinforce those sentiments.

I remind all of us here in this chamber of the enormity of the generosity of the Jewish community to this state. We do not have to look very far to see the names of the Smorgons, the Pratts, the Beesons, the Gandels, the Finks, the Goldbergs, the Krongolds and the Gutnicks. In many of the arts institutions we see their names and their plaques involved in most of the organisations that have asked for assistance. You have only to look through an honour roll or donor list to find a significant number of our Jewish families who have contributed enormously to this state. They have certainly integrated into our state and have given us an enormous amount back. I believe all of us need to recognise that.

The Jewish community is very concerned, as I said before, about its own community, and it is very

supportive. Jewish Community Services, which is the other half of what constitutes the new Jewish Care, was run most recently by its last chief executive officer Anton Hermann, who is a personal friend of mine. He ran that service extremely well and greatly assisted in the transition to Jewish Care. It was not easy to amalgamate these two in some ways quite different organisations. Obviously there were sensitivities and some issues that had to be carefully dealt with. I know that Anton Hermann was a very integral part of that process.

Members of the Orthodox Jewish community within our electorate have very large families, some with 10 to 14 children. Part of the process there is that the male of the household is encouraged to stay at home and study the Torah, which is the Jewish equivalent of the Bible, and indeed the Jewish community helps to support, look after and care for that family because they place a lot of importance on the understanding of their culture and of the Torah. These people need to have significant support, and Jewish Community Services certainly looked after those families with housing, with clothing and with a number of support issues. I know that Jewish Care will go on to do that as well.

I spoke before about some of the issues that the Holocaust survivor program dealt with under Montefiore and some of the issues that the aged people of that community had to deal with. Jewish Community Services also had a Holocaust survivor program, and I would like to read out what some of those things involved and the sorts of assistance that those people were given.

It was established in 1997 with assistance from the Victorian Department of Human Services. It was founded on the appreciation that the majority of elderly clients in the Victorian Jewish community are survivors of the Holocaust and that they have specialist needs. It is a specialist program that offers a professional and confidential — which I think is a very important aspect — service to Holocaust survivors and their families, with carers dealing with the complicated effects of the trauma of the Holocaust.

The program offers assistance in the following areas: individual and family counselling, advice on assessing services in the general community, a consulting service to health and other professionals, community education activity seminars and conferences, support groups, and a volunteer support service — and it had five members of staff to deal with this issue. When Jewish Community Services and Montefiore amalgamated this is one area that had to be dealt with, and I think it has

been dealt with very successfully. I praise all of those involved with that particular aspect.

I would like to finish here, as I think other speakers want to speak on the bill. I am pleased to see that bill will streamline the receiving of the bequests and money, and that it will make it a lot easier to hypothecate money that has been left to Montefiore Homes and Jewish Community Services, so that under the new name of Jewish Care it can go further forward.

I would like to read a couple of quotes from people who use the day care centre. I think it is a nice way to finish, and I think it is important for us to understand just what this organisation does. These are from people who have been in the Montefiore day care program. Mrs Yaacobi says:

It creates a routine for me. I have to get dressed, I see people. It's a big help to have something to do. I love playing scrabble. The food is good.

Mrs Taler says:

I need exercises, which are good for me. The whole day I am occupied and occupational therapy is very important for me.

Mrs Majman says:

It does a lot for me. It feels all right here. I am looked after here and try all the activities. I am happy here. I would like to come another day.

I wish Jewish Care a very successful future. I am certain it is building on a very good framework from Montefiore Homes and Jewish Community Services and I look forward to seeing it go from strength to strength into the future. I wish it every success, and I wish this bill a speedy passage.

Hon. R. F. SMITH (Chelsea) — It is with pleasure that I rise to contribute to debate on the Jewish Care (Victoria) Bill. It gives an opportunity to comment on current affairs and the problems in the Middle East that we are all seeing and hearing about at the moment. I am sure I speak on behalf of all members of the house when I say we are shocked and appalled at current events in the Middle East. We know they are not new; they are ongoing and have been for, dare I say it, thousands of years. I would also like to put on the record that I am personally affronted by leaders or people who call themselves leaders trying to gain the sympathy vote, given their strategy of sending young children with bombs strapped to themselves to kill innocent citizens being supported by other Middle Eastern countries that are willing to fund them and reward their families in the event that their children do kill themselves and other innocent people with them.

However, it is fair to say that this is be a debate that may be better conducted elsewhere on another day.

By way of background I point out that Jewish Care (Victoria) was established in February 2001 as the direct result of the amalgamation of Jewish Community Services and Montefiore Homes for the Aged. While it is not always the case, the usual thinking behind amalgamations is to maximise resources, minimise costs and advantage the people being looked after or rewarded — in this case looked after.

From what I understand the amalgamation has been extraordinarily successful. Jewish Care is reputed to be one of, if not the leading aged care provider in this state; it is extraordinarily professional and has wonderful infrastructure. At the request of the organisation, the bill is designed specifically to overcome a problem that would occur if the bequests that currently have been made to either of the previously named organisations were to go to them rather than to the new entity. Jewish Care would incur significant legal costs in recovering that money, which would defeat the purpose for which the money was bequested: to provide care to Jewish citizens.

This bill protects bequests by ensuring that they are used solely for the purposes for which they were made. That is, again, the care of aged Jewish people in these homes. I emphasise that this is a private bill, that is a bill for the particular interest or benefit of any person or body of persons, and it is therefore distinguished from legislation dealing with public policy. Friends of mine who are in the industry of providing nurses and aged care aides, et cetera, are of the view that the Jewish Care service is of a high standard in Victoria.

Hon. T. C. Theophanous — I have heard they are very good too, Mr Smith.

Hon. R. F. SMITH — Mr Theophanous, thank you for confirming that they are among the best. I am sure most people who know anything about aged care services would agree. They also happen to be a little enlightened. At the risk of offending some honourable members, I have been told they take a liberal view on things such as sex services for the aged, which I think is very proactive and modern. We should not ignore the fact that aged people still function, although not in all cases, and it is a sensible thing to do.

As I said at the start of my contribution to the debate, this is a good and sensible bill. I commend the bill to the house.

Hon. P. R. HALL (Gippsland) — This is a small but important bill for Victoria's Jewish community and

I am pleased to indicate it has the National Party's wholehearted support.

The need for the bill goes back to 1 February 2001, when two fine institutions in their own right — Jewish Community Services and Montefiore Homes for the Aged — amalgamated into a single entity called Jewish Care (Victoria). It is interesting to note that both those organisations, as are many non-government organisations in Victoria, are heavily reliant on bequests from the community, and therein lies some potential problems when the legal status of the direction of those bequests changes. Essentially that is what the bill is all about: ensuring that bequests and property owned by those individual organisations which have become a new legal entity in their own right are changed so that the original intent of those bequests or the intent of the use of property is able to be enjoyed by the new legal entity.

Bequests are usually very specific and their direction to say, in this example, Jewish Community Services, could legally prevent them from being used by the new amalgamated service provider, Jewish Care. If organisations wish to redirect and ensure those properties and trusts are able to be used by the new legal entity, it could require a direction by the Supreme Court. It seems a fruitless and unnecessarily complicated exercise if every bequest or property that is left in trust to an organisation becomes the subject of a Supreme Court hearing to ensure that it can be used by the new legal entity. The bill will change the legislation to ensure that a redirection of those trusts and bequests can take place without the need for every one of them to be heard by the Supreme Court.

The bill divests in Jewish Care certain property and certain trust funds. It does that by clauses 4 and 5. Clause 4(1) states:

A gift, disposition or trust of property that before the commencement has been, or is taken to have been, made or declared (whether by deed, will or otherwise) to, in favour of, or for a charitable purpose of, Jewish Community Services or Montefiore Homes —

- (a) is taken not to fail merely because those bodies no longer exist; and
- (b) if it is capable of taking effect to any extent on or after the commencement, takes effect to that extent on and after the commencement as if it were made or declared —
 - (i) to or in favour of Jewish Care; and
 - (ii) for a purpose of Jewish Care corresponding with, or similar to, the charitable purposes for which it was, or was taken to be, made or declared.

The bill similarly deals with a gift, disposition or trust.

The bill contains some important words that indicate that the original direction or intent of that trust or bequest still has to follow that original intention. However, it can be used by the new legal entity for similar purposes.

Clause 5 of this bill talks about the application of trust funds, and again it mirrors clause 4 except that it speaks more specifically about trust funds in this instance and provides that as long as the original intent of the trust is followed the funds can be used by the new organisation, Jewish Care (Victoria).

The provisions of the bill are very similar to those in other bills recently passed by the Parliament, and in particular I refer to the Roman Catholic Trusts Act 2001 and the Anglican Trusts Corporations Act 2000.

Victoria is fortunate to have some very fine non-government community service providers which make a great contribution to community services in Victoria, and three of the main ones have been dealt with in three pieces of legislation. We have some excellent service providers associated with the Roman Catholic Church in Victoria. We also have organisations such as Anglicare and Jewish Care and others. All governments are extremely grateful for the generosity of people who help fund and provide those non-government community services. Without them Victorian society would be much the poorer, and it would cost government a lot to pick up on the services delivered by non-government providers.

Jewish Care (Victoria) provides a great diversity of services too. The list is very extensive. In the second-reading speech some of the services that it provides are listed: migration support and resettlement; employment assistance and placement; home care, personal care and respite care for older people; and counselling, case management, brokerage and housing assistance for older people. It also plays a major role in the provision of hostel and nursing home accommodation for older people. In a multicultural society such as ours it is important to have people of different ethnic and religious backgrounds providing specific programs. Jewish Care provides accommodation and support services for aged people of the Jewish faith. That is important because some of their needs are different to those of other older people. The National Party strongly supports the need to provide care and accommodation for people from different ethnic backgrounds appropriate to their needs.

Jewish Care also provides counselling and family services, financial aid and low-cost loans, and disability services, including supported accommodation and the school integration program. Again that is important because traditionally governments do not pick up much of the burden of providing integration services in non-government schools, and we are indebted to non-government providers that provide that integration support to children who attend other than government schools. Jewish Care also provides advocacy on behalf of the members of the Jewish community most in need. That is again a very important function. Jewish Care is a very important non-government provider in our community, and it certainly has the National Party's best wishes.

We are all indebted to the contribution the Jewish community has made to life in Victoria. I do not wish to single out the achievements of any particular individuals within the Jewish community apart from saying there are some well-known people and organisations; and there is a well-known history associated with the Jewish faith in Victoria, which in itself has made a valuable contribution to the way of life in our state.

This small bill is important to the Jewish section of our community. The National Party gives it its wholehearted support and wishes it a speedy passage.

Hon. E. C. CARBINES (Geelong) — It is with much pleasure that I rise to contribute on behalf of the government in support of the Jewish Care (Victoria) Bill. The bill comes before the Victorian Parliament at the request of Jewish Care (Victoria), and I am very pleased to acknowledge that the bill has support from all parties.

I was very interested and enjoyed very much the contribution of the Honourable Andrea Coote, who has Jewish Care in her electorate. She spoke with great knowledge about the programs and activities that take place at Jewish Care, and I enjoyed hearing about its highly regarded services. Like all speakers in the debate, I acknowledge the excellent contribution the Jewish community makes to life in Victoria and across Australia. My electorate of Geelong Province does not have a large Jewish population, but I am aware of the benevolence of one of the high-profile members of the Jewish community towards my electorate. That person is Joseph Gutnick.

I had the pleasure of meeting Joe Gutnick last year when he was at the Waurn Ponds campus of Deakin University, near where I live. He attended the launch of an exciting university research project that he is helping

to sponsor. The research project, which is highly regarded and is of international renown, has led to Deakin University receiving many accolades from around the world. His support and sponsorship of that project is deeply appreciated by Deakin University and the Geelong community.

In celebrating and acknowledging the Jewish community's contribution to our state and nation, it is appropriate for me to recognise that some 60 years ago more than 6 million Jews lost their lives as a result of the racially driven genocidal policies of Adolf Hitler and the Nazi Party. That frightening period of world history, known as the Holocaust, must never be forgotten.

My first opportunity to acquaint myself with that period of world history was when, as a young girl, I read *The Diary of Anne Frank*. I can remember reading it when I was about the age Anne would have been when she wrote her diary. I can remember being frightened when I learnt, through the recitation of her life, what had happened to Anne during the war in Amsterdam, when she and her family were forced to hide from the Nazis, as did Jews throughout Holland and other places. Anne and her family lived in a disguised room that could be almost described as a cupboard. It is sad to reflect on the fact that the story of Anne Frank was replicated many times among Jewish families during the 1930s and 1940s in Europe.

As a former history and English teacher in Victorian state schools I have had the opportunity to ensure, through the secondary school curriculum, that the students at my schools learnt of the Holocaust. I was very pleased to encourage them to reflect on its devastating impact and to try to get them to empathise with the reality of the Holocaust. Many fabulously interesting novels are available for even very young children to help them appreciate that time in our history. At the moment my daughter is reading, through her school, *Hitler's Daughter*, which is an Australian novel aimed at young secondary school students. The book has Australian children imagining what it would be like to be Hitler's daughter. The girl, the main character in the story, has a disability. Hitler hides her as he does not want her presence to be known throughout the German nation because under his policies of extermination she would not be allowed to live; she would have been deemed to be imperfect. That story has given my daughter the opportunity to learn of the Holocaust.

For many years other novels such as *Elli* and *My Name is Asher Lev* have given Victorian school students the opportunity to learn about the Jewish faith, customs and

practices, and about the Holocaust. I recall, when I was teaching at Corio, my taking year 11 students and reading *Elli* with them. That book is the story about a young Jewish girl and her absolute horror at what was happening to her family, her township and her community under Nazi Germany.

The students I used to teach were devastated when they learnt that it was not a work of fiction but actually a factual text. I encouraged them to empathise with the characters about what it would be like to have to wear a yellow star and to become increasingly marginalised in your community to the point where you would not be allowed to go to school and, indeed, your family would end up being decimated, separated and sent to concentration camps and ultimately to extermination camps.

Australian author Thomas Keneally has contributed enormously to the understanding in Australia and the world of Jewish history during this time through his fabulous novel *Schindler's Ark*, which was later made into the highly regarded film *Schindler's List*, a film that most honourable members, I am sure, would have had the opportunity to see at some stage. It is challenging to everyone to be confronted with the reality of what was a daily occurrence for Jews in those times.

I am aware of the holocaust museum in the electorate of the Honourable Andrea Coote where Victorians can go to learn the history of what happened during the Holocaust. I understand that Victoria's Jewish population trebled over the period between the mid-1930s and the early 1960s as a consequence of the persecution of the Jews by Nazi Germany. Highly regarded institutions and organisations in Victoria which were formed and run by Jewish people assisted with the resettlement of these migrants, some of them refugees, providing financial, counselling and accommodation services.

Two of these highly regarded organisations are mentioned in the bill today: Montefiore Homes and Jewish Community Services. As the Honourable Andrea Coote explained, Montefiore Homes can be traced back to the very earliest days of Victoria's history — in fact, to the 1840s, before Victoria was even a state but was still the Port Phillip district of the colony of New South Wales. From that time onwards Montefiore Homes has provided services for the aged, particularly residential accommodation. Jewish Community Services, as the name suggests, provided a range of services including disability, child and family and employment services as well as aged care.

Last year these two highly regarded Jewish organisations amalgamated to form Jewish Care, which is the subject of the bill. Jewish Care continues the activities and services of the former organisations and is very much committed to the advancement of social, community and welfare goals.

The reason we have the bill before us is that Jewish Care, like its predecessor organisations were, is heavily reliant on donations and bequests for its funding. The purpose of the bill rests on the fact that many of the existing wills on which Jewish Care relies name Montefiore Homes or Jewish Community Services as beneficiary, and not Jewish Care, which is the new name for those services.

A problem has arisen now that those two organisations no longer exist, so Jewish Care has sought the assistance of the government through the Parliament in this matter — and so we have the bill before us. Its passage will ensure that any bequest declaring Montefiore Homes or Jewish Community Services as beneficiary will have effect as if Jewish Care had been named as beneficiary. Further, to protect the intent of wills, bequests in wills that name Montefiore Homes as beneficiary can be used for the aged care capacities of Jewish Care. In this way the original intention of the person making the bequest will be carried out by Jewish Care. The bequest will be used by Jewish Care for the service the person making it wanted.

Without the passage of the bill Jewish Care would have to make an application to the Supreme Court each time it wanted to access a bequest that had been made either to Montefiore Homes or Jewish Community Services. One does not put anything through the Supreme Court without attracting a high legal bill. It is also very time consuming. It would be a very costly and time-consuming process and would significantly erode the intent and content of the original bequest. Further it would tie up and burden the Supreme Court.

The bill provides a sensible and practical way forward for Jewish Care. I am pleased that it enjoys the support of all honourable members; it deserves everyone's support. The government is pleased to be able to assist in a small way the Jewish community in its job of assisting its members. I wish the Jewish Care (Victoria) Bill a speedy passage.

Hon. P. A. KATSAMBANIS (Monash) — It is a great pleasure to rise and speak in favour of the Jewish Care (Victoria) Bill, an important bill that has come about as a result of the merger of two wonderful longstanding organisations that have provided service to Melbourne's Jewish community for a long time.

In the last few years many discussions were held between the boards of the Montefiore Homes for the Aged and Jewish Community Services that culminated in the two services becoming one under the new banner of Jewish Care (Victoria). For longer than I have been around both organisations have been based in my seat of Monash Province and have provided services to the Jewish community across Melbourne and Victoria, but specifically to people living in my electorate, where a large proportion of Melbourne's Jewish community resides.

I have experienced first hand the first-class quality of the services provided by both Montefiore Homes and Jewish Community Services. They were not just leaders in the provision of services to the Jewish and multicultural communities in Victoria and Australia, but I would say that both organisations have for a long time been among the pre-eminent service providers in the community services area right across Australia at all levels of service provision. Their quality and standards and, most importantly, the satisfaction of their client base is a testimony to all the people who have run those two fine organisations for so long.

Montefiore Homes was started as the Melbourne Jewish Philanthropic Society back in 1848, even before Victoria became a separate colony, and it has continued to provide services since that time. The actual Montefiore Homes were first founded in 1870 and a foundation stone was laid at the complex which has now come to encompass the entire block bounded by St Kilda Road, Punt Road, Raleigh Street and Union Street. That shows the phenomenal growth of the organisation in its provision of care, mainly to aged people in the Jewish community.

Montefiore Homes for the Aged was named after the British philanthropist Sir Moses Montefiore, and since 1870 it has looked after many people. As a slight aside, and to indicate the wonderful multicultural nature of the society that we live in, I mention that my mother worked at Montefiore Homes in her first job after arriving in Australia as a migrant from Greece.

Even to this very day, almost 40 years later, she talks fondly of her time at Montefiore Homes and working with those wonderful people in the latter stages of their lives when they had retired into a wonderful, hospitable and caring environment, living among their own community. Montefiore Homes continues at its site on the block bounded by St Kilda Road and Punt Road, and will continue to offer wonderful services under the banner of Jewish Care (Victoria).

The same level of service delivery has come to be expected of Jewish Community Services since it was founded in 1938. It has had several names, such as the Jewish Welfare Society and Jewish Community Services. In many ways Jewish Community Services was the leader in providing specific aged care, health care and other services to people in Melbourne's multicultural communities.

I know that the model of Jewish Community Services service provision has been used by many other community groups. A particular group in which I was involved, the Australian Greek Welfare Society, back when I was a board member of the society, looked at revising its constitution. Funnily enough, we found that its constitution was almost a direct take of the Jewish Community Services constitution — so much so, in fact, that in many instances throughout the constitution those who were transposing it to fit that organisation had not even bothered to change the words 'Jewish Welfare Society' to 'Greek Welfare Society'.

Jewish Community Services was a model not only in its service delivery but also in its board and constitutional structure, and its service delivery structure has been copied by many other organisations throughout Victoria. That is sometimes the best indicator of the respect that the organisation has in the community and in its quality of care and service that so many others have chosen to emulate.

It continues to provide those wonderful services, as outlined by other honourable members to have contributed to the debate, to the Jewish community in Melbourne. Now that the two organisations have merged into Jewish Care I am sure they will continue to provide exemplary services, services demanded by their community, and will continue to expand. At the same time they will derive the benefits and savings from merging the administrations into one organisation.

I wish Jewish Care all the best in the future under the current chief executive officer, Nancy Hogan, who has demonstrated her capacity to run an integrated community service provision organisation through her previous job with the Malvern Elderly Citizens Welfare Association, another exemplary service provider within Monash Province. The merger has required legislation, and it is being passed because of not only this overwhelming sense of community among Melbourne's Jewish population but also the overwhelming sense of contributing to their community. Generation upon generation of people of the Jewish faith and background in Melbourne have wanted to contribute to Montefiore Homes and to Jewish Community Services. They have contributed

generously, not only in once-off donations but also through the establishment of foundations, charitable trusts and bequests in their wills.

When organisations change their names and structures in order for the gifts to survive, either legislation such as this or complex legal proceedings known as cy pres applications are needed. I have acted in a number of cy pres applications, and I can tell you that the time and cost involved are tremendous. As far as I am concerned anything that ensures funds are directed to the service provision aims of the organisations they are intended to benefit rather than to lawyers is a good thing.

That is what this bill does. It makes sure that any gift, bequest, testamentary disposition, trust, or any other form of gift made in favour of Montefiore Homes for the Aged or Jewish Community Services does not fail upon the merger. It recognises at law that the merger has taken place and recognises Jewish Care as the successor in title and at law to those charitable gifts and dispositions. That is a wonderfully positive thing that will save a lot of money, time and heartache; and importantly, will mean that the gift benefits the organisation which the person making the bequest intended it to benefit and will enable that organisation to put the money to good use.

In the Jewish community gift giving and making a contribution has come to mean a lot. It has a title and is called performing a mitzvah. A person who performs a mitzvah is bestowed with a great sense of satisfaction in giving back to their community and is elevated to a community leader. The people who make big contributions within the Jewish community are known as mensch. That title is something people aspire to and to earn it they actively participate in community affairs and give of their time and money. The fact that they do so saves the community enormously. Voluntary charitable donations sometimes go unrewarded in government circles and in the community and are taken for granted, but without the wonderfully generous contributions by individuals of the Jewish community a lot of the burden of looking after the elderly and those less fortunate would fall upon the taxpayers of Victoria and Australia. If that were the case we would all be a lot worse off. That is why bills such as this need to be supported.

I noted the comments of some speakers, particularly the Honourable Peter Hall, about the need to find a less cumbersome method. Perhaps in the future we can look at passing a bill that creates a framework for successors in title of such organisations to avoid having to go through an individual bill process; rather, having a head act put in place which allows testamentary dispositions

to survive changes made by regulation upon the change of name or structure of certain organisations. It is something we should look at, but certainly that should not delay the passage of this bill.

The Melbourne Jewish community continues to be a vibrant one. As my colleague Andrea Coote pointed out, it is not just those people who migrated here after World War II — those tremendous, heroic souls who withstood one of the darkest passages in the history of mankind, the Holocaust, perpetrated by the Nazis in the main upon Jewish communities in Europe — who have settled in Victoria and in Melbourne, particularly in our electorate of Monash Province, but also their children and the newer migrants from the Soviet Union.

We see this regeneration of Jewish culture and Jewish spirit in Melbourne through continual waves of migration and through the celebration of the rich religious and cultural history of subsequent generations of those settlers so that people who are born here feel as much a part of their community as their parents and grandparents did. That is a wonderful thing and is something that should be supported. It is something that will continue to contribute to that wonderful philanthropic spirit of performing a mitzvah and hopefully establishing the status of mensch within the society so that the Jewish community benefits and the fabric of Victoria and Australian society is richer by those contributions.

In closing I also make passing reference to the troubling events that are currently occurring in the Middle East. Certainly for all of my lifetime most people I know have wanted to see a peaceful solution to the problems that are again being exemplified in the Middle East. I put on record the fact that the only solution that can be found is one that is based upon the recognition by everyone in the world of the right of the state of Israel to exist.

It saddens me to hear continual references as I have heard recently of people talking about pushing the Jewish nation and the Jewish people into the sea. That is not a precursor for peace. That is not a precursor for civilised society. That is, so far as I am concerned, a declaration by certain people that they want to wipe the state of Israel off the map. As long as those sorts of attitudes exist in the world it does not bode well for a peaceful solution in the Middle East.

The Jewish people have suffered persecution over many generations culminating in the worst incident ever of racial and religious genocide during the Holocaust. For people in 2002 to still make reference to the abolition of the state of Israel saddens those of us

who believe there can be a peaceful and just settlement to the issues in the Middle East, but understand that that will never happen as long as people want to destroy the state of Israel. I affirm my support for the state of Israel, as much as I affirm my support for the wonderful contribution members of the Jewish community have made to Melbourne, to Victoria and to Australia, which I am sure they will continue to make.

I would like the bill to be a strong statement from this Parliament that it recognises the charitable and philanthropic efforts of the Jewish community of Melbourne — those thousands of people who contribute to keeping their community strong and who keep organisations that were known in the past as Montefiore Homes for the Aged and Jewish Community Services, which will be known in the future as Jewish Care (Victoria) — in keeping the organisation strong for the benefit of everyone in the community.

I wish this bill a speedy passage and I wish Jewish Care and Melbourne's Jewish community every strength and success in the future.

Hon. S. M. NGUYEN (Melbourne West) — I speak in support of the Jewish Care (Victoria) Bill. The reason we have this bill is that Jewish Care (Victoria) was established on 1 February 2001 due to the amalgamation of Jewish Community Services and Montefiore Homes for the Aged.

Like many others, I have a migrant background. Many Jewish people have been in Australia for a long time — both before and after World War II. The Australian Jewish community is a very established community. Many people came to this country as refugees with nothing in their hands. Many of them have worked very hard, become wealthy and live in established areas around Melbourne including Toorak, Brighton and Caulfield. During my time in Melbourne I have come to know many Jewish people who have made a great contribution to Australian society. They carry out much charitable work to give back to the community, and many charitable organisations have received funding from them. Care services to help elderly Jewish people living in Victoria are also provided. Many other groups have tried to copy the way the Jewish community cares for its people, both young people and, as I said, the elderly, which they do very well.

Many Jewish people came to Victoria as refugees after the Second World War. Some of them were victims of the holocaust and have very bad memories of that time. The Jewish community does a great deal to help those victims. Many Australian-born Jews live in Melbourne,

and many with a Russian Jewish background have come from other parts of the world, including the Soviet Union, Israel, South Africa and other countries. I have seen them, many and varied, delighted to be living in Melbourne because they see Australia as their new home and would like to make it so, and they work as hard as they can to be personally successful in a successful community. Many have done good community work providing funds to many of our charitable organisations.

Many of Melbourne's immigrant communities have followed in their steps, like my own Vietnamese community. We came here as refugees with nothing in our hands and many had to work very hard to save enough money to help their children through school so that they could get better jobs and contribute to the Australian society. The Jewish community is a role model for many communities to learn from. It is one of the most successful communities in Australia and no doubt its members had to spend a lot of time when they were young, working hard, taking any job and saving hard to invest and become part of a wealthy community.

Many of us now living in Australia who came from overseas have had to establish a new life in this country. Australia is such a good country of opportunity for those who are prepared to work hard, save and invest in business. That is why we have a strong economy today, because people like to learn how to save and become self-employed, starting their own businesses and being successful, and when they get old they can be looked after by the community. Many have a lot of money behind them and they would like to pass this wealth or property on to a charitable organisation — because they cannot take it with them. They would like to do something meaningful with their money or property.

The bill will make legal the wishes of many such people; it is a means by which the two organisations can fulfil their duties. It is not easy when people donate money to charitable organisations to ensure that the money will not be misused by any person or any group. The government has had to ensure that everything is legal and that there will be no dispute between the service provider and the testators or donors.

The bill also highlights the services that Jewish Care provides to the Victorian community, especially to support and resettle Jewish immigrants in Melbourne. Those services include employment assistance and placement, in-home care, personal care and respite care for older people as well as better care and counselling, case management, appropriate housing assistance and hostel and nursing home accommodation. Jewish Care

provides family services, financial aid and low-cost loans — which is wonderful because not many organisations can assist new immigrants by providing financial aid to buy a house or start up a business to build a new life. It also provides disability services, including supported accommodation — that is good because many disabled people need special accommodation — and a school integration program to help people who are behind at school and cannot cope, as well as a return-to-study program for those who no longer attend school.

I know a lot of refugees migrating to Australia need those programs to catch up because they have not attended school for many years. Advocacy on behalf of the members of the Jewish community is clearly needed and is quite important to them. Many services do not receive funding from the government and they have to rely on donations from the community to run their programs. As the previous speaker said, Jewish Care Victoria has a building near the corner of St Kilda Road and Punt Road. I have never been to this centre because it is not in my electorate, but I have been told that visitors are always made welcome, especially members of Parliament. Mr Katsambanis and Mrs Coote have told me that it provides a number of very important services to its members.

Jewish Care Victoria has requested this bill in order to ensure that bequests made by testators in favour of Jewish Community Services or to the director of Montefiore Homes for the Aged are directed to Jewish organisations. I would also like to mention the service it provides for disabled people, who need more help because they cannot look after themselves. This service is a great idea and reduces the cost to government, which cannot provide everything that is needed. Jewish Care is helping its own community, and the government appreciates the work it has done.

At the moment many new immigrants are coming from the former Soviet Union. Many Russian Jews who arrive in Australia need help to settle into Melbourne and the Jewish community provides services for them. Many have relatives living in Australia and come here as part of a family reunion program. Many are skilled so they are able to work. In Australia we have to recognise the contribution of the new immigrants as well as the old.

Every year I am invited to the Israeli independence day cocktail receptions held by the Jewish Community Council of Victoria and the State Zionist Council of Victoria. The event is usually held at the Grand Hyatt Hotel in Melbourne and, as a member of Parliament, I am always delighted to go. I have seen many members

of Parliament there from all parties and they join in to celebrate that day. There are also quite a few members of Parliament from a Jewish background, and they have participated in mainstream society very well.

As the Honourable Bob Smith said in his contribution, what is happening in Israel today is a cause of sadness to the Jewish community. I hope there will be some peace in Israel and Palestine and I know the whole world is paying attention to the conflict between the two nations. I hope everything goes well so the whole world can enjoy a time of peace. The Jewish community in Australia is also very concerned about what has happened in Israel. I am sure members of the Victorian community and many members of Parliament would like to visit Israel in peace time to learn about its culture and religious beliefs. Australia is a lucky country. We have a multicultural society and accept many different views, although we may not have all the comforts available in other countries.

We have a democratic system in Australia where everyone can have a say without fighting or killing each other. Today we have over 100 nationalities living in Australia and we all enjoy the differences between the cultures. I hope the Australian experience will help to solve conflicts in other parts of the world.

As a refugee from Vietnam, together with many other people, I would like to follow the success and experience that many of the Jewish community have had in Melbourne in terms of multiculturalism and the economy. I have been told by friends, from reading books and by learning from the migrant experience that many people who came here with nothing in their hands did not find it difficult to restart their new lives. They worked very hard. They took any jobs. They worked very long hours. They encouraged their children to study and become professional people so they could contribute more to Australian society. They are helping their families to have a better life than their parents or grandparents.

In conclusion, this is a private bill that benefits an important organisation in the community. Therefore, I am delighted to support the bill. I wish Jewish Care all the best in its work in serving the community and am pleased that the organisation has the support and confidence of the government and the Victorian community. The work of the predecessors of Jewish Care has been well recognised and is highly respected by the Victorian community. As members of Parliament, we strongly support the work they do. I commend the bill to the house.

Motion agreed to.

Read second time.*Third reading*

Hon. J. M. MADDEN (Minister for Sport and Recreation) — *By leave, I move:*

That this bill be now read a third time.

I would like to thank the Honourables Andrea Coote, Bob Smith, Peter Hall, Elaine Carbines, Peter Katsambanis and Sang Nguyen for their contributions.

Motion agreed to.**Read third time.***Remaining stages***Passed remaining stages.****DISTINGUISHED VISITORS**

The DEPUTY PRESIDENT — Order! Before we move to the business of the house, I have much pleasure in welcoming the West Australian all-party delegation from the Economics and Industry Standing Committee. We hope you enjoy your study visit here. We welcome you to our Parliament.

CRIMES (DNA DATABASE) BILL*Council's amendments and Assembly's amendments*

Message from Assembly agreeing to some amendments, disagreeing with other amendments and seeking concurrence with further Assembly amendments considered.

Assembly's message:**Council's amendments 5, 6, 7, 8, 9, 10 and 11 agreed to.****Council's amendment 1 as follows agreed to:**

1. Clause 2, line 2, omit "17(2)" and insert "21(2)".

with following amendment:

Omit "21(2)" and insert "18(2)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — *I move:*

That the Council agree to the amendment made by the Legislative Assembly to amendment 1 made by the Council.

In relation to this bill, members of this house will be aware the opposition introduced house amendments in the Legislative Council that have the effect of providing

that the taking of forensic samples is equivalent to the taking of fingerprints.

Presently if a suspect refuses to provide a forensic sample police must apply to the court for an order authorising the compulsory taking of a sample. The opposition believes that this safeguard is unnecessary and that police should be able to forcibly conduct a forensic procedure on a suspect without first requiring a court order.

The definition of 'forensic procedure' is broad and includes the taking of blood samples, samples of pubic hair, swabs taken from the external genital or anal region, and dental impressions.

There is a serious flaw in equating fingerprints with forensic procedures. Firstly, fingerprints are different from DNA material because DNA reveals much more information about a person than a fingerprint. Fingerprints reveal nothing other than a person's identity; DNA material contains an individual's genetic blueprint. Privacy concerns mean that DNA samples should only be taken when there are strong reasons for doing so. Secondly, the procedure for taking a forensic sample is more intrusive than taking fingerprints. For example, taking a blood sample or conducting a physical examination of a person's genital region is much more intimate and intrusive than taking fingerprints.

Where a suspect refuses to provide a forensic sample the requirement for court authorisation provides an important safeguard to ensure that forensic samples are only taken compulsorily where there are reasonable grounds to believe that the person has committed an offence and the taking of a sample will assist in the investigation.

The opposition's amendments — and this is particularly important — have the effect of making Victoria the only jurisdiction in Australia that does not distinguish between the taking of fingerprints and the taking of DNA samples. Consistency between jurisdictions is absolutely critical to the operation of the national DNA database scheme.

The opposition's amendments are ill conceived and only serve to frustrate the passage of the bill. I need not remind honourable members that there are more than 3500 unexecuted orders for the taking of samples. Police have not been able to execute those orders because of an oversight in the legislation. Now the opposition is further delaying the ability of Victoria Police to execute those orders and build up Victoria's DNA database.

The introduction of the self-sampling provisions in the Crimes (DNA Database) Bill will also assist Victoria Police in executing outstanding orders for the taking of DNA samples. By enabling a person to take their own sample, rather than requiring the sample to be taken by a doctor or nurse, Victoria Police will be able to collect samples more efficiently.

The amendments introduced by the opposition depart significantly from the scheme for the taking of forensic samples that has been introduced by its commonwealth colleagues. Indeed, every Australian jurisdiction makes some distinction between the taking of forensic samples and the taking of fingerprints. No jurisdiction allows a blood sample to be taken from a suspect who does not consent to the procedure unless there is court authorisation.

Under the national DNA database system Australian jurisdictions will be able to enter into arrangements with other Australian jurisdictions where their laws are defined to be corresponding law. This is why consistency is so important.

The Standing Committee of Attorneys-General has sought to achieve national consistency. SCAG requested the Model Criminal Code Officers Committee to prepare model legislation for implementation in each jurisdiction for the taking of DNA samples and for the exchange of information derived from DNA samples. Police ministers, privacy commissioners, members of the legal profession and the public were consulted in the development of the model legislation. The Crimes (DNA Database) Bill, as introduced by the government in the spring 2001 sittings, is consistent with the approach recommended by the Model Criminal Code Officers Committee.

The importance of national consistency has also been recognised by police ministers. Police ministers have expressed concerns about issues surrounding inconsistent state DNA laws that jeopardise the operation of the national DNA database. The Crimes (DNA Database) Bill was developed with a view to achieving national consistency, and extensive consultation took place with Victoria Police in the development of the bill.

The Bracks government's legislation is an important step forward to achieving a nationally consistent approach. The changes moved by the opposition remove important safeguards — and I stress this — and may compromise Victoria's ability to participate in that national scheme. Changes that remove safeguards and create inconsistency between Victorian laws and the laws of other jurisdictions mean there is a risk that

Victoria will not be recognised by other jurisdictions as a corresponding law. If this occurred, the efforts of Victoria Police to investigate serious crimes would be hindered and the safety of Victorians compromised.

Therefore, the Bracks government supports the bill as introduced in the Legislative Council and as amended by house amendments moved by me, and does not support the house amendments moved previously by the Honourable Peter Katsambanis.

Hon. P. A. KATSAMBANIS (Monash) — Given the debate on this bill when it was considered as a whole in committee in this place, it goes without saying that the opposition will insist on its amendments. Having heard the information that the minister has just put on the record, the public of Victoria will thank the opposition for insisting on its amendments and for not accepting the changes that were made in the other place.

The minister made a number of assertions which simply do not stand up in the light of day. The most important one that needs to be rebutted is the concept that if there is a divergence on the types of people who can be tested, somehow or other the integrity of the national database will be compromised. Unfortunately for the minister, right now there is no consistency among any of the states as to who should be DNA tested — it is quite irrelevant to the integrity of the database.

The database is not concerned with who qualifies to be on it. The database is only concerned with the integrity of the testing procedures to ensure the information recorded is accurate. Who is tested is clearly a matter for each individual jurisdiction. That remains the case, and differences in the testing procedures do not in any way compromise the integrity of the information on the database nor do they compromise the ability of any state to participate in the national DNA database.

Further — this is an important point that I tried to make in the debate and during the committee debate and I will reiterate here — the issue relating to the database is a subtle but important one. It is important that we separate the control of the information on the database from the individuals who collect samples and who use the evidence from the database for the purposes of criminal investigation. This point is borne out by international best practice: that the database should stand apart from the police department. It is a crucial aspect which the government has not yet grasped. Thankfully, the Law Reform Committee is continuing its deliberations and we will be able to report to the Parliament in due course about international best

practice and how we could go about ensuring that Victoria has the ability to fight crime through the use of modern crime-fighting techniques and modern forensic evidence.

I will address the issue raised by the minister in relation to the distinction between fingerprinting and forensic sampling.

Honourable members interjecting.

Hon. P. A. KATSAMBANIS — Yes, clearly there is a distinction, and the opposition is preserving that distinction with its amendments. However, despite any legal niceties and technicalities and despite some minor differences in the collection of the evidence, the fact is that DNA testing is many steps ahead of fingerprinting as an effective crime-fighting tool. The longer we deny DNA testing to our criminal investigators, the longer we subject the public of Victoria to substandard crime fighting and the longer we tie the hands of our police officers and criminal investigators and prevent them from being able to properly identify the perpetrators of crime and protect our society from the evils their crimes visit upon our community.

The government has tried to insist on some sort of delineation or differentiation. Unfortunately for the government, the opposition has clearly outlined its position. Our position is that there will be a series of safeguards for DNA testing over and above the safeguards that are in place for fingerprinting at the moment. Not only will the person who is tested have to be a reasonable suspect, but there needs to be an additional step, and we have made this clear all along in the other place and in this place. In order for DNA testing to take place on a suspect, not only does the suspect have to meet the rules of being a reasonable suspect, but there must also be a reasonable expectation in the mind of the person ordering the sample that the collection of the DNA evidence may lead to a solving of the crime. There is an additional safeguard that we have put into place, as was well argued by all the people who debated it in this place and the other place, in order to protect our community and the individual rights of people in our community.

There is no doubt that this government has been caught on the hop and on the run. It wants to portray itself as a government that cares about community safety and crime fighting, but when it comes to the crunch it is not prepared to give our crime fighters — our police force — the modern technology that is readily available in order that they can effectively fight crime. Furthermore, the government insists that some backlog that exists in DNA testing should limit our capacity to

access DNA testing in the future. That is an admission of defeat and an admission that this government is not prepared to put its money where its mouth is. This government is not prepared to adequately finance our police department and our forensic laboratories in order to clear the backlog of DNA testing. That is what this government should be doing and that is what it is not doing.

On a final point, it has been made very clear to the opposition that the Police Association supports these amendments. As I said in my contribution to the substantive debate, the Police Association made it very clear that it believes the amendments the opposition is proposing will give the police force in Victoria the best chance of utilising this modern technology offering a more accurate and more readily accessible form of modern-day fingerprinting, which mechanism will give the police the capacity to adequately fight crime in our society.

The government is highlighting today not only that it is truly soft on crime but also, given the comments of the minister, that it is not prepared to adequately resource our police department to utilise modern techniques to fight the ever-more-sophisticated criminals we see in our society today.

I will not take up too much more time of the house because we have explored these issues very, very clearly in the substantive debate, but I want to again put on the record that the opposition will insist on these amendments because they will allow for our police force to be properly resourced and to properly protect law-abiding citizens of Victoria from the worst excesses of our criminal element. I urge the government to reconsider its position and support these amendments. If it does not, it will prove once more that it is soft on crime.

Hon. R. M. HALLAM (Western) — The National Party's reasoned position on the opposition's key amendment was well canvassed on 26 March, when this house met in committee to consider the bill. I do not intend to do more than summarise that position, but I begin by making the point that until today we had heard absolutely nothing from government in support of its position, and indeed I would now make the point that we have heard nothing that would convince us to amend our stance.

Our position is that it is totally appropriate that the rules currently relating to the collection, use and retention of fingerprints should also be applied to the collection, use and retention of forensic samples. I make the point that we acknowledge today, as we did when the earlier

debate took place, that we took that position against the background of the additional safeguards for that collection, use and retention as outlined by the Honourable Peter Katsambanis as representative of the Liberal opposition's views.

In other words, what this means is that samples may be taken from a suspect in the normal course of a police investigation where it is believed on reasonable grounds that the sample would tend to confirm or disprove the suspect's involvement in the commission of an offence.

National Party members came to that position because we believe that it is a reasonable compromise on any question that there may exist a conflict between the rights of the individual regarding personal intrusion on the one hand and the rights of the community at large on the other in the entitlement to harness the new technology in the solving of crime and thus community safety in general. We do not deny that it is likely there will be some claims of personal intrusion in respect of the collection of forensic samples, just as we expect there would be those same claims in respect of the taking of fingerprints. In any event, we believe it is a reasonable compromise to suggest that there be consistency in the rules relating to both technologies.

In addition, as I reported to the committee the last time we discussed this issue, the National Party is not convinced of the requirement for a court order to be a mandatory requisite where a forensic sample is not volunteered by a suspect, which is what we understand to be the government's bottom line. We have two grounds for not accepting that position. The first is that the granting of a court order will become standardised to the point of sheer formality, and we do not believe that that necessarily provides any additional protection to those who are regarded as suspects and are thus caught up in this procedure. There is plenty of evidence to suggest that that formality begins to emerge. We recall the house being required to go through the process of re-establishing the validity of thousands of these orders which had been rendered ineffective on the basis of a technicality in the procedure of their issue. That is the first ground.

The second ground is that which was cited by Paul Mullett, the secretary of the Police Association. I remarked at the time I quoted from Mr Mullett's letter that I was really chuffed to receive it because I could not remember receiving a letter of support from Mr Mullett in the seven and a half years I happened to be a minister of the Crown in this place. I was pleased to assure Mr Mullett that I understood and supported his argument. I was able to convey that message on behalf of the National Party in general. Mr Mullett was

arguing that the restrictive rules regarding the collection, use and retention of forensic samples would simply delay and frustrate investigative processes in this state and thus detract from the role and success rate of Victoria Police in the solving of crimes. I said then and I repeat today that my only surprise in respect of Mr Mullett's missive was that I found myself in fierce agreement — that was a bit of a surprise — but I then noted that Mr Mullett was not prepared to acknowledge that it was in fact the government which in this case represented the problem and that it was the Liberal and National Party members who were the good guys on this occasion. I thought that was a bit strange.

I must say that I am personally disappointed that we have reached the Mexican stand-off that is emerging in the debate. It means we are effectively denying our community the ultimate advantage of the latest technology, the DNA technology. On that basis I would appeal to the government to see reason. Notwithstanding what the Minister for Sport and Recreation has just told the chamber, I believe that the position adopted by the government is out of step with all the other jurisdictions across the nation and is out of favour with the thinking members of our police force.

I am happy to acknowledge that the government has come about a million miles, because it is not all that long ago that we debated this issue in respect of its earlier employment and we saw the labour movement in total opposition to the application of DNA technology, so I acknowledge that the Bracks government has shifted ground dramatically. All we need to do is to convince the minister and his colleagues that they need to go just that little bit further. I suggest that he rethink his position. I suggest that the Liberal Party's amendments are absolutely reasonable, and they shall continue to enjoy the support of the National Party.

Hon. B. C. BOARDMAN (Chelsea) — I have an ever so slightly contrasting view about the minister's comments. He will recall that on 26 March, when we had the initial debate in the committee stage, a number of issues were raised about resourcing aspects and about the implications on those resources by this legislation. The minister was able to make a submission as a result of the conference he had with the police minister that went, I stress, only part of the way to answering my query. My query today still stands. While there is wide acknowledgment that there is in excess of 3500 cases backlogged at the Victoria Forensic Science Centre in Macleod, what resources will the government allocate in addition to the existing resources as a consequence of this legislation?

The opposition's amendments are sound, reasonable and have been accepted not only throughout the community and by the police and the Police Association, but also they are more than appropriate in the circumstances in which they are supposed to be introduced. The reasons that the government is still not accepting this commonsense approach are bewildering.

In his contribution the minister remarked about the distinction other states have about fingerprinting and DNA sample collation and collection. He said every state makes that distinction. What sort of justification is that? Are we simply following the lead or, in some cases, the uneventful initiative of other states and not going down a path of showing true initiative and true reaction to the community; or are we going down a path where, if we want to be true to our word and actually fight crime where the resources should be allocated appropriately, this opportunity allows us to do that?

The government's reasons and justification are far from convincing. Perhaps a degree of optimism would suggest that I would be pleased if the minister actually knew what his submission and his accompanying statement to his motion contain, but I think his is an ill-prepared and ill-conceived presentation which simply does not give any great justification to the government's line.

The opposition's amendments are undoubtedly the way to go. We want to be sincere and quite diligent in our pursuit to assist the police with criminal investigations. We do not in any way promote this fact by suggesting we are compromising any agreement we may have on a national basis; in fact, it is far from that. The national basis agreements are complemented by this legislation but are not bound by the government's refusal to pass our amendments. We want to make it clear that it is the government that is not taking that opportunity because there is bipartisan support for the national framework. I say to the government: if you want to pass the legislation, pass it with our amendments because they are undoubtedly the right way to go. Otherwise, come into this house and have a better case than the one you are putting forward because that defies any great logic.

I conclude where I started. We would like answers to the resourcing question. It is not just the opposition or this chamber that is discussing the resourcing aspect but it is one that is having far-reaching effects on both operational police and future forecasts for their investigative duties. Unless the government is sincere and unless the budget to be presented in a couple of weeks time has increased resources for the Macleod facility, I suggest that criminal investigations in this state will be severely compromised.

Hon. JENNY MIKAKOS (Jika Jika) — I briefly respond to a couple of issues that have arisen during the debate.

Hon. Bill Forwood — On a point of order, Mr Deputy President, there has been quite some debate recently about the order of speaking in this chamber. Mr Theophanous has come in here on more than one occasion and said we should go from the government to non-government sides.

Why do we now find ourselves in a situation where, on a day like today of all days, when there has been discussion about what the speaking order should be, at the last moment an honourable member who should have spoken earlier — and was given the opportunity to speak earlier so that we stuck to the order — decides not to stand in her place and subsequently does stand, after somebody else has spoken?

Hon. Jenny Mikakos interjected.

Hon. Bill Forwood — You were given the opportunity to speak at the conclusion of Mr Hallam's contribution.

Hon. Jenny Mikakos interjected.

Hon. Bill Forwood — At the end of the day, we need to have some understanding about how these things will work.

Hon. Gavin Jennings — On the point of order, Mr Deputy President, I apologise to the chamber if I have contributed to the confusion before it. I believed there was an understanding that the order would be changed in this instance as a measure of goodwill rather than bad faith, as it has been interpreted, and acted upon as if it had been.

The order was changed on the basis that any substantive issue Ms Mikakos might address would be in a very brief contribution as a summary of the argument. I apologise for placing you or the chamber in an awkward situation, but I affirm that it is the government's preference under normal circumstances for there to be alternating speakers. I apologise and ask for your consideration.

The DEPUTY PRESIDENT — Order! On the point of order, it has been well established that this is not a matter for the Chair. I refer to *May*, 22nd edition, under 'Precedence in speaking' which states:

When two or more members rise to speak the speaker has complete discretion over whom to call ... though he will generally call alternately backbench members from either side of the house ...

I could quote further on the issue. It is not a matter for the Chair but for cooperation between the parties in the house and I am sure that is where the matter should rest.

Hon. JENNY MIKAKOS — I reiterate that it is important we have cooperation in the chamber to facilitate proper debate on legislation. The reason I wanted to make a brief contribution was to respond to some of the issues that had been raised about the arguments that have been given by opposition members as to why they are wishing to persist with these amendments.

The Honourable Mr Katsambanis has conceded in his own contribution that DNA samples and DNA technology are different from fingerprinting. That is essentially the reason, Mr Deputy President, why we are persisting in our opposition to the amendment that seeks to put DNA forensic samples on a par with fingerprinting. They are two very different procedures. Everybody understands what is involved with fingerprinting, but DNA sampling, as the minister has indicated, is a far more intrusive procedure. We are talking about blood samples, about physical examination that is extremely intimate in nature. They are very different procedures.

The bill does not in anyway preclude a person from voluntarily consenting to a forensic sample. If a person wishes to assert their innocence in respect of a crime they are suspected of, they are able, if they so wish, to voluntarily consent to giving a forensic sample. What we are doing here is putting in some safeguards on a par with those in legislation passed by colleagues of members opposite in the federal Parliament which seek to establish a national consistency across all jurisdictions in order to facilitate the national DNA database scheme.

Hon. P. A. Katsambanis interjected.

Hon. JENNY MIKAKOS — If it was good enough for your federal colleagues, Mr Katsambanis, it is good enough for the Victorian people.

The other argument raised was the one made by the Honourable Roger Hallam in respect of addressing the Police Association's concerns. As Mr Hallam will be aware, the government addressed the concerns of the Police Association. The letter he referred to from Mr Mullett related to requiring an independent witness for the videotaping of forensic sample procedures and we addressed those concerns by introducing house amendments that have addressed that aspect and those concerns. I have not seen any concerns raised by the Police Association about requiring court authorisation

for people who refuse to voluntarily allow a forensic sample to be taken.

The final point I wish to make concerns the need to achieve national consistency. We are attempting to implement a scheme that has been agreed to by the Standing Committee of Attorneys-General, which has set up the Model Criminal Code Officers Committee to prepare model legislation for implementation in each jurisdiction. This has been done, and the opposition's amendments seek to put the national database scheme at risk. If this amendment is passed, then the result would be that the Victorian law would not be recognised as a corresponding law.

I reject the assertion made by the Honourable Peter Katsambanis that the national agreement does not relate to issues regarding court authorisation. Court authorisation was a requirement agreed to by the national committee.

In conclusion, if the opposition asserts that this government is soft on crime then someone is a bit soft in the head. This government has put 800 police back on the streets. It is seeking to execute court orders through the passage — —

Hon. Bill Forwood — On a point of order, Mr President, the debate before the house today is limited to the consideration of the amendments from the Assembly and the Council's response to them. It is not a broad-ranging debate, and the honourable member has absolutely no capacity in the chamber to canvass the number of police or any other issue in relation to this amendment.

Hon. JENNY MIKAKOS — On the point of order, Mr President, I am responding to an assertion made by the Honourable Peter Katsambanis, in the opening remarks of his speech. Perhaps the Leader of the Opposition was not in the chamber at that time but I wish to put on record that I categorically reject that assertion.

Hon. P. A. Katsambanis — Further on the point of order, Mr President, because I know you were not in the chamber at the time, it may assist you for me to say that the assertion I made was in relation to resourcing for the taking of forensic samples, which was an issue that was raised by the minister in his contribution, and I was responding to that. I made absolutely no reference in my contribution to police numbers, and for Ms Mikakos to infer that I did is a deliberate attempt to mislead — —

The PRESIDENT — Order! The matters before the house are relatively limited, but obviously give the

opportunity for each person to speak on aspects of the amendments on which honourable members must come to a conclusion. If Mr Katsambanis spoke about resources for one aspect of policing, it is a bit of a fine line for the Chair to say that another member cannot talk about other resourcing. I do not uphold the point of order.

Hon. JENNY MIKAKOS — I was concluding my remarks. The issue of police numbers is an important aspect of resourcing. It demonstrates this government's commitment to protecting the Victorian people. The government has put in additional resources, including 800 new police back on Victorian streets.

House divided on motion:

Ayes, 13

Broad, Ms	Mikakos, Ms (<i>Teller</i>)
Carbines, Mrs	Nguyen, Mr
Gould, Ms	Romanes, Ms
Hadden, Ms	Smith, Mr R. F.
Jennings, Mr	Theophanous, Mr
McQuilten, Mr (<i>Teller</i>)	Thomson, Ms
Madden, Mr	

Noes, 26

Ashman, Mr	Forwood, Mr
Atkinson, Mr	Furletti, Mr
Best, Mr (<i>Teller</i>)	Hall, Mr
Birrell, Mr	Hallam, Mr
Bishop, Mr	Katsambanis, Mr
Boardman, Mr	Lucas, Mr
Bowden, Mr	Luckins, Ms
Brideson, Mr	Olexander, Mr
Coote, Mrs	Rich-Phillips, Mr
Cover, Mr (<i>Teller</i>)	Smith, Mr K. M.
Craige, Mr	Smith, Ms
Davis, Mr D. McL.	Stoney, Mr
Davis, Mr P. R.	Strong, Mr

Pair

Darveniza, Ms	Ross, Dr
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Motion negatived.

Council's amendment 2 as follows agreed to:

- Clause 2, line 5, omit "17(2)" and insert "21(2)".

with following amendment:

Omit "21(2)" and insert "18(2)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 2 made by the Council.

Motion negatived.

Council's amendments 3 and 4 as follows disagreed with:

- Clause 5, page 6, line 30, omit "464T or 464U".
- Clause 6, omit this clause.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendments 3 and 4 disagreed with by the Assembly.

Motion negatived.

Council's amendment 12 as follows disagreed with:

- Clause 8, lines 9 and 10, omit all words and expressions on these lines and insert —

'In section 464ZE(1) of the Principal Act —

- after "(4)" insert "and section 464ZGO";
- in paragraph (d), for "464ZGE; or" substitute "464ZGE.";
- paragraph (e) is repealed.'

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 12 disagreed with by the Assembly.

Motion negatived.

Council's amendment 13 as follows agreed to:

- Clause 10, page 11, line 2, omit "10" and insert "12".

with following amendment:

Omit "12" and insert "11".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 13 made by the Council.

Motion negatived.

Council's amendment 14 as follows disagreed with:

- Clause 12, after line 21 insert —

'() in paragraph (a), omit "464T(3), 464U(7) or 464V(5)";'

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 14 disagreed with by the Assembly.

Motion negatived.

Council's amendment 15 as follows agreed to:

15. Clause 15, page 28, line 28, omit "15" and insert "18".

with following amendment:

Omit "18" and insert "16".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 15 made by the Council.

Motion negated.**Council's amendments 16 to 19 as follows disagreed with:**

16. Clause 16, lines 6 to 8, omit sub-clause (2).
17. Clause 18, after line 19 insert —

"(1) Section 464R of this Act as substituted by section 6 of the **Crimes (DNA Database) Act 2002** applies to all forensic procedures conducted on or after the commencement of section 6 of that Act and any application made under section 464T, 464V or 464W as in force immediately before that commencement that has not been determined before that commencement is deemed to have been withdrawn."

18. Clause 18, line 20, omit "(1)" and insert "(2)".
19. Clause 18, line 25, omit "(2)" and insert "(3)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendments 16 to 19 disagreed with by the Assembly.

Motion negated.**Council's amendment 20 as follows agreed to:**

20. Clause 18, line 26, omit "12" and insert "14".

with following amendment:

Omit "14" and insert "13".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 20 made by the Council.

Motion negated.**Council's amendment 21 as follows agreed to:**

21. Clause 18, line 29, omit "12" and insert "14".

with following amendment:

Omit "14" and insert "13".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 21 made by the Council.

Motion negated.**Council's amendment 22 as follows disagreed with:**

22. Clause 18, line 30, omit "(3)" and insert "(4)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 22 disagreed with by the Assembly.

Motion negated.**Council's amendment 23 as follows agreed to:**

23. Clause 18, line 31, omit "15" and insert "18".

with following amendment:

Omit "18" and insert "16".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 23 made by the Council.

Motion negated.**Council's amendment 24 as follows disagreed with:**

24. Clause 18, page 31, line 1, omit "(4)" and insert "(5)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 24 disagreed with by the Assembly.

Motion negated.**Council's amendment 25 as follows agreed to:**

25. Clause 18, page 31, line 2, omit "16" and insert "20".

with following amendment:

Omit "20" and insert "17".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 25 made by the Council.

Motion negated.

Council's amendment 26 as follows agreed to:

26. Clause 18, page 31, line 5, omit "16" and insert "20".

with following amendment:

Omit "20" and insert "17".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 26 made by the Council.

Motion negatived.**Council's amendment 27 as follows disagreed with:**

27. Clause 18, page 31, line 6, omit "(5)" and insert "(6)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 27 disagreed with by the Assembly.

Motion negatived.**Council's amendment 28 as follows agreed to:**

28. Clause 18, page 31, line 7, omit "17(1)" and insert "21(1)".

with following amendment:

Omit "21(1)" and insert "18(1)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 28 made by the Council.

Motion negatived.**Council's amendment 29 as follows agreed to:**

29. Clause 18, page 31, line 10, omit "17(1)" and insert "21(1)".

with following amendment:

Omit "21(1)" and insert "18(1)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 29 made by the Council.

Motion negatived.**Council's amendments 30 and 31 as follows disagreed with:**

30. Clause 18, page 31, line 12, omit "(6)" and insert "(7)".

31. Clause 18, page 31, line 12, omit "(4) and (5)" and insert "(5) and (6)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendments 30 and 31 disagreed with by the Assembly.

Motion negatived.**Council's amendment 32 as follows agreed to:**

32. Clause 18, page 31, line 16, omit "16 or 17(1)" and insert "20 or 21(1)".

with following amendment:

Omit "20 or 21(1)" and insert "17 or 18(1)".

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council agree to the amendment made by the Assembly to amendment 32 made by the Council.

Motion negatived.**Council's amendment 33 as follows disagreed with:**

33. Insert the following new clause to follow clause 5:

'A. Substitution of sections 464R to 464X

For sections 464R to 464X of the Principal Act substitute —

"464R. Forensic procedures

- (1) If there are reasonable grounds to believe that a forensic procedure on a person would tend to confirm or disprove the involvement of the person in the commission of an offence specified in Schedule 8, sections 464K to 464M apply to forensic procedures as if —
 - (a) a reference to the taking or giving of fingerprints were a reference to the conduct of a forensic procedure; and
 - (b) a reference to an authorised person were a reference to a person authorised under section 464Z(1); and
 - (c) a reference to an indictable offence or a summary offence referred to in Schedule 7 were a reference to an offence specified in Schedule 8; and
 - (d) a reference to fingerprints were a reference to a forensic procedure or evidence obtained as a result of a forensic procedure.
- (2) A member of the police force must inform a person on whom a forensic procedure is to be conducted that the person may request that the procedure be conducted by or in the presence of a medical

practitioner or nurse of his or her choice or, where the procedure is the taking of a dental impression, a dentist of his or her choice.”.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 33 disagreed with by the Assembly.

Motion negatived.

Council’s amendment 34 as follows disagreed with:

34. Insert the following new clauses to follow clause 7:

‘B. Execution of order for mouth scraping

(1) In section 464ZA(1) of the Principal Act, for —

“If a court makes an order under section 464T(3), 464U(7) or 464V(5) for the conduct of a compulsory procedure, or an order under section 464ZF for the conduct of a forensic procedure” —

substitute —

“If a forensic procedure is to be conducted under this Subdivision”.

(2) In section 464ZA(3) of the Principal Act —

(a) for “If the Children’s Court makes an order under section 464U(7) or 464V(5)” **substitute** “If a forensic procedure is to be conducted under this Subdivision on a child”;

(b) for “a compulsory procedure” **substitute** “the forensic procedure”.

(3) In section 464ZA(4) of the Principal Act, after “blood sample” **insert** “or a scraping from a person’s mouth taken by that person”.

(4) In section 464ZA(5) of the Principal Act —

(a) **omit** “compulsory or”;

(b) after “procedures” **insert** “(except a scraping from a person’s mouth taken by that person)”.

(5) In section 464ZA(6) of the Principal Act —

(a) for “an order under section 464T(3), 464U(7), 464V(5) or 464ZF is executed” **substitute** “a forensic procedure is conducted”;

(b) after “the order” (wherever occurring) **insert** “, if any.”.

(6) In section 464ZA(7) of the Principal Act, **omit** “compulsory or”.

C. Forensic reports

In section 464ZD of the Principal Act, **omit** “in accordance with section 464R, 464T(3), 464U(7),

464V(5) or 464ZF(2) or (3) or sections 464ZGB to 464ZGD or otherwise”.

but following amendment made by Assembly:

Insert the following new clause to follow clause 7:

‘AA. Execution of order for mouth scraping

(1) In section 464ZA(4) of the Principal Act, after “blood sample” **insert** “or a scraping from a person’s mouth taken by that person”.

(2) In section 464ZA(5) of the Principal Act, after “procedures” **insert** “(except a scraping from a person’s mouth taken by that person)”.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendment 34 disagreed with by the Assembly and agree to the amendment made by the Assembly to amendment 34.

Motion negatived.

Council’s amendments 35 and 36 as follows disagreed with:

35. Insert the following new clause to follow clause 14:

‘D. Safeguards

In section 464ZGE of the Principal Act, for sub-section (11) **substitute** —

“(11) This section does not prevent a member of the police force causing a forensic procedure to be conducted, in accordance with this Subdivision, on a person who has voluntarily given a sample under sections 464ZGB to 464ZGD.”.

36. Insert the following new clause to follow clause 15:

‘E. Supreme Court — limitation of jurisdiction

In section 464ZI(a) of the Principal Act, for “, 464T(1), 464U(3) or 464V(2)” **substitute** “or under that section as applied by section 464R”.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I move:

That the Council do not insist on amendments 35 and 36 disagreed with by the Assembly.

Motion negatived.

Ordered to be returned to Assembly with message intimating decision of house.

ADJOURNMENT

Hon. M. R. THOMSON (Minister for Small Business) — I move:

That the house do now adjourn.

Police: Endeavour Hills station

Hon. N. B. LUCAS (Eumemmerring) — I raise again the matter of the Endeavour Hills police station and I raise the issue with the only minister who is available to pass this on to the Minister for Police and Emergency Services in the other place. Sadly, we are not able today to ask this question of the minister who is meant to be here to deal with issues to do with police and emergency services — namely, the Minister for Sport and Recreation, who scurried out of the chamber. We have only one minister left — and that is a heck of a shame.

The Endeavour Hills police station, as I have raised before in this house, is a matter of great concern to the people of Endeavour Hills. It is a shame that I have to keep on raising this issue which, after all, was the first promise given to the people of Endeavour Hills prior to the last election. Prior to the last election the Labor Party put out a manifesto which said, 'If you elect us we will build an Endeavour Hills police station' — and that was back in 1999! Since that time not one brick has been laid; we do not even have a site!

A little while ago Labor Party members came up with this brilliant idea: 'We've found a site to put the police station'. Where were they going to put it? In a park! They were going to pull out the children's play equipment and build a police station in a park. They went along to the local council and said, 'We have this brilliant idea. We are going to build a police station in Endeavour Hills in this park on the corner of Heatherton Road and another street'. The council said, 'No way are you going to put a police station in a park', and knocked them back.

The Minister for Police and Emergency Services in another place attacked the council for procrastination and a lot of other things, and also attacked the honourable member for Berwick in another place. That was disgraceful.

A park is not a place to put a police station. The people of Endeavour Hills are still waiting for this no-action, do-nothing government to do something about building a police station at Endeavour Hills. This is a disgrace and another broken promise by this dodgy government that is big on promises but very small on action. It is a real concern to me that not a brick has yet been laid.

I ask the Minister for Police and Emergency Services: when is he going to do something? When is he going to make a decision to give the people of Endeavour Hills a police station? When will he make a decision? That is something he does not appear to be able to do.

Sum Strait Timber

Hon. P. R. HALL (Gippsland) — I refer the Minister for Environment and Conservation in another place to a company in my electorate based at Bairnsdale called Sum Strait Timber. The company purchases pallet grade timber from many green timber mills around Victoria. It then cuts that timber to the required specifications of its clients and produces pallets of the size required by its customers. The business was purchased five years ago by my constituents, Annie and Russell Allan, with borrowing relative to the income-producing capacity of the business. At this point of time the business is certainly very viable.

However, the reduced sustainable yield figures recently published by the government now put this business at risk. The green timber mills from which my constituents source their raw product are likely to be the first to feel the cutback in available timber resources. The flow-on effect would be for Sum Strait Timber to be out of business and the operation an unsaleable one. Annie and Russell Allan do not wish to go out of business but if they are forced out they feel they should share in any compensation package that inevitably will have to be made to the timber industry in Victoria.

I request the minister to give me an indication whether companies like Sum Strait Timber will qualify for compensation. I, for one, believe they should do so.

ALP: ICT policy

Hon. G. B. ASHMAN (Koonung) — I refer the Minister for Information and Communication Technology to the Australian Labor Party 1999 election policy 'Connecting Victorians' on information technology. In the policy document the Labor Party said:

A Victorian government will develop and implement ... a reformist, flexible and innovative Labor government would make strategic use of its purchasing power so as to develop the ICT industry.

I ask: what does the minister mean by 'reformist, flexible and innovative'?

ALP: ICT policy

Hon. PHILIP DAVIS (Gippsland) — I refer the Minister for Information and Communication

Technology to the Australian Labor Party 1999 election policy document 'Connecting Victorians' where it states:

A Labor government will pursue a strategic approach to granting tax breaks and other incentives to the information and communications technology industry.

I ask the minister to please name one.

ALP: ICT policy

Hon. B. N. ATKINSON (Koonung) — I have had an interesting time reading the ALP's election policy for the last state election in regard to information technology.

An honourable member interjected.

Hon. B. N. ATKINSON — No, I didn't, but it was somewhere between *Alice in Wonderland* and the Brothers Grimm.

The one that appealed to me — and I would really be interested if the minister might elucidate on this one — was that part of the policy for IT where it said the minister now responsible for this area would negotiate with the private sector to supply all members of the community with an email address — every member of the community. The private sector would be required to provide that in some sort of partnership with the government. No doubt the Minister for Information and Communication Technology would be keen to explain that partnership to this house today and tell us how this might be achieved, what exactly this policy commitment meant and when it will be delivered.

Mildura courthouse

Hon. B. W. BISHOP (North Western) — My adjournment contribution tonight is directed through the Minister for Small Business to the Attorney-General. The issue is about the Mildura courthouse and the subject of community consultation. I noticed that on 4 April the local press carried an artist's image of the proposed new Mildura courthouse. The newspaper stated that the completion date is set for December 2003 and that there would be extensive community consultation on the project. I inform the house that Mildura has missed the perfect opportunity to become a state leader in the collocation of emergency services.

I understand that in September 2000 the collocation infrastructure planning group was formed to coordinate the development of a collocation strategy for implementation across Victoria. As early as September 1999, fully 12 months before the group's formation, I

was urging the utilisation of the old Mildura Base Hospital site for the collocation of the courthouse, police and correctional services, the Country Fire Authority (CFA), the State Emergency Service (SES) and ambulance services all on one site. In early 2000, I stated in a media release that the courthouse, the police station, the CFA and the then Office of Corrections stand on commercially attractive land in desirable prime sites in the CBD and that an additional benefit of having those services housed together would be the freeing up of those prime locations.

Recently, Lorne, which is on the southern coast of Victoria, received a police and emergency services complex in a new collocation facility encompassing police, CFA, Victoria SES and Rural Ambulance Victoria. The Collocation Infrastructure Planning Group is located at the Department of Justice and agencies are encouraged to collocate wherever feasible. However, for some reason collocation was deemed unsuitable for Mildura. Seldom does a region have such an opportunity to build a major court, police and emergency services complex with the associated efficiencies of collocation as Mildura had and I am very disappointed that we have missed such an opportunity. Given that disappointment and the fact that the money has been allocated in the state budget for the courthouse for over three years, the people of Sunraysia are entitled to see at least a start being made. So, my inquiry is: when will the community consultation promised by the minister begin?

Monash Freeway: traffic volume

Hon. R. H. BOWDEN (South Eastern) — I seek the assistance of the Minister for Transport in the other place to deal with the apparent rapid decline in traffic capacity of the Monash Freeway. Thousands of my constituents use the Monash Freeway each day. The freeway is a vital road link to south-eastern Melbourne but there is growing dissatisfaction with the lengthy delays and slow travel times, particularly between Lyndhurst and Warrigal Road in morning and evening transit times. The freeway appears to be at or near capacity with no extra capacity apparently scheduled. The Monash Freeway is now slow and often unreliable.

Space is available for an extra lane over most of the distance between Warrigal Road and Lyndhurst. An extra lane is obviously needed now especially since there continues to be additional traffic from the rapid population expansion in Cranbourne and parts of the Mornington Peninsula. The Monash Freeway is a core traffic asset and it requires extra capacity. The question is: will the government immediately investigate this

important issue and initiate action to quickly increase the capacity of the Monash Freeway?

Taxis: Whittlesea service

Hon. G. R. CRAIGE (Central Highlands) — I raise with the Minister for Transport an important issue for the people of Whittlesea: their taxi service. The Whittlesea Taxi Service provides an essential public transport service in a remote outer area of the northern suburbs of Melbourne, in particular up to townships such as Whittlesea, South Morang and Doreen, which are all expanding growth areas, and through to Epping.

Through the Department of Infrastructure, the Victorian Taxi Directorate and the parliamentary secretary for transport, the operators of Whittlesea Taxi Service have sought to change the boundary and to attract more drivers so they can provide services in the region. The Department of Infrastructure, the Victorian Taxi Directorate and the parliamentary secretary have supported the changes to the boundary, as have members of the public.

The changes will move the southern boundary to Bell Street, the eastern boundary to the Yarra River and the western boundary to the Hume Highway, and will leave the northern boundary on the northern boundary of the Whittlesea council area.

One would have thought that with so much support this would have been an easy decision for the Minister for Transport to make. But rather than make a decision the minister sought to send the matter to the Victorian Taxi Association to see what it would do. The VTA is a body of operators who run cabs such as Silver Top Taxi Service, Black Cabs and the major country cabs. They made a decision last week and said, 'No, it should not happen'.

My question is: who is running the state? Is it the state government and the Minister for Transport, or is it the taxi operators? I ask the minister to urgently intervene and support his parliamentary secretary, the Department of Infrastructure and the Victorian Taxi Directorate, not the self-interested Victorian Taxi Association.

Small Business May

Hon. I. J. COVER (Geelong) — My adjournment matter is for the attention of the Minister for Small Business. Given that it is 19 April and we are less than a fortnight away from the month of May, members on this side of the house are very much aware that one of the most successful programs of the former government was Small Business May.

Hon. G. R. Craige — Bring it back! What do we want?

Hon. N. B. Lucas — Small Business May!

Hon. I. J. COVER — It is interesting to hear my colleagues saying, 'Bring it back', because that is exactly what people in small business, particularly in Geelong, are saying to me. They say that Small Business May was a great program that provided encouragement and recognition to small business, particularly in that month of May when the focus was on small business.

It was typical of this government that one of this minister's first acts was to get rid of this program — to scrap it early on in line with the way the government scrapped a number of other programs — because it was a successful program of the former government. It was an act of vindictiveness, not only against the former government but against people involved in small business, and here is an opportunity — —

Hon. G. R. Craige — What do they want?

Hon. I. J. COVER — They want Small Business May! I can understand the minister being distracted from perhaps bringing back Small Business May, because she is currently busy capitulating to big business at the expense of small business and jobs in the small business area because of liquor licensing issues and the 8 per cent cap in Victoria.

An Honourable Member — It has been big business in April!

Hon. I. J. COVER — Very much so. Clearly there is an opportunity here for the minister to bring her attention back to her portfolio responsibilities for small business.

Far be it from me to make a suggestion about the government doing a review, given it is doing about 700 at the minute, but it might be an opportunity for one review that would be welcomed if it could in fact return to small business people in Victoria the very successful program of Small Business May.

Hon. G. R. Craige — What do they want?

Hon. I. J. COVER — They want Small Business May!

Hon. G. R. Craige — When do they want it?

Hon. I. J. COVER — They want it in May! I ask the Minister for Small Business if she would consider reviewing Small Business May and bringing it back to

the people of Victoria and to the people involved in small business in this state, because they are the people who generate so much economic wealth and growth for Victoria.

Insurance: public liability

Hon. E. G. STONEY (Central Highlands) — I am delighted to be able to put a question directly to the Minister for Small Business, and I can see she is just as delighted, but I am not sure the government are because I don't believe they are here — I think they have gone home. Perhaps they are not keen on Friday afternoons.

I refer to the minister's commitment to the Economic Development Committee (EDC) in August last year when she promised to speak to the Minister for Environment and Conservation in the other place about obtaining some relief for adventure tourism operators operating on public land who are weighed down with over-zealous and steep public liability requirements in national parks. I remind the minister that I raised this question with her again in question time recently. But well after that, on 10 April 2002, the *Weekly Times* ran quite a scathing article about the issues that were mentioned in the EDC last August. I quote from that article:

... community groups leasing Crown land are demanding to know why their leasing costs have risen when they are already facing the crippling effects of massive public liability insurance premium rises.

I ask: has the minister raised the issue with the Minister for Environment and Conservation since I raised it with her; and if so, what was the outcome?

Schools: class sizes

Hon. M. T. LUCKINS (Waverley) — I raise a matter with the Minister for Small Business, given that she is the only minister who has bothered to attend the adjournment debate this evening, for the attention of the Minister for Education Services. I refer to the government's promise to the Victorian community at the last election to have 21 or fewer students in years prep to grade 2 in primary schools throughout Victoria.

I draw attention to an article in the *Herald Sun* today and note that there are still 161 schools with 30 or more students in every class and that 30 per cent of all primary classes have more than 25 students.

According to this article, it is also a fact that half of the class sizes from prep to year 2 are above the target set and promised by the government of 21 or fewer students between the years of prep to grade 2. I have had a quick look at the list of schools in the *Herald Sun*

today and I was very distressed to learn that Wheelers Hill Primary School has an average in prep to grade 2 classes of 23.3 students, Jells Park Primary School has an average of 25.8 students, Clayton has 26, Clayton South has 24.8, Hughesdale has 23.5 and Essex Heights has 24.3. These schools are located across my electorate and those in Clayton and Hughesdale are in areas with a very high socioeconomic disadvantage.

Given that as Minister for Education Services the minister is supposedly responsible for work force management, I ask her to give an undertaking to guarantee that this promise made prior to the 1999 election will be implemented in every primary school in the years prep to grade 2 at the commencement of the 2003 school year. I have an incentive and an interest in this issue, as do many honourable members on this side of the house, because I have a child in grade 2 and a daughter who is going into prep next year.

On behalf of all parents throughout Victoria I urge the government to implement its promise to the people of Victoria prior to the commencement of the next school year.

Rail: Belgrave car parking security

Hon. A. P. OLEXANDER (Silvan) — I seek the assistance of the Minister for Police and Emergency Services in the other place, through the Minister for Small Business, following reports in my electorate on the continual vandalism and theft of cars. It has been brought to my attention that something urgently needs to be done in relation to improving safety, particularly at railway stations and their car parks. One Belgrave resident reported that vandals caused more than \$250 damage to her car's locks, steering and ignition.

Another car had been broken into only a few cars away from hers. The constituent's comments seem to accurately display the serious nature of the problem. She said it was like every second person she met has had the same thing happen to them.

Something needs to be done in conjunction with train companies which operate on the railway lines, the police and the community at large to improve the security of railway stations and their car parks. Police have acknowledged locally that railway stations are a serious security problem, but whilst they have patrolled the areas in marked and unmarked cars they could only do so much due to the need to attend other areas. A Connex Trains spokesperson has been reported as saying there were no plans to upgrade security at Belgrave station.

I urge the Minister for Police and Emergency Services to act immediately to find a solution to this problem of security at railway stations for patrons and their belongings. I ask that he consult with the police as well as with the train companies to produce the most suitable answer to the problem of vandalism and car theft.

Liquor: licences

Hon. BILL FORWOOD (Templestowe) — I raise an issue with the Minister for Small Business, which she will not be surprised to know goes to the issue of liquor, and particularly the 8 per cent cap. I make the point at the outset that today, 19 April, is one day after the commencement of the 12-month period that the minister said Woolworths had to divest itself of licences above the 8 per cent cap. As everybody in this place knows, the minister lied to the people of Victoria in relation to liquor and lied to the small business community, and there is absolutely no doubt that Woolworths got to her and she collapsed under the pressure.

Hon. M. R. Thomson — On a point of order, Mr President, yesterday in this house when the Honourable Bruce Atkinson got to his feet and took offence to the use of the word 'lied' in relation to himself the Honourable Theo Theophanous was asked to withdraw. I ask you to ask the Leader of the Opposition to withdraw his remarks about my having lied on those matters.

The PRESIDENT — Order! I invite the honourable member to withdraw.

Hon. BILL FORWOOD — I withdraw! The minister was totally unable to tell the truth in relation to any of the matters in relation to Woolworths. Her misleading comments in the committee stage of the debate, when we heard — —

An Honourable Member — They were untrue!

Hon. BILL FORWOOD — Absolutely! She told more than one untruth in relation to the committee stage of the debate when we debated the bill a year ago, and that was evidence of the fact she had absolutely no capacity to come in and tell the truth to the people of Victoria or to the small business people who are most affected by it.

The minister knows she is trying to facilitate or negotiate an agreement between various people. One of the clauses in this agreement is:

Woolworths and Coles Myer shall generally only increase their holdings above 8 per cent level by buying out existing independent liquor stores within the 1-kilometre radius.

This is the minister's idea and her way of keeping a commitment to keep to 8 per cent. The question I think the minister needs to answer is: how can they be asked only to increase above 8 per cent when they are already there? How can they only do it by buying licences belonging to independent liquor stores within a 1-kilometre radius when everybody, including blind Freddy, knows that Woolworths has far more than 8 per cent, not just because of the licences it bought through the Liberty Liquor purchase a year ago but because of the recent purchases through Franklins as well, which added an extra 32 licences to it.

I have a very simple question for the minister. This is her agreement. She is the person who is putting it together, and everybody knows she has not said anything true about this to date. Would the minister care to tell the people of Victoria the truth about this particular clause? It says:

Woolworths and Coles Myer shall generally only increase their holdings above 8 per cent level by buying out existing independent liquor stores within the 1-kilometre radius.

What does that actually mean?

Elections: electronic voting

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I raise a matter for the Minister for Information and Communication Technology, which is fortunate because she is the only minister here. It goes to the issue of a press release the minister put out on 20 February titled 'E-democracy comes to Victoria'. The press release states:

Electronic voting in state elections will be considered as part of an inquiry into electronic democracy, the Minister for Information and Communication Technology, Marsha Thomson, announced today.

It quotes the minister:

Not only will the inquiry help make the parliamentary process more relevant to the community, it will also increase even further the transparency and accountability of Parliament and the government — a key objective of the Bracks government.

Further in the minister's press release she refers to the e-democracy inquiry as having been outlined and originating in the state government's ICT policy which she says is a document entitled 'Connecting Victoria'. I referred back to 'Connecting Victoria' and it does refer to the inquiry that the minister spoke about in her 20 February press release this year. However, the document was in fact a ministerial statement delivered

by the Minister for State and Regional Development in November 1999.

This inquiry was announced by the Minister for State and Regional Development 18 months ago, and it is only now, in February 2002, that the new minister for ICT is actually initiating the inquiry despite the fact that she describes it as a key objective — so 'key' that she waited 18 months before acting on it.

The other aspect of this is that at the same time as the minister is talking about introducing electronic voting into Victoria the Attorney-General has introduced a piece of legislation in the other place to upgrade and update Victoria's electoral legislation. I seek from the minister an explanation: given that the Attorney-General has already introduced a bill into the Assembly to completely rewrite the electoral provisions for this state, is not her inquiry into electronic voting nothing more than a political stunt?

Taxation: government policy

Hon. D. McL. DAVIS (East Yarra) — I raise a matter for the attention of the Treasurer in the other place, and again, as on most nights this week, the Treasurer's representative in this place has not been present to hear my request and my attempt to seek some information.

The matter again relates to taxation, in particular to the comments by the taxpayers organisation, Taxpayers Australia, about the Bracks government's level of taxation. The editorial headed 'Mr Bracks: stop the tax rip-off!' by Peter McDonald in the organisation's 1 April 2002 newsletter makes a very clear set of statements:

Victoria is without doubt the highest taxing state in Australia and property owners are paying the price. The windfall that is being reaped by the Victorian government has cost Victorian taxpayers dearly.

It goes on to say:

The Victorian government has nobody but itself to blame. If it wasn't ripping off its own residents it would not be short-changed by the grants commission.

The interesting point about this is that Taxpayers Australia draws attention not only to the high level of taxation in Victoria but the double effects of that. Firstly, Victorians pay high tax, but secondly, the Commonwealth Grants Commission formulas do not reward Victoria for having that high taxation rate. In fact, they penalise Victoria. The newsletter further states:

The answer is quite simple, Mr Bracks. Victoria is being punished by the grants commission because it is a high-taxing state.

Lower the stamp duty impost to even an average of the stamp duty rates paid by the rest of Australia, and reduce other taxes, and then Victoria will receive closer to its fair share of commonwealth taxes actually paid by Victorians.

The solution is in your hands.

The editorial concludes. But in the light of the Treasurer's statement that there will be \$50 million of tax cuts brought forward, it is important to realise that this is a tiny drop in the ocean on the more than \$1 billion that has been collected in addition to the budgeted amounts this year. In fact, over \$750 million in additional property taxes — stamp duty principally — has been collected by this government this year. I want to make the point that Taxpayers Australia is absolutely right. The Treasurer ought in this budget and ahead of time take some serious steps to deal with this. The tiny crumbs he has offered Victorian taxpayers are insignificant compared to the massive take that he has ripped away from Victorians. I want him to assess what is happening with the Commonwealth Grants Commission and say why he has chosen to double tax Victorians in this way.

Solariums: skin cancer

Hon. ANDREA COOTE (Monash) — I ask the Minister for Small Business to pass a matter on to the Minister for Health in another place the issue of solariums. There are a number of solariums in my electorate, and I am very concerned about a lot of young people who are using them. This week there was a huge payout for tobacco-related issues and I think this will also loom as a problem for solariums because of the potential risk of an increase in skin cancer to people using them.

I quote from a 2 April 2001 press release from the Cancer Council of Victoria:

Sunsmart is planning to step up promotion of solariums as a risk factor for skin cancer, in response to new draft solarium guidelines that have been released recently.

The new industry standard, released for comment by Standards Australia, will strongly encourage solarium operators to display health warnings concerning the risks associated with solarium UV exposure.

It goes on to say that the manager of the Victorian Sunsmart program says:

... he understood why some customers, particularly younger users, could believe solariums were safe when solariums advertised as offering safe tans for all skin types.

The media release also states:

Latest research by the Sunsmart program shows 9 per cent of all Victorians aged between the ages of 14 and 29 had used a solarium. Given the rise in solarium establishments recently, Sunsmart predicts this number is likely to rise.

I am particularly concerned about this. I have a solarium close to my office and I see people using it all the time. I am very concerned that there seem to be no signs promoting, and no acknowledgment of, the dangers concerned. My question to the minister is: how will the Bracks government raise awareness of the dangers of solariums in Victoria?

Liquor: licences

Hon. W. I. SMITH (Silvan) — The matter I raise is with the Minister for Small Business. Several times this morning during debate I heard the words ‘accountability’, ‘transparency’ and ‘openness’. I put to the minister that this government is not really interested in those words.

This morning I asked questions regarding the liquor industry and the fact that the industry’s legal advice on a contract had proven that it was not worth the paper it was written on. Half an hour after question time I received a phone call from a member of one of the industry associations involved in the government’s negotiations who had been talking with me about that document. They said they had received a phone call from the department of the Minister for Small Business to find out where I was obtaining my information about the government’s negotiations. Whilst these are intimidating tactics to resolve a situation the government cannot resolve, the member of the liquor industry treated the phone call with great derision, and believes it shows even more that the minister is not in control of her portfolio. They are quite incredulous at the intimidatory process.

However, during that conversation this morning it was put to the association by the public servant that the contract it was negotiating is no longer a legally binding document — in fact, it is a memo of understanding. The liquor association is absolutely incredulous about the fact that this document which it certainly thought was a legally binding contract — and that is why it has been involved in discussions with the minister — now suddenly becomes a memo of understanding. I am curious to know what the minister sees the document as: a memo of understanding or as a legal document and agreement between Woolworths, Coles, and both liquor associations?

Information and communications technology: tenders

Hon. C. A. FURLETTI (Templestowe) — I am pleased to be able to direct a matter to the Minister for Information and Communication Technology. It is a pleasure to be able to direct my concerns directly to the minister, as once again the government has seen fit to have its other ministers avoid the scrutiny of this place and the possibility of members on this side directly raising constituency and other matters with ministers.

In scrutinising the 1999 information technology (IT) policy of the government, I note that the government’s policy is that when outsourcing IT contracts it will ensure the tender process is conducted and sourced to ensure Victorian IT companies will compete with multinationals. Would the minister advise the house of the degree of success the government has achieved in supporting Victorian IT companies above multinationals?

Planning: broiler farms

Hon. K. M. SMITH (South Eastern) — I raise with the Minister for Planning in the other place the issue of a broiler shed in Nar Nar Goon, a 90 000-bird class C farm. When the applicant put in the application regarding this chicken shed, the council policy at the time determined it was not allowed — it did not fall within the council’s guidelines — and the new government regulations would not allow it. Unfortunately those regulations took about one week more to be implemented than did a Victorian Civil and Administrative Tribunal (VCAT) decision which overturned the council’s initial ruling that it did not want this particular shed.

Honourable members interjecting.

Hon. K. M. SMITH — The minister should have. What concerns me is that on advice from the minister the council was directed to appeal the first decision of VCAT. That appeal was lost, unfortunately, but it was all done on the minister’s advice.

The proponent of the chicken shed is now seeking costs of around \$300 000. Most of those costs were incurred because of the advice of the minister. Initially the minister and the department were joined in the costs action. The strange thing is that the minister was dropped from that action, and one has to ask why. The minister must have applied a fair amount of pressure to be excluded from that action by the proponent.

It will cost the council a large amount of money to fight for something that the people up there did not want.

The chicken shed is to be within a couple of hundred metres of the centre of the township of Nar Nar Goon. If that chicken shed is built there, it will put that town out of business because nobody will want to build in an area with a chicken shed so close to the town.

Honourable members interjecting.

Hon. K. M. SMITH — Minister, I consider your actions in laughing at what I have just raised to be appalling!

Tata Consultancy Services

Hon. B. C. BOARDMAN (Chelsea) — I raise a matter for the Minister for Information and Communication Technology following on from my colleague Mr Furetto, who correctly outlined that ALP policy at the last election was to place an emphasis on the attraction of local investment in the information and communications technology (ICT) industry, and the Labor Party's deliberate attempts to fulfil its objectives.

I refer the minister to her announcement on 25 February that there would be 200 new jobs for Victoria in ICT because the Indian company, Tata Consultancy Services, or TCS, was to establish its global development centre in Melbourne. TCS is an internationally renowned company of some standing. It consults with seven of the Fortune top 500 companies and has an international reputation that it thoroughly deserves. It is large, with 20 000 employees and 50 branches world wide, so it is a multinational company, which I am sure the minister will concede. Equally I hope the minister will concede that part of this investment that is coming to Victoria is also along the lines of the federal government IT investment attraction scheme, which provided some assistance in fulfilling this deal.

Will the minister outline what consideration was given to existing services from localised companies and whether the localised companies were in a position to provide a similar service to the global development centre that TCS is providing for Melbourne? Also, as no further information has been given on this announcement, such as where the global development centre might be located, I invite the minister to this afternoon announce where this facility will be so we do not have a situation where in the forthcoming election campaign this announcement is rehashed and probably announced in a Labor-held marginal seat.

Responses

Hon. M. R. THOMSON (Minister for Small Business) — The Honourable Neil Lucas raised for the

Minister for Police and Emergency Services in another place a matter about the Endeavour Hills police station. I will pass that on to the minister for his direct response.

The Honourable Peter Hall raised for the Minister for Environment and Conservation in another place a matter in relation to Sum Strait Timber, which is owned by Annie and Russell Allan, and the pallet timber that that company uses for the production of pallets. He is seeking to find out whether or not the compensation package would apply to that business. I will certainly pass that on to the minister for her response.

The Honourable Gerald Ashman raised a question about 'flexible and innovative' and what it means. I suggest he look it up in the dictionary.

The Honourable Philip Davis inquired about tax breaks and the facilitation of investment. The Honourable Cameron Boardman just answered the honourable member's question by naming one, and that is Tata Consultancy Services. That answers that question.

The Honourable Bruce Atkinson raised a question in relation to access to email for Victorians. We have community programs which give access to email for Victorians who are unable to get an email of their own.

The Honourable Barry Bishop raised a question in relation to Mildura courthouse and the consultation process in relation to it. I will pass on to the Attorney-General the question of the date the consultations begin and ask him to respond to the honourable member.

The Honourable Ron Bowden raised a matter for the Minister for Transport concerning the Monash Freeway and bottlenecks between Lyndhurst and Warrigal Road. I will pass that on to the minister for him to address the honourable member directly.

The Honourable Geoff Craige raised a matter for the Minister for Transport in relation to the Whittlesea taxi service and the boundaries it operates from. I will pass that on to the minister for a direct response.

The Honourable Ian Cover raised the matter of Small Business May. Not one single small business has raised the matter with me. The government has spread information and access to it across the state. It gives priority to small business 12 months a year, not for just one public relations exercise.

The Honourable Graeme Stoney raised a question relating to adventure tourism on public land and asked whether I had raised the matter with the minister. I had a conversation with the minister after a meeting of the

Public Accounts and Estimates Committee. It was included as part of the considerations being looked at as part of the government's overall actions in relation to public liability more generally. The same standards apply right across Australia for national parks, but it is a matter of ongoing discussion in relation to public liability and the Minister for Finance is responsible for the government's response on public liability.

The Honourable Maree Luckins raised a matter for the Minister for Education Services in relation to class sizes in years P-2. I will pass that on, although I believe it is a matter for the Minister for Education and Training.

The Honourable Andrew Olexander raised a matter for the Minister for Police and Emergency Services concerning the theft of cars and vandalism at railway stations and sought that the minister have discussions with the police and the transport companies about preventive measures in relation to those incidents. I will raise that with the minister for his direct response.

The Honourable Bill Forwood raised the question of the 8 per cent cap in respect of liquor licences and a clause in a document that he read from. Let me make it clear: that is a document for discussion only. The clause read out by the honourable member is one being sought by the industry itself and it brings together the requests of the industry for it to be able to discuss issues of relevance. I look forward to the continuation of those discussions.

The Honourable Gordon Rich-Phillips raised the question of e-democracy, and the answer is no.

The Honourable David Davis raised a matter for the Treasurer in relation to taxation matters. I will pass that on to the minister for his direct response.

The Honourable Andrea Coote raised a matter for the Minister for Health in relation to solariums and the role they play in causing skin cancer. She asked how the government will raise awareness of the dangers in relation to the use of solariums. I will send that to the minister for a response.

The Honourable Wendy Smith raised a matter in relation to a document, and I have no idea what she is talking about in relation to a phone call.

Hon. W. I. Smith — On a point of order, Mr President, I asked a question about whether the minister thought it was a memo, a legal document or a contract, and she has not answered that.

The PRESIDENT — Order! The minister's answer does dispose of the question. It is up to individual

ministers as to whether they address themselves to the matter put to them.

Hon. M. R. THOMSON — The Honourable Carlo Furletti raised a matter in relation to information technology contracts and supporting Victorian IT companies, and the Victorian industry participation policy (VIPPP) policy goes towards that.

The Honourable Ken Smith raised the question of broiler sheds at Nar Nar Goon, and I will send that on to the Minister for Planning.

The Honourable Cameron Boardman raised the issue of Tata Consultancy Services and where it will be located. That will be announced in due course.

Motion agreed to.

House adjourned 3.46 p.m.

QUESTIONS ON NOTICE

Answers to the following questions on notice were circulated on the date shown.

Questions have been incorporated from the notice paper of the Legislative Council.

Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

The portfolio of the minister answering the question on notice starts each heading.

Tuesday, 16 April 2002

Premier: Victorian Public Service — salaries

2280. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): What is the total number of members of the Victorian Public Service employed by the Government at the end of 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01 respectively, and what is the total salary and benefits paid (excluding superannuation) by the Government to all members of the Victorian Public Service employed in each of those financial years.

ANSWER:

I am informed that:

The number of Victorian Public Service (VPS) staff members (ie the head count) at the end of each of these financial years is¹:

1996-97	28,447
1997-98	26,322
1998-99	26,255
1999-2000	28,511
2000-01	30,635

Total expenditure on employee entitlements (including salaries and wages, annual leave and long service leave) on an accrual basis for each of the following financial years is²:

1996-97	\$7.122 billion (actual)
1997-98	\$6.832 billion (actual)
1998-99	\$6.984 billion (actual)
1999-2000	\$7.439 billion (actual)
2000-01	\$7.991 billion (revised)

The VPS staffing numbers and total expenditure on employee entitlements are not directly comparable due to differences in coverage. The VPS staffing numbers relate to the 8 core departments and 12 administrative offices. Employee entitlement expenditure relates to the 8 core departments and 12 administrative offices **plus** all schools, TAFEs, hospitals and health services. Because different systems are used to capture this data, it is not possible to provide the information on exactly the same basis.

Multicultural affairs: use of term ‘Macedonian/Slavonic’

2339. THE HON. C. A. FURLETTI — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Did the Government, or people acting on its behalf hold discussions and/or negotiations with Mr Chris Sidoti, Human Rights Commissioner, between 25 May 2000 and 8 September

¹ Source: Office of Public Employment Annual Reports

² Source: Table C2 of 2001-02 Budget Paper No. 2

2000 as to whether the Government should withdraw the term “Macedonian/Slavonic” and/or issue an apology and/or pay costs to any group or class of persons; if so, when did the Premier become aware of such discussions or negotiations having occurred.

ANSWER:

I am informed that:

Inquiries have been made with the Department of Premier and Cabinet and the office of the Minister Assisting the Premier on Multicultural Affairs. I am advised that these inquiries indicate that no person was authorised to contact the Human Rights Commissioner and that no person within the Department or the Minister’s office did so.

Major projects: transfer of responsibility of Major Projects to State and Regional Development

2475. THE HON. E. G. STONEY — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Major Projects and Tourism): Will the Minister provide an itemised breakdown of the \$1.217 million in the 2000-2001 Financial Report of the State of Victoria, page 126, allocated to the transfer of responsibility of the Office of Major Projects to the Department of State and Regional Development.

ANSWER:

I am informed that the 2000-2001 State Budget provided that transfer of Departmental responsibility for the Budget of the then Office of Major Projects from the Department of Infrastructure to the Department of State and Regional Development would take place from 1 January 2001. An immediate transfer from the commencement of the financial year was not possible as an amendment was needed to the Project Development and Construction Management Act to establish the Secretary to the Department of State and Regional Development as a body corporate before that Department could take Budget responsibility for the Office of Major Projects.

The required amendments to the Act came into effect from 17 October 2001, however consequential asset allocations and the transfer of Budget responsibility did not come into effect until 1 April 2001.

Accordingly, for the period from 1 January 2001 to 31 March 2001, expenditure by the Office of Major Projects was formally recorded against the Department of Infrastructure, when the Budget allocation relating to that period was held by the Department of State and Regional Development. Consultation between the Departments of Infrastructure, State and Regional Development and Treasury and Finance led to a request by the Department of Infrastructure for reimbursement to it of its unfunded expenditure through a Treasurer’s Advance.

Environment and conservation: Environment Protection Authority — air testing stations

2498. THE HON. J. W. G. ROSS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation):

- (a) At what Environment Protection Authority air testing stations has there been a test result of — (i) poor air quality; and (ii) very poor air quality.
- (b) On what dates in 1999, 2000 and 2001, respectively, did these test results occur.

ANSWER:

I am informed by EPA that the Honourable Member’s question is framed in reference to EPA’s Air Quality Index. The index enables easy interpretation of whether a range of pollutants are at levels that may cause harm to human health or in the case of the visibility standard, reflects protection of aesthetic qualities. An index value of Poor or Very Poor indicates an exceedence of the National Environment Protection Measure (Air NEPM) or State Environment Protection Policy (SEPP) for one or more of these pollutants. Monitoring data are available since

1979 and, whilst improvements have been made to instrumentation over the last 20 years, the net effect of these changes on actual results is relatively minor.

The attached tables list the requested information, with the addition of data from 1998. Note, that analysis of trends in air quality tends to be inconclusive for periods less than 5 years, as weather conditions, which strongly influence the occurrence, duration and severity of individual pollution episodes, vary considerably from year to year.

It is important to note from these tables, that most incidences of Poor or Very Poor air quality result from an exceedence of the standard for visibility reducing particles (API). The visibility standard is set to reflect aesthetic quality, not human health. The particle standard established Nationally to protect human health is based on the concentrations of fine particles (PM₁₀ – particles smaller than 10 micrometres). Exceedences of the PM₁₀ standard are rare.

Melbourne is fortunate compared with many other cities of similar size – our geography, climate and dispersed population mean that air quality is good, most of the time. Air quality in the Port Phillip Region has improved significantly over the last 20 years. These improvements are mainly due to the phasing in of cleaner motor vehicles, controls on industrial emissions, the increasing adoption of cleaner processes and technology by industry and the banning of backyard incineration in much of the region.

The community's expectations regarding air quality are not static, and are reflected in a desire for continual improvement in the quality of the air environment. These higher expectations underlie the new State Environment Protection Policy (Air Quality Management), which was established last year replacing the original 1981 Air Policy. In addition, EPA has initiated its Air Quality Improvement Plan, to promote improvements in air quality needed to meet the goals of the new policy and the aspirations of Victorians.

Air Quality Index for 1998 over Port Phillip Region

Station Date	Alphington	Box Hill	Brighton	Dandenong	Geelong South	Paisley	Pt .Cook	RMIT	Footscray	Mt. Cottrell
18-Feb-98					Very Poor-API					
19-Feb-98							Poor-API	Poor-API		
26-Feb-98									Poor-PM10	
03-Mar-98						Poor-API				
12-Mar-98									Poor-PM10	
30-Mar-98								Poor-API		
03-May-98	Poor-API	Poor-API	Poor-API							
04-May-98	Very Poor-API	Very Poor-API	Poor-API	Poor-API	Poor-API		Poor-API	Poor-API	Poor-API	
05-May-98	Poor-API	Poor-API	Poor-API					Poor-API		
18-May-98	Very Poor-API	Very Poor-API	Very Poor-API	Poor-API	Poor-API		Poor-API	Very Poor-API	Very Poor-API, Poor-PM10	
19-May-98		Poor-API	Poor-API	Poor-API	Poor-API		Poor-API	Poor-API	Poor-API	
31-May-98	Poor-API	Poor-API								
01-Jun-98	Poor-API		Poor-API					Poor-API		
03-Jun-98					Poor-API					
09-Jun-98	Poor-API		Very Poor-API		Poor-API				Poor-API	
10-Jun-98	Poor-API	Poor-API			Poor-API			Poor-API	Poor-API	
17-Jun-98	Poor-API		Poor-API					Poor-API		
29-Jun-98	Poor-API	Poor-API	Poor-API							
30-Jun-98		Poor-API								
14-Jul-98	Poor-API									
17-Jul-98			Poor-API							
18-Jul-98	Very Poor-API		Very Poor-API							
19-Jul-98	Poor-API		Very Poor-API		Poor-API					
20-Jul-98					Poor-API					
23-Jul-98	Poor-API	Poor-API	Poor-API							
24-Jul-98	Very Poor-API	Poor-API	Poor-API	Poor-API					Poor-API	
25-Jul-98	Very Poor-API	Very Poor-API	Poor-API						Poor-API	
26-Jul-98	Very Poor-API	Very Poor-API	Very Poor-API		Poor-API		Poor-API		Poor-API	
06-Aug-98	Poor-API								Poor-API	
07-Aug-98									Poor-API	
13-Aug-98	Poor-API	Poor-API	Poor-API							
19-Aug-98	Poor-API		Poor-API						Poor-API	
20-Aug-98									Poor-API	

Station Date	Alphington	Box Hill	Brighton	Dandenong	Geelong South	Paisley	Pt .Cook	RMIT	Footscray	Mt. Cottrell
10-Sep-98	Poor-API	Poor-API	Poor-API					Poor-API	Poor-API	
11-Sep-98	Poor-API	Poor-API	Poor-API	Poor-API	Poor-API			Poor-API	Poor-API	
10-Oct-98		Poor-API								
11-Oct-98	Very Poor-API	Very Poor-API	Very Poor-API							
12-Oct-98	Poor-API		Poor-API							
10-Dec-98							Poor-O ₃		Poor-O ₃	Poor-O ₃
Total 1998	36 API Exceedences 1 O₃ Exceedence 3 TEOM PM10 Exceedences									

POOR : AQ Index between 101-150% of SEPP Limits, VERY POOR : AQ Index > 150% of SEPP Limits
 TEOM = Particle Measurement by Tapered Element Oscillating Microbalance
 API = Airborne Particle Index (Visibility Objective) PM₁₀ = Particles with an equivalent aerodynamic diameter of 10 micrometers or less
 O₃ = ozone, a photochemical oxidant

Air Quality Index for 1999 over Port Phillip Region

Station Date	Alphington	Box Hill	Brighton	Dandenong	Footscray	Geelong South	Paisley	Pt Cook	RMIT
02-Jan-99					Poor-API		Poor-API		Poor-API
12-Feb-99								Poor-API	
13-Feb-99								Very Poor-API	
14-Feb-99								Poor-API	Poor-API
01-Mar-99								Poor-API	
10-Apr-99							Poor-API		
12-Apr-99	Poor-API						Poor-API	Poor-API	Poor-API
24-Apr-99	Poor-API	Poor-API							
25-Apr-99	Poor-API	Poor-API					Poor-API		
29-Apr-99	Poor-API								
05-May-99					Poor-API		Poor-API	Poor-API	Poor-API
06-May-99				Poor-API					
03-Jun-99		Poor-API							
19-Jun-99						Poor-API			
23-Jun-99	Poor-API	Poor-API	Poor-API						Poor-API
26-Jun-99	Very Poor-API	Very Poor-API	Poor-API	Poor-API	Poor-API		Poor-API		Poor-API
27-Jun-99	Poor-API	Poor-API			Poor-API	Poor-API	Poor-API		Poor-API
10-Jul-99	Poor-API								
11-Jul-99	Poor-API	Poor-API	Poor-API						
15-Jul-99	Poor-API	Poor-API	Very Poor-API	Poor-API	Poor-API		Poor-API		Poor-API
16-Jul-99		Very Poor-API	Poor-API	Poor-API					
01-Aug-99		Poor-API							
03-Aug-99	Poor-API								
23-Aug-99								Poor-API	
24-Sep-99									Poor-API
03-Nov-99					Very Poor-API		Very Poor-API		
Total 1999	26 API Exceedences								

POOR : AQ Index between 101-150% of SEPP Limits, VERY POOR : AQ Index > 150% of SEPP Limits

TEOM = Particle Measurement by Tapered Element Oscillating Microbalance

API = Airborne Particle Index (Visibility Objective) PM₁₀ = Particles with an equivalent aerodynamic diameter of 10 micrometers or less

O₃ = ozone, a photochemical oxidant

Air Quality Index for 2000 over Port Phillip Region

Station Date	Alphington	Box Hill	Brighton	Dandenong	Footscray	Geelong South	Paisley	Pt.Cook	RMIT
19-Jan-00	Poor-API	Very Poor-API	Very Poor-API		Poor-API		Very Poor-API	Very Poor-API	Poor-API
21-Feb-00		Poor-PM10							
05-Apr-00						Poor-API			
11-Apr-00	Poor-API	Poor-API	Poor-API	Poor-API	Poor-API	Poor-API	Poor-API	Poor-API	
12-Apr-00	Very Poor-API, Poor-PM10	Very Poor-API	Very Poor-API	Very Poor-API, Poor-PM10	Very Poor-API, Poor-PM10	Very Poor-API	Very Poor-API	Very Poor-API	Very Poor-API
13-Apr-00						Poor-API			
25-Apr-00	Poor-API								
03-May-00					Poor-API				Poor-API
10-May-00	Poor-API								
15-May-00	Poor-API								
11-Jun-00	Poor-API								
12-Jun-00	Very Poor-API	Very Poor-API	Very Poor-API	Poor-API	Very Poor-API	Poor-API	Very Poor-API		Very Poor-API
13-Jun-00	Very Poor-API	Very Poor-API	Very Poor-API	Poor-API	Very Poor-API	Poor-API	Very Poor-API	Poor-API	Poor-API
14-Jun-00			Poor-API				Poor-API		
18-Jun-00	Poor-API	Poor-API	Poor-API						Poor-API
19-Jun-00	Poor-API	Poor-API	Poor-API						
02-Jul-00	Poor-API	Very Poor-API	Poor-API						
03-Jul-00	Poor-API	Poor-API							
04-Jul-00		Poor-API							
10-Jul-00	Very Poor-API								
13-Jul-00	Poor-API								
16-Jul-00	Poor-API	Poor-API	Poor-API						
17-Jul-00	Poor-API	Poor-API	Poor-API	Poor-API	Poor-API		Very Poor-API		
01-Aug-00	Very Poor-API	Poor-API	Very Poor-API	Poor-API	Very Poor-API		Poor-API		Very Poor-API
02-Aug-00			Poor-API						Poor-API
05-Aug-00	Poor-API	Poor-API	Poor-API						
12-Aug-00	Very Poor-API								
13-Aug-00	Poor-API								
19-Aug-00	Poor-API	Poor-API							
17-Nov-00					Poor-API				
Total 2000	29 API Exceedences 2 TEOM PM10 Exceedences								

POOR : AQ Index between 101-150% of SEPP Limits, VERY POOR : AQ Index > 150% of SEPP Limits
 TEOM = Particle Measurement by Tapered Element Oscillating Microbalance
 API = Airborne Particle Index (Visibility Objective) PM₁₀ = Particles with an equivalent aerodynamic diameter of 10 micrometers or less
 O₃ = ozone, a photochemical oxidant

Air Quality Index for Jan-June 2001 over Port Phillip Region

Station Date	Alphington	Box Hill	Brighton	Dandenong	Geelong South	Paisley	RMIT
11-Jan-01 ¹	Very Poor-API	Very Poor-API	Very Poor-API			Poor-API	Very Poor-API
12-Jan-01 ¹	Very Poor-API & PM10	Very Poor-API, Poor-PM10	Very Poor-API, Poor-PM10			Very Poor-API	Very Poor-API
13-Jan-01 ¹	Poor-API	Poor-API	Poor-API		Poor-API	Poor-API	Poor-API
01-Apr-01			Poor-API	Poor-API			Poor-API
6-Apr-01						Poor-API	
29-Apr-01	Poor-API						
30-Apr-01						Poor-API	Poor-API
02-May-01	Poor-API	Poor-API				Poor-API	
03-May-01	Poor-API		Poor-API			Poor-API	
04-May-01			Poor-API		Poor-API		
05-May-01	Poor-API		Poor-API				
06-May-01			Poor-API				
08-May-01					Poor-API		
13-May-01	Poor-API						
22-May-01	Poor-API						
27-May-01			Poor-API				
28-May-01	Poor-API						
17-Jun-01	Poor-API	Poor-API					
18-Jun-01	Poor-API		Poor-API				
30-Jun-01	Poor-API		Poor-API				
Total 2001	20 API Exceedences 1 TEOM PM10 Exceedence						

1. Air Quality impacted by King Island bushfire

POOR : AQ Index between 101-150% of SEPP Limits, VERY POOR : AQ Index > 150% of SEPP Limits

TEOM = Particle Measurement by Tapered Element Oscillating Microbalance

API = Airborne Particle Index (Visibility Objective) PM₁₀ = Particles with an equivalent aerodynamic diameter of 10 micrometers or less

O₃ = ozone, a photochemical oxidant

Latrobe Valley Region Air Quality Index

1998

Station Date	Moe	Traralgon
19-May-98		Poor-API
03-Jun-98		Poor-API
30-Jun-98	Poor-API	
14-Jul-98		Poor-API
17-Jul-98		Very Poor-API
18-Jul-98		Poor-API
20-Jul-98		Poor-API
23-Jul-98		Poor-API
26-Jul-98		Poor-API
13-Aug-98		Poor-API
10-Oct-98		Poor-API
28-Apr-98		Very Poor-API
29-Apr-98		Very Poor-API
14-May-98	Poor-API	Poor-API
15-May-98	Poor-API	Poor-API
26-May-98		Poor-API
27-May-98		Poor-API
28-May-98		Poor-API
30-May-98		Poor-API
04-Jun-98		Poor-API
06-Jun-98		Poor-API
13-Jun-98	Very Poor-API	Poor-API
18-Jun-98		Poor-API
19-Jun-98		Poor-API
27-Jun-98		Poor-API
28-Jun-98		Poor-API
04-Jul-98	Poor-API	
06-Jul-98		Poor-API
12-Jul-98		Poor-API
15-Jul-98	Poor-API	
16-Jul-98		Poor-API
25-Sep-98		Poor-API
Total 1998	32 API Exceedences	

Latrobe Valley Region Air Quality Index

1999

Station Date	Moe	Traralgon
14-Feb-99	Poor-API	
09-Mar-99	Poor-API	
23-Apr-99	Poor-API	
01-May-99		Poor-API
06-May-99	Poor-API	
07-May-99	Poor-API	Poor-API
12-May-99	Poor-API	Poor-API
13-May-99		Poor-API
18-May-99		Poor-API
19-Jun-99		Very Poor-API
20-Jun-99		Poor-API
21-Jun-99		Poor-API
22-Jun-99		Poor-API
24-Jun-99	Poor-API	
25-Jun-99	Poor-API	
27-Jun-99		Poor-API
06-Jul-99		Very Poor-API
07-Jul-99		Poor-API
09-Jul-99		Poor-API
10-Jul-99		Very Poor-API
11-Jul-99	Poor-API	Poor-API
28-Jul-99		Poor-API
29-Jul-99		Very Poor-API
31-Dec-99		Poor-API
Total 1999	24 API Exceedences	

Latrobe Valley Region Air Quality Index

2000

Station Date	Moe	Traralgon
03-Feb-00		Poor-API
08-Feb-00		Poor-API
12-Apr-00	Poor-API	
12-Jun-00		Poor-API
14-Jun-00	Poor-API	
19-Jun-00		Very Poor-API
21-Jun-00		Poor-API
25-Jun-00		Poor-API
06-Jul-00		Poor-API
08-Jul-00		Poor-API
23-Aug-00		Poor-API
Total 2000	11 API Exceedences	

Latrobe Valley Region Air Quality Index

Jan-Jun 2001

Station Date	Moe	Traralgon
11-Jan-01	Poor-API	Poor-API
15-Mar-01	Poor-API	
30-Mar-01	Poor-API	Poor-API
01-Apr-01	Poor-API	
07-Apr-01	Poor-API	
07-May-01	Poor-API	
02-Jun-01	Poor-API	
05-Jun-01		Poor-API
18-Jun-01	Poor-API	Very Poor-API
19-Jun-01		Poor-API
27-Jun-01		Poor-API
Total	11 API Exceedences	

POOR : AQ Index between 101-150% of SEPP Limits, VERY POOR : AQ Index > 150% of SEPP Limits

TEOM = Particle Measurement by Tapered Element Oscillating Microbalance

API = Airborne Particle Index (Visibility Objective) PM₁₀ = Particles with an equivalent aerodynamic diameter of 10 micrometers or less

O₃ = ozone, a photochemical oxidant

Finance: databases on economic, financial or social indicators

2609. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Finance): What databases of economic, financial or social indicators are maintained by the Department of Treasury and Finance within those parts of the Department for which the Minister has responsibility.

ANSWER:

I am informed that:

The Department of Treasury and Finance maintains the Forward Estimates System.

State and regional development: metal fabrication — strategic audits

2618. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): When will the strategic audits of the metal fabrication sector, as identified on page 14 of the Department's Annual Report, 2000–01 be completed.

ANSWER:

I am informed that the strategic audit of the metal fabrication sector is in its final stages of drafting.

State and regional development: precision engineering — strategic audits

2619. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): When will the strategic audits of the precision engineering sector, as identified on page 14 of the Department's Annual Report, 2000–01 be completed.

ANSWER:

I am informed that the strategic audit of the precision engineering sector is in the final stages of drafting.

State and regional development: professional and technical services — strategic audits

2621. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): When will the strategic audits of the professional and technical services sector, as identified on page 14 of the Department's Annual Report, 2000–01 be completed.

ANSWER:

I am informed that the strategic audit for the professional and technical services sector was publicly released in January 2002.

Consumer affairs: Consumer and Business Affairs Victoria services

2628. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Consumer Affairs: Further to the answer to Question No. 1453 given in this House on 2 May 2001, has the sample survey to determine levels of consumer awareness of Consumer and Business Affairs Victoria and its services been conducted; if so, when and what were the results.

ANSWER:

I am informed that survey has been conducted and that the consultant delivered a report on the results of the survey on 4 June 2001.

I am also informed that the results of the survey indicate that two-thirds of Victorians aged 18 or over (65%) claim they are aware of a State Government organisation that protects consumers but that claimed awareness of such an organisation is lowest among 18 - 29 year olds (56%), people from households where income is lower than \$30,000 (61%) and blue-collar workers (60%).

Aboriginal affairs: Pinnacle Property Group — contracts

2637. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aboriginal Affairs): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd within the period specified.

During the specified period my Department has entered into five contracts with Pinnacle Property Group Pty Ltd.

The contracts entered into in June 2000 (\$7500), August 2000 (\$7700), November 2000 (\$16071) and March 2001 (\$11000) related to accommodation strategies. A contract entered into in November 2000 (\$3176.25) related to the development of a strategic business plan.

I am advised that the Department of Natural Resources and Environment has complied with Section 54L of the *Financial Management Act 1994*. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at www.vgpb.vic.gov.au/polguid/polmenu.htm

Industrial relations: Pinnacle Property Group — contracts

2643. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001, including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

Neither my office nor the Department of State and Regional Development entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001

Premier: Pinnacle Property Group — contracts

2644. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): What are the details of every contract entered into between the Premier's Department or the Premier's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

The Department of Premier and Cabinet and my Office have not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Workcover: Pinnacle Property Group — contracts

2645. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Workcover): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

The Department of Treasury and Finance engaged the Pinnacle Property Group on 3 December 1999 to carry out a review of the State Storage Facilities at Maribyrnong and Laverton to determine and make recommendations on the best strategy for the future use of the properties based on tenant and government requirements, condition of buildings, location and nature of buildings. The cost was \$15,000.

I am advised that the Department has complied with section 54L of the *Financial Management Act 1994*. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at "<http://www.vgpb.vic.gov.au/polguid/polmenu.htm>"

Finance: Pinnacle Property Group — contracts

2646. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Finance): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

The Department of Treasury and Finance engaged the Pinnacle Property Group on 3 December 1999 to carry out a review of the State Storage Facilities at Maribyrnong and Laverton to determine and make recommendations on the

best strategy for the future use of the properties based on tenant and government requirements, condition of buildings, location and nature of buildings. The cost was \$15,000.

I am advised that the Department has complied with section 54L of the *Financial Management Act 1994*. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at "<http://www.vgpb.vic.gov.au/polguid/polmenu.htm>"

Arts: Pinnacle Property Group — contracts

2647. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Arts): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Premier and Cabinet, including Arts Victoria, and My Office have not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Health: Pinnacle Property Group — contracts

2648. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Human Services has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Energy and resources: Pinnacle Property Group — contracts

2649. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd within the period specified.

During the specified period my Department has entered into five contracts with Pinnacle Property Group Pty Ltd.

The contracts entered into in June 2000 (\$7500), August 2000 (\$7700), November 2000 (\$16071) and March 2001 (\$11000) related to accommodation strategies. A contract entered into in November 2000 (\$3176.25) related to the development of a strategic business plan.

I am advised that the Department of Natural Resources and Environment has complied with Section 54L of the *Financial Management Act 1994*. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at www.vgpb.vic.gov.au/polguid/polmenu.htm

Ports: Pinnacle Property Group — contracts

2650. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Ports: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The answer is:

Neither my office nor the Department of Infrastructure entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Treasurer: Pinnacle Property Group — contracts

2651. THE HON. P. A. KATSAMBANIS – to ask the Honourable the Minister for Energy and Resources (for the Honourable the Treasurer): What are the details of every contract entered into between the Treasurer's Department or the Treasurer's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

The Department of Treasury and Finance engaged the Pinnacle Property Group on 3 December 1999 to carry out a review of the State Storage Facilities at Maribyrnong and Laverton to determine and make recommendations on the best strategy for the future use of the properties based on tenant and government requirements, condition of buildings, location and nature of buildings. The cost was \$15,000.

I am advised that the Department has complied with section 54L of the *Financial Management Act 1994*. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at "<http://www.vgpb.vic.gov.au/polguid/polmenu.htm>"

State and regional development: Pinnacle Property Group — contracts

2652. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property

Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

Neither my Office nor the Department of State and Regional Development entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Environment and conservation: Pinnacle Property Group — contracts

2653. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd within the period specified.

During the specified period my Department has entered into five contracts with Pinnacle Property Group Pty Ltd.

The contracts entered into in June 2000 (\$7500), August 2000 (\$7700), November 2000 (\$16071) and March 2001 (\$11000) related to accommodation strategies. A contract entered into in November 2000 (\$3176.25) related to the development of a strategic business plan.

I am advised that the Department of Natural Resources and Environment has complied with Section 54L of the *Financial Management Act* 1994. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at www.vgpb.vic.gov.au/polguid/polmenu.htm

Agriculture: Pinnacle Property Group — contracts

2654. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Agriculture): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed that:

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd within the period specified.

During the specified period my Department has entered into five contracts with Pinnacle Property Group Pty Ltd.

The contracts entered into in June 2000 (\$7500), August 2000 (\$7700), November 2000 (\$16071) and March 2001 (\$11000) related to accommodation strategies. A contract entered into in November 2000 (\$3176.25) related to the development of a strategic business plan.

I am advised that the Department of Natural Resources and Environment has complied with Section 54L of the *Financial Management Act 1994*. Supply policies and the associated best practice guidelines are publicly available on the Victorian Government Purchasing Board's web site at www.vgpb.vic.gov.au/polguid/polmenu.htm

Transport: Pinnacle Property Group — contracts

2655. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Infrastructure has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Local Government: Pinnacle Property Group — contracts

2656. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Local Government): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am advised that the Local Government Division of the Department of Infrastructure has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Sport and recreation: Pinnacle Property Group — contracts

2657. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

Neither my Office nor the Department of State and Regional Development entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Education services and youth affairs: Pinnacle Property Group — contracts

2658. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Youth Affairs: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

The Department of Education, Employment and Training did not enter into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001. I am advised that my Office did not enter into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Education and training: Pinnacle Property Group — contracts

2659. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

The Department of Education, Employment and Training did not enter into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001. My Office did not enter into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Education and training: Pinnacle Property Group — contracts

2660. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Post-Compulsory Education, Training and Employment): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

The Department of Education, Employment and Training did not enter into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001. My Office did not enter into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Police and emergency services: Pinnacle Property Group — contracts

2661. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

Having sought advice from the Department of Justice, I am not aware that any areas of the Department of Justice falling within my portfolio responsibilities or my office entered into contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Corrections: Pinnacle Property Group — contracts

2662. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Corrections): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

Having sought advice from the Department of Justice, I am not aware that any areas of the Department of Justice falling within my portfolio responsibilities or my office entered into contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Planning: Pinnacle Property Group — contracts

2663. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Planning): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Infrastructure has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My Office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Manufacturing industry: Pinnacle Property Group — contracts

2664. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Manufacturing Industry): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

Neither the Department of State and Regional Development nor my Office entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001. Please note, this response is based on searches conducted of centralised financial systems.

Racing: Pinnacle Property Group — contracts

2665. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Racing): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

Neither the Department of State and Regional Development nor my Office entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001. Please note, this response is based on searches conducted of centralised financial systems.

Major projects and tourism: Pinnacle Property Group — contracts

2666. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Major Projects and Tourism): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

Neither my Office nor the Department of State and Regional Development entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Small business: Pinnacle Property Group — contracts

2667. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am informed as follows:

Neither my Office nor the Department of State and Regional Development entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Consumer affairs: Pinnacle Property Group — contracts

2668. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Consumer Affairs: What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

I am not aware that any areas of the Department of Justice falling within my portfolio responsibilities or my office entered into contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Attorney-General: Pinnacle Property Group — contracts

2669. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Attorney-General): What are the details of every contract entered into between the Attorney-General's Department or the Attorney-General's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

Neither the Department of Justice nor my Office has entered into contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001. Please note, this response is based on a searches conducted of centralised financial systems.

Women's affairs: Pinnacle Property Group — contracts

2670. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Women's Affairs): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed

under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

Neither the Office of Women's Policy nor my office has entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Community services: Pinnacle Property Group — contracts

2671. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Human Services has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Community services and housing: Pinnacle Property Group — contracts

2672. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Human Services has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Senior Victorians: Pinnacle Property Group — contracts

2673. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): What are the details of every contract entered into between the Minister's Department or the Minister's office and the firm Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001 including — (i) the date the contract was entered into; (ii) the value of the contract; (iii) the nature of the tasks performed under the contract; (iv) the results of the tasks performed under the contract; (v) the process undertaken to award this contract to the firm; and (vi) the date and amount of each payment made to the firm under the contract, including any periodic payments.

ANSWER:

The Department of Human Services has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

My office has not entered into any contracts with Pinnacle Property Group Pty Ltd between 20 October 1999 and 15 October 2001.

Transport: port of Melbourne — rail access

2702. THE HON. G. B. ASHMAN — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What action is the Government taking to introduce rail access to the Port of Melbourne and what financial assistance is being provided for these initiatives.

ANSWER:

West Swanson Dock

The Government, via the Melbourne Port Corporation, in conjunction with P&O Trans Australia are currently in the process of finalising commercial arrangements regarding the reintroduction of rail into West Swanson Dock. The capital works for this project are likely to be funded by the Melbourne Port Corporation and P&O Trans Australia.

Prior to these negotiations, a feasibility study was carried out which was jointly funded between Melbourne Ports Corporation, P&O Trans Australia and the Department of Infrastructure.

Webb Dock

The Melbourne Port Corporation is undertaking investigations into reinstating the rail link to the Webb Dock precinct.

MPC and the Department of Infrastructure jointly funded an inception report to consolidate previous work undertaken.

The MPC is now considering some aspects of the proposal in detail via further studies.

The Government contribution to the West Swanson Dock and Webb Dock studies is \$100,000.

Melbourne Freight Hub Masterplan/Inner West Rail Corridor Study

The Department of Infrastructure is currently undertaking a study that plans the future development of the Inner West Rail Corridor, the Dynon Rail Precinct and rail connections and the integration with the Port of Melbourne, over the next 30 – 50 years. This study is ensuring that this precinct has the capacity to handle the projected trade growth over the next 30 years.

The Government contribution to the funding for this masterplanning study to date is \$700,000.

Gauge Standardisation

The Bracks Government has committed \$96 million to standardise Victoria's country rail lines over the next five years. This project will open up further opportunities for the efficient movement of freight by rail into/out of the Port of Melbourne.

Consumer affairs: 'Rudolph ... the in-the-red reindeer card'

2715. THE HON. G. B. ASHMAN — To ask the Honourable the Minister for Consumer Affairs: In relation to the 'Rudolph ... the in-the-red reindeer card':

- (a) How many cards were printed.
- (b) What was the cost of printing and production of the card.
- (c) To whom was the card distributed.
- (d) What evaluation of the impact of the distribution of the card will be undertaken.

ANSWER:

I am informed that:

140,000 cards were printed

The cost of printing and production of the card was \$13,965.

The card was distributed to the public through shopping centre promotions and consumer agencies.

Feedback from staff and community workers involved in shopping centre promotions indicates consumer response to cards was very positive, with a good take up rate. Community groups operating at the coalface of consumer credit issues were involved in the development of the campaign. They enthusiastically assisted with promoting the Christmas card and expressed a willingness to be involved in future credit campaigns.

A high number of broadcast and print media was generated by the Christmas campaign across metropolitan and regional Victoria. It is too early to make a quantitative analysis of its impact on consumers as a whole. One card does not a Christmas make.

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.
Questions have been incorporated from the notice paper of the Legislative Council.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
The portfolio of the minister answering the question on notice starts each heading.*

Thursday, 18 April 2002

State and regional development: Vegco Pty Ltd, Bairnsdale

2735. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for State and Regional Development): What assistance was provided to Vegco Pty Ltd's Bairnsdale Plant expansion as referred to in the Minister's Press Release of 22 February 2002.

ANSWER:

I am informed as follows:

The exact details of the assistance provided are confidential and cannot be divulged because of their commercial nature.

Small business: Listening to Small Business program

2741. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business: In relation to the Government's Listening to Small Business Program, what strategies has the government developed to ensure that all Victorians benefit from technological advantages.

ANSWER:

I am informed as follows:

The Victorian Government has developed a range of strategies to ensure that all Victorians benefit from technological advantages.

Victoria's E-commerce Advantage is the Victorian Government's framework for increasing the uptake of e-commerce across Victoria, and particularly among small to medium enterprises.

The Victorian Government is also working to ensure all Victorians have the resources to access new technology through its Connecting Communities Program.

Small business: competitiveness

2742. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business: What strategies has the government developed to enhance the competitiveness of small business in Victoria.

ANSWER:

I am informed as follows:

The *Showcasing Small Business* strategy outlines the Victorian Government's approach to enhancing the competitiveness of small business in Victoria.

The four key planks of the *Showcasing Small Business* initiative are to:

- improve access to information and skills development to meet future challenges;
- minimise the compliance requirements that impede growth;
- advocate for small business issues within all spheres of Government; and
- encourage small business to contribute to state growth and compete in the global market place.

Further details on the strategy can be accessed on the Internet at www.businessaccess.vic.gov.au.

Small business: growth prospects

2743. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business: What strategies has the government developed to enhance the prospects for growth of small business in Victoria.

ANSWER:

I am informed as follows:

Government strategies to enhance the prospects for growth of small business in Victoria are outlined in the *Showcasing Small Business* strategy, which aims to position Victoria's small businesses to grow and develop.

The four key planks of the *Showcasing Small Business* initiative are to:

- improve access to information and skills development to meet future challenges;
- minimise the compliance requirements that impede growth;
- advocate for small business issues within all spheres of Government; and
- encourage small business to contribute to state growth and compete in the global market place.

Further details on the strategy can be accessed on the Internet at www.businessaccess.vic.gov.au.

Small business: export markets

2746. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business: How is the Government facilitating the entry of small business into the export market.

ANSWER:

I am informed as follows:

The Government has committed to the establishment of *Vic Export*, an electronic export assistance centre to help Victorian business in three major areas: trade readiness, trade promotion and trade financing.

Vic Export is an interactive web site, which provides information on all aspects of export. By doing so, it aims to increase export awareness in the general community, to encourage firms who have the potential to export to do so and to assist existing exporters to improve their export performance.

In addition to *Vic Export*, the Government provides small business – and particularly first time exporters – with access to counselling services to facilitate the learning process associated with exporting.