

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-FOURTH PARLIAMENT**

**FIRST SESSION**

**21 March 2002**

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## **THURSDAY, 21 MARCH 2002**

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**Thursday, 21 March 2002**

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

**SELECT COMMITTEE ON THE URBAN AND REGIONAL LAND CORPORATION MANAGING DIRECTOR**

**Assembly ministers**

**Message received from Assembly intimating decision of house.**

**Ordered to be considered next day.**

**QUESTIONS WITHOUT NOTICE**

**Insurance: public liability**

**Hon. E. G. STONEY** (Central Highlands) — I direct my question to the Minister for Small Business, and I must say it is very nice to see her in the chamber. Last year the minister promised she would speak to the Minister for Environment and Conservation in order to assist adventure tour operators overcome — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! Sorry, I was not able to hear the honourable member. I ask him to repeat his question.

**Hon. E. G. STONEY** — Last year the Minister for Small Business promised she would speak to the Minister for Environment and Conservation in order to assist adventure tour operators overcome their insurance problems and other problems they have with the Department of Natural Resources and Environment. What was the outcome of those discussions?

**Hon. M. R. THOMSON** (Minister for Small Business) — I thank the honourable member for his question. The question of public liability insurance is a very serious one for small business and community groups. A lot of time has been put in by this government in trying to meet with business organisations to talk about the issues they confront in relation to public liability.

Honourable members opposite may be aware that from July and August last year the state government has been calling for a national summit to discuss the issues around public liability that are faced by community groups and small businesses. The Minister for Finance is coordinating the government's response on issues in

relation to public liability as it affects community groups and small businesses. The government is very pleased to say that finally the federal government has agreed to a national summit on public liability to be chaired by Senator Coonan, and we will look at options that can be taken to that summit. I note that some options have been brought to the government from some of those adventure tour companies. These options look at ways in which governments and insurance companies could provide better insurance options for those in adventure tourism.

It is a complex issue and has no easy solutions. It is a balance between what is a reasonable amount that adventure tourism businesses should be asked to insure, and at what rate, and what they should be insuring for. We are looking forward to a national response on adventure tourism and public liability in that area, but also on public liability for community groups and small business more generally. We are looking forward to that national summit — —

**Hon. E. G. Stoney** — On a point of order, Mr President, the minister has been going for over 2 minutes. My question was particularly specific and was about the outcome of the discussion the Minister for Small Business had with the Minister for Environment and Conservation. If the ministers did not meet, she should stop wasting the time of the house and say so. If they did meet, I would like to know the outcome of that discussion.

**The PRESIDENT** — Order! The question was very specific. Certainly the response is relevant to the general issue of liability. The question really went before that, following I gather the matter raised in this house last year. The minister may care to address that specific element in the balance of her reply.

**Hon. M. R. THOMSON** — The Minister for Tourism has announced \$100 000 — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! I am trying to hear the minister.

**Hon. M. R. THOMSON** — The Minister for Tourism has announced \$100 000 towards risk management strategies for the adventure tourism industry. All this will go towards ensuring a viable adventure tourism industry in Victoria, and we are looking forward to ensuring as a national approach with proper insurance mechanisms in place that those activities occur in an environment where insurance is guaranteed.

**Hon. E. G. STONEY** (Central Highlands) — I am most unhappy with that answer. Obviously the minister has not met with the Minister for Environment and Conservation, and I am most disappointed.

*Honourable members interjecting.*

**The PRESIDENT** — Order! The house is entitled to hear the question being asked.

**Hon. E. G. STONEY** — The house is entitled to an answer from the minister as to why she did not meet with the Minister for Environment and Conservation. There are incredible problems with the conservation department. She promised the Economic Development Committee she would speak to the Minister for Environment and Conservation about public liability. Last Thursday the small operators and small businesses closed down in the town of Mansfield. There are enormous problems across rural Victoria with insurance. I ask the minister what she has done to protect small business from the flow-on effects of public liability insurance.

**Hon. M. R. THOMSON** (Minister for Small Business) — What has been done is that we held a summit in Victoria where small business organisations represented small businesses and I attended and addressed them. The Office of Regulation Reform has been involved in looking at strategies for pooling arrangements with small business, which is important. The government is concerned because there is not an easy solution to the public liability insurance problem. A national response is needed to public liability issues. Victoria is not the only place where public liability insurance is hitting small business hard. It is a national problem, and it needs a national response. As a government we are ensuring that we produce a response to the national summit on public liability to guarantee an insurance package —

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

### **Lifesaving: funding**

**Hon. KAYE DARVENIZA** (Melbourne West) — Will the Minister for Sport and Recreation please advise the house how he is helping to build communities through sport and recreation's key funding programs in the area of lifesaving?

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I thank the honourable member for her question. Members of this house should be aware, but I will reinforce it anyway, that the state government, through the Lifesaving into the 21st Century program,

has in recent years provided something in the order of \$5.5 million to 64 worthwhile projects to both surf lifesaving clubs and Royal Life Saving Society clubs in Victoria.

This year alone — and I want to reinforce this because the government is delivering on these projects — we have seen 10 valuable projects come to fruition. That means not only is it reinforcing the role of volunteers in those lifesaving clubs across Victoria, not only is it strengthening those communities, not only is it providing a social hub for those communities, but it provides well-earned recognition for the volunteers who continue to contribute in much-needed areas of community service.

The program also complements the partnership with the community. These communities have through extraordinary effort been fundraising and donating materials, and specialist tradespeople have given their time and expertise. As a consequence of the improved facilities club memberships have been increased.

I will quickly go through the quantum of funds and where they have been directed to show the scope of the projects. The Woolamai Surf Life Saving Club project was in the vicinity of \$750 000; the Point Leo Life Saving Club, \$350 000; Cape Paterson Surf Life Saving Club, just over \$18 000; Beaumaris Life Saving Club, just over \$18 000; Aspendale Life Saving, Swimming and Youth Club, just over \$20 000; the Bonbeach Life Saving Club, \$35 000; and the Edithvale Life Saving Club, just over \$12 000. I could go on and on, and I will: the Port Fairy Surf Life Saving Club, 160 000; the Fairhaven Surf Life Saving Club, over \$20 000; and you would appreciate, Mr President, that additional funds of \$47 000 have gone to the Warrnambool Surf Life Saving Club. In all, the scope of the projects amounts to more than \$1.4 million that has been delivered through that partnership with this government, ensuring that we are growing communities throughout the entire state — growing the whole of Victoria.

### **Commonwealth Games: athletes village**

**Hon. I. J. COVER** (Geelong) — I refer the Minister for Commonwealth Games to last year's debate on the Commonwealth Games Arrangements Bill. On 11 October, during the committee stage, I asked if the City of Melbourne and the community would be:

... adequately consulted before a determination is made on the preferred site and design of the Commonwealth Games athletes village.

I specifically asked the minister:

Will the minister do that?

And he replied:

I am happy to undertake that.

Will the minister now inform the house of the consultation process he promised to undertake?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the honourable member's question on the Commonwealth Games. As I have reinforced on many occasions, I am always happy to discuss issues about the Commonwealth Games, particularly with the honourable member and any opposition members because there has been a bipartisan commitment to the Commonwealth Games.

In terms of the games village, there is a process under way, and no doubt the honourable member would be well aware of the media releases about the number of organisations that have been short-listed for the village projects. Suggested alternative sites have been opened up through the process. Not only the indicated option of the Parkville site — the former psychiatric centre has been decommissioned so that site has been made available and nominated as a potential site for the Commonwealth Games village — but other sites have been acknowledged by those who have been short-listed. The possibilities include Victoria Harbour, as part of the Docklands proposal, and the railyards across from Federation Square and down beyond the Melbourne Cricket Ground. We have been able to open up the process to get alternative options. There is a process under way for short-listing those, and we have continued to discuss those options with the City of Melbourne.

I have always indicated that when we shortlist to a narrow shortlist beyond the five options — —

**Hon. I. J. Cover** — Shorten the shortlist!

**Hon. J. M. MADDEN** — Shorten the shortlist, that is right — that will occur. As it is narrowed down there will be discussion on the necessary issues that need to be developed to have the community confident that, whatever option is taken up for the games village, the general community will be satisfied with the outcomes.

**Hon. I. J. COVER** (Geelong) — As a supplementary question, Mr President, I seek some elucidation from the minister specifically in reference to my question which was asking about the consultation process, which he had promised to undertake himself. During his answer just now the minister gave us a bit of a run-down on a process for selecting sites but not specifically about the consultation process he promised

to undertake. I am advised by the Royal Park Protection Group that it has not been consulted at all and that only one meeting has taken place with a minister and that was with Minister Pandazopoulos on 16 October. It was a very short meeting. It would appear then from the group's advice that it and other community groups have not been consulted by the minister.

I seek elucidation from him as to the community consultation process which he promised in this place to undertake five months ago during the committee stage of the debate on the bill.

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the chance of clarification on the issue. As I said, we are narrowing down the shortlist and there are nominated sites. There is no point in consulting on the three sites until we have narrowed that down. Once we have narrowed it down we will establish an advisory panel to consult with those respective groups.

Also, it amuses me that Mr Cover has finally decided to talk to some of these representative groups because I know that when he was in government he was never happy to talk to any groups. We have continued to discuss the issue and I have continued to meet with representatives from the Royal Park group and will continue to do so throughout the continuation of the development of the Commonwealth Games.

### Fishing: licence revenue

**Hon. E. C. CARBINES** (Geelong) — I ask the Minister for Energy and Resources to advise the house of any recent initiatives for recreational anglers from the funds raised by the recreational fishing licence.

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I thank the honourable member for her question. Some honourable members will be aware that the revenue to government from recreational fishing licences is reinvested in initiatives that are of direct benefit to recreational anglers. That was an election commitment by the Bracks government and one that we are very proud to have delivered on.

In terms of recent initiatives in relation to those funds, earlier this month I released the first of Victoria's Gippsland strain Australian bass fingerlings into Lake Glenmaggie near Heyfield in Gippsland, and more than 12 000 were released on that day. Local anglers are counting on those fish reaching a good size before the carp get them. The carp hang around in the mud on the bottom of the lake. We are very hopeful that these bass fingerlings might actually reach a good size before the carp start going after them.



It was the first time that Australian fingerlings from a Victorian hatchery had been released into any of Gippsland's lakes and it is the first of many releases to come. Recreational fishing licence funds contributed to the cost of these fish as part of the funds set aside for native fish stocking this year.

Importantly, I acknowledge the Heyfield Angling Club and Shearwater Aquaculture, which is a private firm based at Phillip Island. They have also been involved by lending their financial assistance and support to the project. The combination of the club's grant, the recreational fishing licence trust funds, expertise from the Marine and Freshwater Resources Institute and Shearwater's infrastructure highlights the benefits which can flow from adopting a partnership approach with government.

This is a very good example of a partnership approach to which the Bracks government is committed in terms of working with community organisations as well as private industry. The release at Lake Glenmaggie was of more than 12 000 fish. However, total government funded programs should result in around 750 000 native fish being stocked into Victoria's lakes and rivers this season for the benefit of recreational anglers. The Bracks government is also using these trust funds to purchase additional Murray cod and golden perch fingerlings for stocking rivers north of the divide — so it is not only Gippsland that is benefiting here.

Many major stockings have already occurred at Lake Eppalock, Lake Eildon and Lake Hume, so unlike the previous government, when the licence was simply a source of more revenue, under the Bracks government that has been dedicated to a trust fund to ensure that fishing licence funds are used for fishing purposes.

### **Schools: disabled students**

**Hon. P. R. HALL** (Gippsland) — I refer the Minister for Education Services to the Victorian government's consultation paper entitled 'Better services, better outcomes in Victorian government schools — a review of educational service for students with special educational needs'. Is it the government's intention to remove individualised funding packages to students with disabilities and impairments assessed at levels 1 to 6?

**Hon. M. M. GOULD** (Minister for Education Services) — The government has undertaken a review with respect to disability and impairment services. The government is committed to these children with these special needs — unlike the previous government which left a \$17 million black hole in disability and

impairment. The government has undertaken an extensive consultation process — —

**Hon. Bill Forwood** — Yeah, look into it! Have a review.

**Hon. M. M. GOULD** — That is something the opposition never did. That is why members opposite are in opposition and we are in government. The government has undertaken such a review and the review is in the process of being developed. The department received more than 45 submissions and in excess of 1700 people participated in the consultation process — something the opposition never did in government. The government is concerned to ensure that these special children have the opportunity to participate in an education setting and meet their full potential.

The government will examine all the evidence it received through that consultation process and ensure that it protects these young people who have special needs as a result of their disabilities and impairments. The government will ensure that as young children enter our education system they are properly integrated and looked after; unlike the opposition which walked away and left a \$17 million black hole in disability and impairment.

**Hon. P. R. HALL** (Gippsland) — I have a supplementary question. It is disappointing when I do not get an answer to my question because the Minister for Education Services does not understand or know well enough what is going on in her portfolio area and resorts to waffle and polly-speak to try and cloud the issue. For the information of the Minister for Education Services: this review was completed by 5 December last year and a trial was proposed for Victorian schools in 2002. I now ask what schools have been selected to trial the special education needs programs in 2002 and on what criteria will these trials be evaluated?

**Hon. M. M. GOULD** (Minister for Education Services) — The consultation that the government undertook — I know it is a new experience for the opposition — concluded in January of this year. The department is putting together all the reports it received from principals and the 1700 people who participated in the consultation process. It will give me the recommendations in due course and the government will then assess them.

### **Next Wave program**

**Hon. T. C. THEOPHANOUS** (Jika Jika) — I refer my question to the Minister for Information and Communication Technology.

**Hon. N. B. Lucas** — There is an article about her in the *Australian* today.

**Hon. T. C. THEOPHANOUS** — Shut up while I am reading my question, if you wouldn't mind.

Yesterday the Minister for Information and Communication Technology informed the house of the New Realities program aimed at encouraging young Victorians to develop technology skills to enhance career opportunities. We all appreciate how critical the availability of a technically skilled work force is to industry development in Victoria, especially the information and communications technology (ICT) industry. Can the minister inform the house of what steps the Bracks government is taking to assist Victorian businesses to grow and break into the emerging ICT industries and markets?

**Hon. M. R. THOMSON** (Minister for Information and Communication Technology) — The Bracks government has a vision for the growth of the information and communications technology (ICT) industry in Victoria. That vision is contained in the government's 10-year ICT plan titled 'Growing tomorrow's industries today'.

Part of that strategy involves building on our existing strengths and capabilities. This plan was developed with the industry and from that work four clusters of excellence were identified. They are: telecommunications, creative content, specialist ICT manufacturing, and interactive applications. These clusters are recognised throughout Australia as a big strength in Victoria's ICT industry. They are also recognised globally. However, this is a vastly changing industry; it changes probably more rapidly than others. Therefore, we need to be able to grow new clusters of excellence.

It is with pleasure that I announce the Next Wave program. It will provide the Victorian ICT industry with access to four \$100 000 grants to enable it to identify emerging and local markets and provide strategic support to nurture and transform them into genuine clusters of excellence in their own right.

The Next Wave program is based on the highly successful Game Plan and Game Plan: the Next Level. Those plans have resulted in some great achievements for the game sector of the ICT industry. More than 300 people are employed in the local game development companies and the multinationals that are based here and over 200 games have been developed in Victoria and sold globally. The Asian regional headquarters of the world's second-largest games

developer, Infogrames, is located in Melbourne and is a major user of our local industry. Local companies such as IR Gurus and Tantalus Interactive have been able to break into international markets.

The Next Wave program will be working closely with industry to identify the new clusters of excellence. The four \$100 000 grants available annually will enable some of these clusters to attend trade fairs, forums and other industry development activities. Companies, research organisations, industry associations and any other relevant organisations will be able to compete for these grants through Multimedia Victoria. The closing date for applications for the grants is 10 May 2002.

The Next Wave program is designed to be flexible because this is an industry that requires that kind of flexibility. The vision of the Bracks government outlined in the 10-year plan is becoming a reality. The government is pleased that the Next Wave program will play a part in that development. The Bracks government is committed to working with the industry to ensure that it has a strong future. That is in stark contrast to the previous government whose only vision for ICT was jeff.com.

### Water: Ascot Aquifer

**Hon. BILL FORWOOD** (Templestowe) — What action did the Minister for Education Services take on receipt of Ms Hadden's letter concerning the Ascot Aquifer which said, inter alia, 'I understand that further licences have been or may shortly be granted to a certain vineyard and certain ministers' names have been suggested as procuring these licences'?

**Hon. M. M. GOULD** (Minister for Education Services) — Nothing.

**Hon. BILL FORWOOD** (Templestowe) — I have a supplementary question. I find it extraordinary that a minister of the Crown, particularly a leader in this house, when receiving a letter from a colleague of her own alleging improper behaviour by a minister of the Crown, would respond to my question about what she has done with a single word — nothing. Did the Minister for Education Services not think that this was an issue she should discuss with Ms Hadden? I ask specifically: did Ms Hadden have a conversation with the minister over these matters?

**Hon. M. M. GOULD** (Minister for Education Services) — No.

**Schools: hearing-impaired students**

**Hon. G. D. ROMANES** (Melbourne) — Can the Minister for Education Services please advise what the Bracks government is doing to improve the education of hearing-impaired children in Victorian schools?

**Hon. M. M. GOULD** (Minister for Education Services) — I thank the honourable member for the question. I know she is interested in this special area of education services.

*Honourable members interjecting.*

**The PRESIDENT** — Order! A question has been asked of the minister. The house is entitled to hear the answer without interruption. I ask opposition members to desist while the minister responds.

**Hon. M. M. GOULD** — I am delighted to inform the house of two significant initiatives with respect to children with hearing impairment. As I said in my answer to a previous question, unlike the opposition when it was in government who stood for nothing and did not care about these children, this government has introduced some initiatives. It is an excellent example of how the Bracks government is delivering in this important area. Last Thursday I had the pleasure of announcing the construction of a new facility — —

*Honourable members interjecting.*

**Hon. M. M. GOULD** — I know opposition members do not care about children with hearing impairment. They do not care. They are not interested. They walked away and hoped that children with disabilities and impairments would just go away.

**Hon. J. M. Madden** — They don't care!

**Hon. M. M. GOULD** — Well they did not! And this government fixed the black hole that the previous government left; it improved things! Last Thursday I had the pleasure of announcing a new facility at Willmott Park Primary School in Craigieburn for children with hearing impairment. The \$170 000 centre will provide an integrated program for deaf and hearing impaired students in the area. The new centre will offer the best possible education for children with hearing difficulties. The centre will also assist the students with special needs to reach their potential and give them the opportunity to participate fully in the community.

The principal of the Victorian College for the Deaf, Therese Pierce, was at the announcement with her interpreter. Through her interpreter she was able to speak to the children about this great initiative.

*Honourable members interjecting.*

**Hon. M. M. GOULD** — I know opposition members are not interested and have gone a bit deaf because they do not care about these kids.

The Willmott Park Primary School already has three children with hearing impairment. This initiative will allow them to fully participate. It is a great community effort by the Willmott Park Primary School. It will not only assist the children at the school, but it will be a whole community effort throughout the Craigieburn area. Children with hearing impairment will be able to come to the school and participate in the education system.

I congratulate the Victorian College for the Deaf because in a great initiative it has developed a prototype video and CD-ROM that presents a complete text in Australian Sign Language. It will allow children with hearing impairment to see a story read to them in their own language. It is because this government cares and this government is turning the state around!

**Liquor: licences**

**Hon. W. I. SMITH** (Silvan) — My question is to the Minister for Small Business. What guarantee has small business that the minister will not completely capitulate to the current demand of Woolworths Ltd for a 10.5 per cent liquor licensing cap when she cannot now guarantee small business the 8 per cent liquor licensing cap?

**Hon. M. R. THOMSON** (Minister for Small Business) — As I said at the time the legislation was brought in — and it was in a press release on 19 January — the 8 per cent would remain until the end of 2003 and be phased out from then unless there was an industry agreement. The industry is in discussions, which are proceeding and looking to be quite fruitful. I am looking forward to their outcome in the near future.

**Hon. W. I. SMITH** (Silvan) — The minister has been incompetent when making legislation and incapable of enforcing her own legislation. It is not even 12 months old and she is capitulating. She has been unable to protect the 8 per cent liquor licensing cap. What guarantees can she give small businesses that she will not damage them with this deal she is negotiating with the big end of town, particularly when she is conducting it in secrecy?

**Hon. M. R. THOMSON** (Minister for Small Business) — As I have already stated, there have been industry discussions for some time. I announced in January that there would be industry discussion and that



there would be a maintenance of the 8 per cent cap until the end of 2003. Then there will be a phase-out thereafter, unless there is industry agreement. The industry associations and majors are in discussions and the government is looking forward to the conclusion of those discussions.

### Skillsnet program

**Hon. JENNY MIKAKOS** (Jika Jika) — I refer my question to the Minister for Information and Communication Technology. Yesterday the minister announced a new round of funding under the Skillsnet extension program. Can she advise the house how the program has been enhanced?

**Hon. M. R. THOMSON** (Minister for Information and Communication Technology) — I thank the honourable member for her question. The Skillsnet program was commenced under the previous government. It was designed to provide free and affordable Internet access and training to those Victorians who would not otherwise have access. As a program and as a concept, it is a very good one. However, the previous government did not make enough effort in developing the program to ensure that the funding was going to the right areas and was being used effectively.

In fact, the previous government was completely lacking in putting in place a monitoring program to determine whether it was a success. The Bracks government is turning it around. It is committed to closing the digital divide. It is a key commitment under the Bracks government's connecting communities policy. It is delivering to ensure that this program is effective.

The government has reviewed the Skillsnet program and has determined it needs to provide a greater focus towards those considered most vulnerable and isolated from information technology. The government has identified the groups that need better targeting under the program and it has come up with eight groups that need to be addressed. They are Victorians living in rural and remote areas; people from non-English backgrounds, people with disabilities; women; senior Victorians; indigenous Victorians; unemployed people; and low-income earners.

In February 2000 the Bracks government made a \$5.5 million commitment to Skillsnet extension. This program will ensure that the Skillsnet program originally introduced by the previous government will be delivered to these targeted groups. The government has put measures in place to ensure that is the case and

that the program is successful. When selecting organisations to receive funding preference has been given to those projects that will work with one or more of these targeted groups. The expanded Skillsnet program also includes additional funding for Skillsnet roadshow, that will take this out to the more remote parts of Victoria to give those people in rural and remote Victoria access to the program.

From April 2000 the government has received quarterly reports of the achievements as compared with the new program targets, such as the number of centres in rural and regional Victoria; the number of projects catering for people with disabilities and so on.

In addition, the program statistics will also be available on the web site. This gives a constant picture of the progress of the program in achieving its objectives. The government is delivering on these objectives. It is turning things around for those people suffering from the digital divide.

## ANSWERS TO QUESTIONS WITHOUT NOTICE

### Water: Ascot Aquifer

**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 Ascot Aquifer and the answer given by the Minister for Consumer Affairs to a question without notice asked by the Honourable E. G. Stoney relating to public liability insurance.

I note the Minister for Small Business is now leaving the chamber. See you later!

Ms Hadden wrote a letter addressed to the Premier and all cabinet ministers in which she made an accusation of inappropriate behaviour by a minister. The letter was addressed to the Premier and cabinet ministers, and included among the list of ministers is the Minister for Education Services. I asked the minister what she did in regard to this letter and she said, 'Nothing'. I asked a supplementary question about whether she had spoken to Ms Hadden about her accusations and she replied, 'No'.

The minister may not have done anything, but the opposition has. On 13 February, the Leader of the Opposition, the Honourable Denis Naphthine, wrote to the Chief Commissioner of Police in these terms:

I wish to raise with you a matter of serious importance that has recently been brought to my attention and to which I feel needs urgent investigation by the Victoria Police.

Recently, my office was sent via facsimile, a copy of a letter (attached) mailed by the member for Ballarat Province, Ms Dianne Hadden, MLC, regarding the granting of planning permits from the Ascot Aquifer, to every member of the state cabinet.

Contained in the letter is information regarding the Ascot underground bore water supply, to which a moratorium on any further water boring was placed on 14 October 1997.

However, in Ms Hadden's letter the following serious allegation is made:

I understand that further licences (to bore water from the Ascot Aquifer) have either been or may be shortly granted (despite the moratorium) to a certain vineyard and winery in the Ascot GMA and certain ministers' names have been suggested in procuring this licence.

Ms Hadden is accusing a state minister of the Crown of conspiring to provide an advantage to a third party. Such an accusation should not go unheeded and I believe it is your role to investigate this allegation and ensure that no illegal activity has taken place.

These allegations are serious and even more profound considering Ms Hadden represents the same political party as every member of the state cabinet, to one of whom she is making this accusation.

Therefore, I ask the Victoria Police to seriously examine this matter and to satisfy you and the community that no illegal activity has taken place by any member of the state cabinet.

I look forward to your prompt reply and to this most serious matter being resolved as soon as possible.

The Leader of the Opposition received a reply from Maurice Lynn from the Office of the Chief Commissioner of Police dated 8 March in which he says in part:

I have referred your letter to the commander, region 2 for appropriate attention.

This is a serious matter that the police are investigating yet the Leader of the Government in this place, to whom presumably Ms Hadden reports or has a relationship with, has done nothing or even spoken to the honourable member. At the same time, this story is in the newspapers in Ballarat. The front page of the Ballarat *Courier* of 25 January has the heading, 'Backbencher blasts own minister: water fight'. In the article Ms Hadden is reported as saying:

It is of concern to me that the backbenchers aren't listened to. We're not stupid; we're not mushrooms. We do have a brain and we do know our electorates.

I look forward to hearing Ms Hadden's ideas about the matter. I want her firstly to tell the opposition the name

of the cabinet minister — that would be pretty useful. Secondly — —

**Hon. I. J. Cover** interjected.

**Hon. BILL FORWOOD** — That is an interesting thought. The second thing that Ms Hadden could do is tell the house why she did not take up the matter with the Leader of the Government, the leader in this place, after all she sent her a copy of the letter. It is extraordinary that a member of Parliament could write such a letter as this and then not discuss it personally with her own leader. This is an important issue. It means a lot to the people of Clunes, the Ascot potato growers and others in the area and until this matter is resolved there will remain a stench over at least one of the members of the cabinet.

**Hon. PHILIP DAVIS** (Gippsland) — I rise to speak on this motion because of the way the Minister for Education Services responded to the question asked by my colleague Mr Forwood on the Ascot Aquifer. I am amazed that the do-nothing government has reached new levels of incompetence. The fact is that an ineffectual minister should respond to a question in this house regarding a serious charge about which she has received written allegations from a parliamentary colleague of improper behaviour of government officers and ministers of the Crown. It clearly needs to be responded to. The answer the minister gave to the house that she has done nothing indicates that either she is incompetent or is trying to cover up what is clearly a major breach of responsibility of public administration.

There is no doubt that a minister in receipt of such an allegation from a parliamentary colleague, a colleague who is a member of the government party, would, if she were discharging her sworn duty of office, investigate the matter diligently and properly.

I am amazed that not only did the minister take no action, but that she did nothing on receipt of that correspondence. Further she has not sought or engaged in any conversation on what is probably the most serious breach of public administration brought before this house by a member of the government party, who is fleeing the chamber as I speak. Not only has the minister avoided accountability by not being present in the chamber, but the accuser, Ms Hadden, is fleeing the chamber because she is embarrassed. My colleagues inform me that she has been told to flee the chamber by a senior member of the government. This is the most extraordinary and bizarre behaviour this house has experienced for some time.

I have a copy of the letter from Ms Hadden and it is fascinating reading. She says, in part:

I do not support the granting of the planning permits by Minister for Planning, John Thwaites, on 22 January 2002 (whilst I was overseas) to Central Highlands Water Authority ...

Then she goes on to outline 21 significant points about the granting of permits which she properly asserts should be taken into consideration by the government and the reasons why permits should not have been released. Then she goes into some significant detail on these matters, and states:

The Ballarat Turf Club had no licence either before the moratorium was placed over Ascot GMA or at the time of the planning panel's sittings and evidence taken.

Since then, I understand that the Ballarat Turf Club have been granted a 15-year licence for between 200 and 350 megalitres with DNRE approval.

I understand that further licences either have been or may be shortly granted to a certain vineyard and winery in the Ascot GMA and certain ministers names have been suggested as procuring this licence.

Further she says:

I understand that one local Ballarat MP has told certain persons that a deal was done between the government and CHWA and the turf club.

The Ballarat Turf Club had a copy of the planning panel report of July 2001 in October 2001, which date precedes by three months the planning minister's decision. Between the BTC receiving the report and the planning minister's decision, the DNRE have approved a licence to the Ballarat Turf Club.

It is clear there has been a breach of public administration that either amounts to incompetence or corrupt behaviour. I make that charge on the basis of evidence led by the Honourable Dianne Hadden, who is not prepared to face this house and be accountable, and neither is the minister with whom the matter has been raised.

**Hon. GAVIN JENNINGS (Melbourne)** — The house is in a state of hysteria this morning about a number of unspecified, ill-defined and ill-determined allegations and assertions that have bubbled out into the public domain through the leaking of a confidential communication between a member of this place and members of the executive. There was a great leap in the contribution of the last speaker about the substance of these matters, the calibre of the information he has relied upon and the allegations he has made in this house.

**Hon. Philip Davis** interjected.

**Hon. GAVIN JENNINGS** — No, the great leap was made in the chamber this morning by the Honourable Philip Davis about allegations of corruption and breaches of public administration. In recent history, if one looks around the various jurisdictions in the commonwealth over the past few weeks, I would think Liberal Party members would be most reluctant to make great leaps in making allegations.

**Hon. Philip Davis** interjected.

**Hon. GAVIN JENNINGS** — That is the point worth making. Be very mindful of your obligations in the Parliament, and when you make — —

**Hon. G. R. Craige** — You're a rat!

**The PRESIDENT** — Order! The opposition has introduced matters for the house to consider. The house is entitled to hear from the Deputy Leader of the Government in a way so that all honourable members can understand what is being said.

**Hon. GAVIN JENNINGS** — I would ask the Honourable Geoff Craige to withdraw his comment that I am a rat except that I do not give much credibility to what he says about me across the chamber, so I do not take offence. I note his interjection that I was referred to in such a way, which I refute. I believe I am higher up the species chain. However, I understand that in the public domain the perception may be that there are many of us of that nature in the chamber.

**The PRESIDENT** — Order! If I had heard that I would have asked for it to be withdrawn. Honourable members should not interject while the honourable member is making his statement.

**Hon. GAVIN JENNINGS** — We must be careful about the way in which we under parliamentary privilege bandy about the nature of scanty evidence.

**Hon. Bill Forwood** interjected.

**Hon. GAVIN JENNINGS** — No, in the Parliament today allegations have been made of corruption that are not substantiated. No names have been mentioned.

**Hon. Philip Davis** — Dianne Hadden wrote a letter!

**Hon. GAVIN JENNINGS** — No names are mentioned in relation to licence or permit-holders in terms of the issues before the house today. The reason why we are taking note of the answer by the Leader of the Government today is that she is one of the executive — —

**Hon. Philip Davis** interjected.

**The PRESIDENT** — Order! Mr Davis, I think you have had your views expressed to the house, and the Deputy Leader of the Government is entitled to have his views expressed to the house.

**Hon. GAVIN JENNINGS** — I understand that when she received her circulated copy of the letter, which was sent to the Premier and other ministers, the minister in question was the Minister for Industrial Relations.

**Hon. I. J. Cover** — No, she wasn't.

**Hon. GAVIN JENNINGS** — She was at the time of receipt of the document. As a consequence, she had no ministerial responsibility in relation to the matters raised. It was not written to her as Leader of the Government in this house; it was a circulation copy. In terms of a reconciliation of the answer of my ministerial colleague, which I defend, the answer is outside the scope of her ministerial responsibility and obligations to the Parliament; therefore she has not interfered.

It does not mean in any shape or form that the matters have not been pursued within the realm of government. Discussions and consideration of the evidence have not been presented in government. That allegation and assertion cannot be made by opposition members. The assumption should be made — as I make the assumption — that discussions were held within the realm of government to ascertain the veracity of the evidence that was provided. If and when there is any evidence that points in the direction of an investigation then I have confidence that the government will investigate it and act appropriately in terms of accountability to the Parliament and the people of Victoria.

### **Insurance: public liability**

**Hon. E. G. STONEY** (Central Highlands) — It was interesting to hear the contribution by the Honourable Gavin Jennings who spoke about the great leap. What we have seen this morning is the great lie about open and accountable government. The Honourable Dianne Hadden and the minister left the chamber and were not prepared to put their side of the case. It has been an appalling display by the government.

I wish to speak about the disappointing performance of the Minister for Small Business who promised last August at an Economic Development Committee meeting to speak with the Minister for Environment and Conservation about many problems that adventure

tour operators have on public land, coupled with the public liability insurance of which the public land requirements are part. She could have eased things for those operators in what was a difficult time, but she failed to do so.

Last week in Mansfield the township stopped and small businesses rallied to support the adventure tour operators. Every business shut their doors because they know they have to support their adventure tour operators. The incredible public liability insurance issue is tearing the fabric out of rural towns throughout Victoria and Australia. Speakers at the rally did not blame the government but called on the government to fix it because the government is the only one that can.

This week's *Weekly Times* reports that the town ground to a halt and states:

... for the residents of Mansfield it is a matter of survival.

A stunning speech was given at the rally by Geoff Burrowes, who produced the *Man from Snowy River* and is a very articulate man. I want to quote what he has said, because it is absolutely pertinent to the philosophy of what we are facing. He said:

I've seen the enemy within, and he is us, all of us.

The enemy is not insurance companies, that have suffered the HIH collapse or the tragedies of New York.

It's not the government either.

We've caused the problem, ripping off the system and going for the payout, looking for the main chance.

Further Mr Burrowes said:

We need political leadership.

This is not the fault of government, but our state and federal leaders must respond.

...

It's time to act.

I think Mr Burrowes reflected the views of the 1500 people who were there. They called for a bipartisan approach to this. I note that the National Party has put out quite a good proposal on part of the problem and the Liberal Party has certainly put out a very good proposal, which could be picked up by the government in a bipartisan approach.

A Mansfield task force has put out 'The Mansfield proposal', which I propose to refer to the house because it is a good proposal and should be picked up by the minister and taken to Canberra next week. It states:



With specific regard to the adventure tourism industry it is clear that government intervention is required, and is required urgently. That intervention must be in the form of complementing legislation.

I know that today the government announced it is assisting community groups, and I applaud it for that. But this is the hard bit — bringing in complementary legislation. I think Victoria should show a lead in that.

This is the proposal the Mansfield committee has put forward, and I commend the committee for it. Its recommendation refers to initiatives. One is that those who suffer serious injury still be entitled to have compensation, as is currently the case. In fact, if there is any serious neglect they are still entitled to go through the usual channels. That is not taken away. It also states:

A serious injury must be defined by the statute and can be in line with existing statutory schemes.

Then it states, and I think this is the key to it:

Those who participate in adventure tourism activities should accept minor injury as the risk.

So in a way it acknowledges that one end of a horse kicks and the other end bites, and that people who go on horserides need to know that and take some responsibility for their own actions. I think that is perfectly reasonable. The last initiative is that:

Operators be required to offer to participants personal accident insurance at the cost of each participant.

I call on the government to prepare draft legislation based on the various community proposals that are around. I suggest the government take it to Canberra next week. I call on Victoria to show a lead in Australia on this. Victoria is one of the leading destinations for adventure tours. Here is an opportunity for the government to show a lead, take draft legislation to Canberra, get the kudos for it and help fix a very serious problem in rural Victoria and Australia.

**Hon. JENNY MIKAKOS (Jika Jika)** — In the short time available to speak on this issue it is important to firstly acknowledge the very serious issue that our community faces with public liability insurance.

The government has taken the lead at a national level on this particular issue. Honourable members would be aware that in September last year the previous Minister for Finance, the Honourable Lynne Kosky, organised a summit involving community organisations and small business organisations to look at the problem of the escalating cost of public liability insurance. Since that time this government has been involved in continuing

that dialogue, not only with the not-for-profit sector but also with the business community, to look at how we can address this problem.

On previous occasions we have discussed the HIIH debacle and the consequences that that has had on our community and we have looked at the range of factors that have contributed to this public liability blow-out. Some of those factors have involved the collapse of one of the biggest insurers in this country, the HIIH group. Honourable members would be aware of the continuing investigation — in fact, the royal commission that is looking into that collapse — and the failure to properly supervise that company by the federal regulatory authorities, such as the Australian Prudential Regulation Authority.

Other factors have included some very large claims having been made relating to the 11 September tragedy in New York and Washington, DC. But there is no doubt that while these two factors have had an impact, the more litigious nature of our society is having an impact on the cost of insurance in general.

By way of addressing these types of issues, the minister has been involved in discussions with the Minister for Environment and Conservation on addressing issues with respect to public liability insurance for adventure tourism. Mr Stoney was correct in quoting Geoff Burrowes, who acknowledged that this problem is not due to any government action or inaction, but is attributable both to the litigious nature of our community and also to other factors which I have already outlined.

However, I take issue with what the honourable member had to say. He called on the government to act. I think it is fair to say that this government has taken a leadership role on this issue. The Victorian government has called on the federal government to lead the way and to seek to organise a national approach to this problem. But given that, all we have heard to date from federal minister Joe Hockey on the issue is a call to cap the amount of damages available to potential plaintiffs. This government has gone out and had discussions with the insurance industry and with community organisations.

I am pleased that only yesterday the Minister for Finance, the Honourable John Lenders, announced a new scheme in respect of not-for-profit organisations, which will involve an alliance between the Bracks Labor government, the Municipal Association of Victoria, our community and the insurance broking firm Jardine Lloyd Thompson, which will make available a group insurance scheme from 1 July 2002.

That is a terrific initiative of this government. I look forward to discussions taking place at the national summit that — —

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

**Motion agreed to.**

### **Schools: disabled students**

**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 P. R. Hall relating to education services.

Towards the latter part of last year the government produced and issued a document called 'Better services, better outcomes in Victorian government schools — a review of educational services for students with special educational needs'. This major publication put forward by the government had some radical implications in that the 12 recommendations contained within the consultation paper made some serious changes to the way disability funding would be allocated to particular students.

I have met with a number of parents of students with disabilities and a number of teachers involved in the delivery of assistance to students with disabilities, and they have expressed some serious alarm with some of those recommendations, particularly recommendations 3, 4 and 6.

Recommendation 3 contained in the report is:

That the definition of students with special educational needs be broadened to focus on the needs of students with disabilities and those with learning difficulties.

That means we are extending the number of students that would actually receive funding. While it may sound well and fine that we are trying to assist more students, there is no commitment by the government to match that increase in student numbers with an increase in dollars towards the program. Hence it will simply be a matter of spreading the same amount of dollars over a wider base and the loss of specific targeted funding to many students with special needs. That has set alarm bells ringing amongst parents and amongst those with an interest in this subject.

Recommendations 4 and 6 of the report enhance that view and suggest the implementation of a new program to enable that funding to be provided. Comments made in the March edition of *Noticeboard*, the magazine of the Association for Children with a Disability, are

typical of the community's reaction. They express some strong views that the government should abandon the recommendations I have referred to and keep the current structure of individualised disability and impairment funding for students with level 1–6 disabilities and impairments. The magazine sets out a substantial case explaining why the government should abandon the recommendations made in the report. They would mean the loss of specific targeted assistance to those students most in need. I share the concerns of the people with whom I have spoken about this very serious matter.

This morning I asked the minister some questions about what progress had been made and what the government's intent is concerning the 12 recommendations made in the report, but I did not get one answer to clarify the situation. The minister could not give any indication of whether the government accepts the recommendations or rejects them. What is the government doing with them? Recommendation 12 is that the special education needs program should be trialled in selected schools this year, yet once again the minister could give us no indication of whether that trial has actually been established.

I can tell you that parents of students with disabilities and impairments are vitally interested to know if a trial is going ahead and how that trial will be evaluated, as well as whether the program will be a permanent feature of the new disability and impairment program. These people deserve an answer, Mr President, but the minister was not able to give one today. Even though she is not in the chamber, I hope she picks up my comments and provides me with answers to those questions so that I can inform the parents of the state of play with this review.

Another comment was made in a submission from the Association for Children with a Disability. It made a number of comments, but I particularly want to mention one point made in the submission. The association argues that the government should improve the extent to which families of children with disabilities have a genuine choice of school, including their local neighbourhood mainstream schools and Catholic or other independent schools. Its views are elaborated in the magazine.

This government does not allocate integration support funding to students who attend non-government schools. Once again it is discriminatory and an inequality that denies parents a real choice of sending their children to non-government schools if that is their choice, particularly if their children have a disability and they know they will not get funded support. It is an

area that needs to be addressed, and I wholeheartedly support the comments made by the association in respect of that matter. We deserve an answer. The people of Victoria deserve an answer. I again seek a report from the minister as to what the government's intentions are with this review.

**Motion agreed to.**

## QUESTIONS ON NOTICE

### Answers

**Hon. M. M. GOULD** (Minister for Education Services) — Mr President, I have the answer to question no. 2472.

**Hon. E. G. STONEY** (Central Highlands) — I think this is the appropriate time, Mr President. I have received very confusing answers to two questions which I need to raise with the government, and I need to make an application on that. I assume this is the time to do that.

**The PRESIDENT** — Order! Not really. If a member feels that an answer has not addressed a question, they can take the matter up with me and I will get advice from the Deputy Clerk. That has led to a number of announcements, but if there is some other thing Mr Stoney does not understand he should talk to the minister or the minister representing that person. At this stage there is no procedure. If Mr Stoney has physically got an answer, this is not the procedure that gives him the chance to follow that up.

**Hon. E. G. STONEY** — I believe questions 2439 and 2681 have been answered the wrong way round. Each answer relates to the other question, so I thought it was the appropriate time to bring it up.

**The PRESIDENT** — Order! It is not.

Before calling for motions to take note of reports and papers I will explain the time lines. The time set aside for the debate is 1 hour. The individual contributions are limited to a maximum of 10 minutes. Those 10 minutes are preserved — in other words, if there are interruptions honourable members get the net 10 minutes. However, the total time does not extend, so the total time for the debate will be exactly 1 hour after the first speaker gets under way.

## AUDITOR-GENERAL

### Transport Accident Commission: major injury claims

**Hon. BILL FORWOOD** (Templestowe) — I move:

That the Council take note of the report.

We live in a society where we depend on motor vehicles for virtually everything we do. There are cars, trucks and bikes everywhere. Our whole lives revolve around our capacity to move from place to place. Unfortunately in such circumstances there will always be accidents on the roads. Some years are worse than others. Last year was not a particularly good year; this year is slightly better. None of us wish anyone to suffer as a result of transport accidents or the deaths that so unfortunately occur.

At the outset of my contribution I should say that I, like every honourable member of this chamber, encourage people to take seriously their behaviour on the road. I was driving in this morning in the wet and was horrified at some of the things I saw. I encourage people to take seriously issues to do with road safety. It is incumbent on us as a Parliament — and I know the parliamentary Road Safety Committee looks at many of these issues — to be ever vigilant on this issue.

Unfortunately people are damaged. The executive summary of the Auditor-General's report into the management of major injury claims by the Transport Accident Commission states:

At any one time, approximately 40 000 claims are managed on an ongoing basis.

That is a huge number. It also says:

At 30 June 2001, there were approximately 1900 active major injury claims. Major injury claims comprised claimants with head or acquired brain injuries (68 per cent), spinal cord injuries —

and others in the category of amputations, severe burns and other injuries. That is 1900 people coping in extraordinarily difficult circumstances because of incidents on our road system. The first thing our society should do is to focus its attention on reducing the number of injuries. The best thing any of us can do for the Transport Accident Commission (TAC) is to ensure that we drive safely on the roads and do not become a statistic. If we do that, we will be making our contribution.

It is also important that the TAC, as the organisation that looks after the major injury claimants, behave in a

manner that is efficient, effective and fair. The report of the Auditor-General notes:

Although major injury claims represent a small proportion of the commission's total active claims (4.6 per cent at 30 June 2001), they constitute a substantial portion of the scheme's liabilities (46 per cent) ...

It is worth putting on the record that less than 5 per cent of the claimants through our transport accident system take up 46 per cent of the scheme's liabilities or resources. You can see why, because if you are severely injured and you end up as a quadriplegic or a paraplegic, if you need lifetime care, it will be expensive. It is important that the scheme operate effectively.

One of the great concerns about the audit report, and the reason I put it on the notice paper for discussion today, comes in paragraph 1.7 on page 4 under the heading 'Audit conclusion':

Victoria has a generous (relative to other states) scheme of transport accident compensation, funded by owners of registered motor vehicles. The objectives of the scheme provide for appropriate compensation and effective rehabilitation for injured claimants through the provision of reasonable levels of service, while maintaining the financial viability of the scheme.

I will touch on the financial viability of the scheme later in my contribution. As honourable members know, the TAC made an operating loss in 2000-01 of nearly \$200 million compared with a profit the previous year of nearly \$450 million, and of course liabilities have blown out from \$3.5 billion to \$4.1 billion, an increase of 17 per cent. While there are some issues about the financial viability of the TAC, the Auditor-General says in his report:

The level of services and benefits provided to claimants is influenced by the legislative and practical interpretation of —

words I have just mentioned —

appropriate, effective and reasonable, and the volume and injury severity of claims received. Nevertheless, claims expenditure is rising in all areas and especially in long-term care. This is expected to continue until the scheme matures in around 15 to 20 years ...

The Auditor-General then says, and this is an important point for the Parliament to take into consideration:

The commission's ongoing challenge is to understand its cost drivers and to manage them in effectively meeting the objectives of the scheme. Without careful management, the scheme would eventually require additional community funding or provide reduced benefits.

A person with a long-term injury who is not likely to get much better and is likely to live for some time

would not be comforted by the thought, 'The scheme, if we are not careful, will end up providing reduced benefits'. On the other hand, the words 'would require additional community funding' mean increased premiums. Society needs to find a balance in the amount it is prepared to pay so that we can have a transport accident system. It is a good system, although it has its problems and wrinkles. In paragraph 1.8 on page 4 the report notes that most claimants in this scheme receive sensible and adequate treatment:

Our examination of a sample of major injury claim files showed that most claimants (92 per cent) were receiving the services and benefits they required to meet their needs and had achieved maximal recovery and independence, given their injury.

That is a good figure. You feel concerned about the 8 per cent, but you will never be perfect on these issues. It is important that we have a transport accident scheme management that is financially viable but provides adequate benefits to people who unfortunately find themselves in these positions.

**Hon. T. C. Theophanous** — Are you suggesting it is not financially viable?

**Hon. BILL FORWOOD** — I am suggesting there are signs about which we should be careful, which is what the Auditor-General says:

Without careful management, the scheme would eventually require additional community funding or provide reduced benefits.

That would be awful.

Mr Theophanous, the financial comparison table on page 5 shows that investment revenue for the year 2001 fell by \$426 million. That is not careful management in my view. I think you will find that the return on investment for the TAC was around 2 per cent, which is pretty hopeless. The Workcover Authority got 6.8 per cent on its funds. There is a particular reason to be concerned, (a) about the expenditure growth, but (b) about the management of the investment program itself.

I applaud the people who put this report together. I note there was significant input from groups that are most affected by injuries, Headway, Paraquad and the Attendant Care Industry Association. I commend KPMG for the work it did, together with the specialists. This is a valuable document for the Parliament to consider, and I am happy to move that the Council take note of it.

**Hon. T. C. THEOPHANOUS (Jika Jika)** — I note in relation to this take-note motion that the report of the Auditor-General was tabled in October 2001. I am not



sure whether there is a deficiency in the system but it seems unfortunate that it has taken until March 2002 — a full five months after the report was tabled — to have a take-note motion of this sort moved in the house. I have spoken to the Leader of the Opposition about this and said there should be some better ordering of the take-note motions.

**Hon. Bill Forwood** interjected.

**Hon. T. C. THEOPHANOUS** — The Leader of the Opposition says that is why this one got to the top of the list, but there should be a prioritising system that allows important reports to be considered or debated at or near the time they are released. Since that is largely in the hands of the opposition, as it controls this part of the proceedings of the house, I urge the Leader of the Opposition to consider that issue, and to try to work out a process that would allow timely discussion of such important reports.

It is true that the report of the Auditor-General is important and I will put into context some of the issues raised by the Leader of the Opposition. It is important that I quote from page 5 of the report on financial and strategic management because it would be inappropriate to be alarmist about the financial operations or condition of the Transport Accident Commission (TAC). On page 5 the report found:

The commission's financial performance and its ability to sustain the long-term financial viability of the scheme is dependent upon the volume and cost of transport accident claims received, and its revenue from premiums and returns achieved on investments. Some of these factors are susceptible to significant volatility, impacting on the net position of the scheme ...

That part is true, but the Auditor-General seems to be saying that with an accident compensation scheme such as this a major factor is the number and seriousness of the claims — in other words, if the accident toll increases, obviously a significant cost pressure would be applied to the TAC.

In recognition of that the commission has adopted ever-new strategies to try to teach us all about the importance of appropriate behaviour on the roads and to try to minimise the accidents that occur. After all, every accident that does not take place is an accident that a member of the community and their families or friends do not suffer from and the costs to the community, whether they be rehabilitation or other financial or legal costs, are reduced.

I remind the house that the TAC has maintained a system of common law even through the Kennett years, when common law was not in vogue and when the

previous government decided it would remove common law from the Workcover scheme. That decision contributed to the demise of the former government and it also created an absurd situation where a worker who was involved in an accident on the way to work and lodged a TAC claim would have been entitled to common-law payment. But if the same worker arrived at work and the boss said, 'Take the car and drive down to some other location and do some work there', and the worker had an accident on the way — that is, while they were at work — the worker would not have been entitled to make a common-law claim. Not many people understand this issue.

People could be involved in car accidents, or in accidents involving commercial or other vehicles on the road, but it would depend on whether they claimed through the TAC or Workcover as to whether they could have access to common law. The situation was absurd. One of the justifications of the former government for not removing common law from the TAC was that the TAC effectively managed its common law and was able to do so within a reasonable budget.

It never occurred to the previous government that it should have sought to effectively manage common law within the Workcover system rather than simply walking away from common-law provisions in Workcover while still trying to sustain the absurd argument that you could have a common-law system in the TAC but that it would not result in the system collapsing, as it said about the Workcover system. There were amazing and unbelievable inconsistencies between the two systems.

Why was it possible for the TAC to be able to manage its business in a way that meant it could have common law and still maintain more than a 100 per cent funding ratio? For one simple reason — that is, it was able to reduce the number of accidents that occurred on the roads. People forget too readily that in years gone by, with fewer cars on the road, Victoria had accidents that involved more than 1000 deaths per year.

**Hon. D. McL. Davis** — In fact, 1034.

**Hon. T. C. THEOPHANOUS** — Yes. I remember the *Herald Sun* campaign called 'Declare war on 1034' because 1034 people had died on the roads in one year. The actions of the TAC and successive governments brought down that road toll, resulting in the TAC operating so effectively.

Yes, from time to time complaints are made about the TAC and its treatment of those involved in accidents.

That will always be the case. It is important that avenues are available for those people to have the issues addressed. I believe those avenues are certainly available within the context of the structures put in place by the government.

**Hon. W. R. BAXTER** (North Eastern) — While I share the sentiment of the Honourable Theo Theophanous that the chamber should debate take-note motions in a timely manner when the reports become available, it is a bit rich of him to suggest this morning that somehow or other it is all the fault of the opposition that a report produced last year is being debated in March of this year. The chamber should be reminded that this report was tabled in November. The Legislative Council rose at the government's behest shortly thereafter and is sitting this week for the first time in 2002. If Mr Theophanous wants to give the house the opportunity to debate these reports in a more timely manner he might well speak to his own government about having the Parliament sit according to a more appropriate schedule rather than cause these sorts of delays.

Secondly, he wants someone to somehow prioritise take-note motions that are on the notice paper. I note there are a large number of them, something like 36 I believe, and yes, it goes without saying that there is no way the house is going to be able to turn its attention to all of those. But is he going to be the person who decides which ones are important, the person who decides that he will take the opportunity to give the previous government a belt? Or will he get on his hobby horse again about common law and Workcover? We hear the same arguments time after time. I certainly do not want Mr Theophanous determining for this chamber which are the priorities for the chamber to turn its mind to!

Other members of this chamber as well as the Honourable Theo Theophanous have rights and can make their own judgments as to what they think should be the reports to be debated. I simply say to him that he should not take the opportunity to attempt to lay blame at the feet of the opposition because he perceives something is not to his satisfaction or suitability.

I look back on the formation of the Transport Accident Commission (TAC) with some pleasure because I had a bit to do with it, along with my then leader, Peter Ross-Edwards, back in 1985 in the time of the Cain government. At that stage the National Party happened to have a convergence of numbers which gave it a deal of influence in what was happening in the administration of this state. There was a lot of debate between the then government, the opposition and the

National Party as to what would be the form of the new proposals. It was more or less universally agreed that the situation existing then was unsatisfactory, had run its course and was in need of quite radical change.

But there was a lot of argy-bargy about what the outcome would be. I can well remember sitting around the cabinet table, in fact — I had never been in a cabinet room prior to that — with Mr Cain and several of his ministers, Mr Ian Dunn from the Law Institute of Victoria and various other persons. It was an interesting time and we did not make a lot of progress for quite some time. We made very rapid progress, however, when the Premier finally decided that he should dispense with the services of one of his advisers who subsequently became a member for Sunshine, who seemed to believe he was the architect of this notion and that whatever he believed should come to pass.

Once Mr Baker was excluded from the negotiations progress was made and by and large the results have been very good indeed. The people of Victoria have been very well served by the Transport Accident Commission. Those who have been unfortunate enough to be injured have, by and large, been looked after pretty well. Also, many people in our community today are not suffering an injury due to some good work the TAC has done in advocating road safety through its fairly graphic television advertisements, which have inculcated in the community a much greater regard for the need for safe driving.

Some of the expenditure on the TAC has been turned into black spot funding, which has removed some of the dangers from our roads. It has been noted that the scheme is not yet mature and it is a little bit early to make predictions about what its financial stability will be over the long term because there is a long tail on serious injury claims. Persons injured in their early 20s in 1987, when the scheme came into place, are still only in their 40s now and may well be claimants for another 30 or 40 years, so the long tail is real, and I share the concern of the Honourable Bill Forwood that there are a few indications, if one goes through the Auditor-General's report and studies the finances of the TAC, that there are markers of the finances of the scheme that we should keep a pretty close eye on as it matures.

I have had a fairly good relationship with the TAC over time and have had a need from time to time to make representations to it regarding, in particular, access by seriously injured persons who happen to live in country localities. Often there is a need at that time to have modifications made to their homes to accommodate wheelchairs or the like.

I had a particular case where a young mother was killed at an intersection when her vehicle was hit by a car that had ignored a stop sign, so you would say she was entirely the innocent victim. She lost her life and left behind a very young baby, a young family and a husband struggling to manage a farm and keep the family together. It was very difficult indeed to secure for that family what I thought was appropriate home help, particularly in the initial stages. So yes, there have clearly been one or two blips like that; but I would say that by and large the system has worked fairly well.

I also express some concern that some young people who have suffered acquired brain injury as a result of serious motor accidents are now finding themselves in nursing homes where most of their fellow residents are very elderly and often suffering some degree of dementia. We as a society have to come to grips with that. Those places are clearly not appropriate for such young patients, but at the moment there seem to be few alternatives. The community and the government need to turn their attention to where people with acquired brain injury who are in need of institutionalisation are to be placed so they are put in more appropriate settings.

I would also want to keep a close eye on the potential for fraud. We know the sorts of frauds and rorts that occur in Workcover. There is some potential for them to occur in the TAC, although probably less.

I am certainly very concerned about the appointment of the chair of the TAC to be the chair of Workcover. I do not think that that is a particularly desirable circumstance. I have conducted a freedom of information inquiry to secure documents that might relate to the consideration of that appointment, but I have been informed that no such documents exist. I find it very surprising indeed that the government would have made that appointment without some paperwork being generated. It poses the question: what happened to that paperwork? What is the government's intention in putting in a common chairman? Is it going to amalgamate the two authorities in due course? Is it going to use the financial viability of the TAC, if it remains as good as it is at the moment, to subsidise Workcover? I do not think this government can be trusted when it comes to finances. I think this Parliament and the Auditor-General need to keep a close eye on that as well.

I commend the Auditor-General for undertaking studies such as the one this report canvasses because it is good for authorities. The TAC is a very large operation and it can be ground down by inertia over time. Having the spotlight placed on it by the Auditor-General in the way

this report has done can only serve the people of Victoria well.

**Hon. D. McL. DAVIS** (East Yarra) — It is with some pleasure that I rise to make a contribution to the debate on this take-note motion on the Auditor-General's report on the management of major injury claims by the Transport Accident Commission (TAC). In a sense I want to pick up where the Honourable Bill Baxter left off. The TAC is a very important body in Victoria and one that has a distinguished history. It is a body that, as was alluded to earlier, was set up in the days following the difficulties in management of the Motor Accident Board in the mid-1980s. Overall the management of the TAC over the past decade or so has been one of the highlights of financial performance in Victoria.

That financial performance needs to be seen in the context of the aims of the organisation, which are obviously to provide the right accident prevention outcomes for the community, to provide the right rehabilitation and disability services, the right income replacement or compensation arrangements for Victorians and the right treatment in terms of reimbursement for medical, hospital and long-term and attendant care costs that are so necessary. In particular I think the scheme has been managed well in terms of case management. In that sense the management strategy the TAC has used over a long period has a lot to teach many other similar areas of government activity, whether in Medicare at a federal level or in Workcover, which has not traditionally adopted such a tight and carefully focused case management approach.

The contribution I want to make to this motion today relates to that approach. It is worth placing on the record some of the specific comments the Auditor-General made in this report. I compliment the Auditor-General on his good sense in choosing to examine the management of this important group of injuries. They are important in two respects: first, because of the terrible impact major injuries have on the individuals who suffer them and their families, and second, because of the financial impact they have on Victorians and the Victorian community more generally.

It is interesting to note that over the five-year period to 2000–01 premium revenue increased steadily. That relates to the number of new vehicle registrations. It is also important to note that the investment revenue has fluctuated substantially. I note the comments made publicly at the time of the release of the annual report of the TAC last year, which revealed a significant turnaround in its financial position. That financial

turnaround last year causes us to examine the organisation and its long-term viability closely and with caution.

It is true to say that no-fault claims expenditure has steadily increased. That is predominantly due to the rising costs associated with the long-term care of major injury claimants. The Auditor-General quoted figures of \$247 million in 1996–97 but \$329 million in 2000–01. To a certain extent that is the key focus of the Auditor-General's report. It is also true to say that there has been movement in outstanding claims liability. Another point of note is the increase in administrative costs at the TAC. I made public statements about that at the time of the release of last year's annual report when we saw costs for executives at the commission rise, notwithstanding a significant deterioration in its financial performance.

However, I want to make my main contribution on these major injuries and the incidence of catastrophic injury claims, defined as severe acquired brain injury and quadriplegia in particular. These claims increased by 85 per cent in the five-year period to June 2001. That contributed not only to great misery in the community but also to significant financial costs for the Transport Accident Commission and thus the Victorian community.

Chart 4E on page 40 of the report shows the incidence of catastrophic injury claims. The incidence of acquired brain injury has increased substantially and appears to be the major driver. I think more research needs to be done into that. The report says:

The most startling feature for long-term care is a large number of catastrophic injuries for the 2000–01 accident year.

This needs to be examined closely. It is true to say that injuries in road accidents closely approximate economic activity — this has been reported in other insurance data — and a long period of economic expansion strangely enough appears to correlate closely with an increase in road accidents and claims on insurance companies.

I believe there is much more that can be done in this area. I know the commission itself has investigated many of these aspects, not only on the prevention side, such as the black spot programs of which people are aware, but a great deal more can be done. The innovation Victoria has shown in a bipartisan way in this area over the years is a good model. We can do a great deal more in the design of vehicles, the design of road surfaces and road structures more generally and the removal of hazards. Of course it must also involve the education of drivers — and the TAC has done a

great deal in that field — and we have seen the reduction in road deaths that Mr Theophanous reported earlier.

Management of the injuries that do occur is very important. That is a key feature. The TAC has managed its short-term claims very well over the years. As I said earlier, it is an exemplary body in that regard and could teach many other public sector bodies that manage these sorts of issues a great deal. However, the longer term claims are important, and you have to ask yourself how you manage them carefully. You reduce the number of injuries and accidents if you can. You have to pick up injuries and claims at an earlier stage and ensure that the management is optimal.

There is a good deal of economic information about health care and the management of particular injuries, illnesses and conditions. Importantly it relates in part to the specialisation involved. For example, we know that coronary artery operations are more successful and better performed, the outcomes are better and the costs are cheaper when performed in specialist facilities rather than in general facilities. Good American studies demonstrate that fact. Strangely that is likely to be the case in many other areas of medical and claims management and case management like this. Section 4.35 on page 41 of the Auditor-General's report states:

Research undertaken by the Consultative Committee on Road Traffic Fatalities in Victoria, funded ... by the commission and the Victorian Trauma Foundation ... highlights inadequate treatment of road accident victims. The committee's report, issued in March 2001, presented an evaluation of the emergency and clinical management of 60 adult claimants of the commission who had received brain injury as a result of a transport accident.

- 4.36 The report concluded that all 60 patients had experienced inadequate treatments commonly due to inadequate skills in resuscitative techniques and that in 56 cases (93 per cent) such inadequate treatments had contributed to neurological disability. In turn, this contributed to the patient incurring an even greater level of disability.

**Hon. D. G. HADDEN** (Ballarat) — I wish to speak on the motion to take note of the report of the Auditor-General dated October 2001 into the management of major injury claims by the Transport Accident Commission (TAC). The government noted publicly, by media release to the state of Victoria on 10 October last year, that it welcomed the findings of the Auditor-General, Mr Cameron, into the management of major injury claims by the TAC.

The Minister for Workcover publicly noted that the TAC board had advised him that it would be acting on the issues raised in the Auditor-General's report. The report concluded on page 4 that Victoria has a generous scheme of transport accident compensation relative to other states. The Auditor-General noted the objectives of the TAC scheme for appropriate compensation, effective rehabilitation and the provision of reasonable levels of service while maintaining the financial viability of the scheme.

The Auditor-General noted that the scheme is expected to continue and mature in around 15 to 20 years when the claims growth will to some extent be offset by retired claims — that is when claimant's die. The commission's ongoing challenge was noted by the Auditor-General to understand its cost drivers as well as to manage and meet the objectives of the scheme effectively.

In the introduction to the report, the Auditor-General noted that approximately 40 000 claims are managed on an ongoing basis, and as at June 2001 there were approximately 1900 active, major injury claims. These are claimants with major injuries such as acquired brain injury, spinal chord injury, amputations, severe burns and other injuries. The Auditor-General noted that although major injury claims represent a small proportion of the commission's total active claims — 4.6 per cent as at 30 June 2001 — those claims constitute a substantial portion of the scheme's liabilities — 46 per cent as at June 2001 and 41 per cent as at June 2000.

The report states that it had examined a sample of major injury claim files — some 129 — which showed that 92 per cent of claimants were receiving the services and benefits they required to meet their needs and achieve maximal recovery and independence given their major injury. However, the report noted that a small proportion of claimants — 8 per cent — received less than adequate management. The report noted that while it had assessed the claimants and that they were receiving good outcomes and effective case management under the scheme, the claimants perception was somewhat different and less positive. The Auditor-General concluded that more effort is required to build and sustain sound relationships between claimants and the TAC.

The Auditor-General observed that in 2000–01 the TAC had not achieved its major injury performance targets in relation to the scheme's viability service delivery or customer satisfaction. However, the TAC's business plan for 2001–04 includes a number of initiatives to address the below-target performance, and

for that it should be commended. The report is comprehensive and it should be noted that discussions were undertaken with a wide ranging number of persons who have either direct or indirect involvement with TAC claimants.

The Transport Accident Commission assessed 129 major injury claim files. The commission also had discussions with major injury claimants, service providers and industry groups. It included in the industry groups: Headway Victoria; Paraquad Association; TAC Working Party of the Law Institute, Victoria; Attendant Care Industry Association; and Australian Psychological Association, Victorian branch. The Auditor-General also noted the significant support and assistance that the Auditor-General and his officers had received in the preparation of its audit. On page 29 the Auditor-General noted an expression of his appreciation to the commission for this assistance.

The Auditor-General's report has a number of responses in it from the TAC. In particular, on pages 12 and 13 the commission responded responsibly and in a mature manner. The TAC managing director responds that he is pleased that the audit found 92 per cent of claimants had received maximum assistance to progress with their major injury claims. The commission agreed with the recommendations of the Auditor-General about financial and strategic management, and about maximising claimant outcomes as well as work practices supporting claimant management systems. The commission agreed that it would continue to monitor claims expenditure and seek to develop and implement strategies for major injury claimants. It noted that it was pleased that 92 per cent of claimants had achieved their maximum progress against outcomes with case management compliance of some 95 per cent for adequate or best practice. The commission said it would endeavour to improve performance to 100 per cent.

As I said, the commission agreed with the recommendations of the Auditor-General and indicated it would improve its work practices in a number of areas. The commission also noted it had achieved significant gains in community accommodation, school integration, and community access and support programs. But the report was only noted in relation to management of major injury claims. The government and the Minister for Workcover welcomed the Auditor-General's report and the commission responded to the report in an appropriate and responsible manner.

I conclude by saying that the Bracks Labor government has restored common-law rights for seriously injured



workers and has doubled the number of prosecutions for health and safety breaches. It has increased the number of health and safety inspectors in the workplace to more than 280 inspectors. It has restored the independence of the Auditor-General and will continue to listen and act decently and responsibly for all Victorians, and especially injured workers and employers, to ensure we have a safe working environment in this state.

**Motion agreed to.**

## **ROAD SAFETY (ALCOHOL INTERLOCKS) BILL**

*Second reading*

**Debate resumed from 19 March; motion of  
Hon. C. C. BROAD (Minister for Energy and Resources).**

**Hon. G. B. ASHMAN (Koonung)** — The opposition believes the Road Safety (Alcohol Interlocks) Bill is positive legislation, as it does with most road safety legislation introduced into Parliament. In my time in Parliament I cannot recall an occasion where there has not been bipartisan support for road safety legislation. It is one of the few areas where Parliament is able to come to agreement over legislation. It is unfortunate that the public, in viewing parliamentary proceedings, does not observe the debates that occur on legislation like this, but rather views it as a place of confrontation where there is no cooperation or teamwork between the parties.

Once again the bill meets the test of achieving bipartisan legislation. The Liberal Party has a good record supporting road safety initiatives, right back to the days of seatbelt legislation. Indeed, I go further; it was the Liberal Party that introduced absolute speed limits. I recall when I first got my driver's licence that a derestriction zone was indicated by a circle with a diagonal line on it and once the driver passed that sign it did not matter whether he or she did 60 kilometres an hour or 80 kilometres an hour, the onus was on the driver to prove it was safe to drive at that speed or, more importantly, the onus was on the police to prove it was unsafe.

The Liberal Party has a good record on road safety. I do not think anyone would argue total deregulation of speed limits. We look at some areas as we drive and think the speed limit may not be right or does not match the road condition, but they are matters at the margin.

As we debate this bill, the road toll continues to rise. This bill is one of the measures being introduced to try

to reduce the road toll. The government's objective is commendable. Whether it is attainable remains to be seen. As at last month Victoria's road toll this year was 81 deaths. That is not satisfactory and we would all like to see that number reduced; nevertheless the government is taking some measures to reduce the road toll. The opposition generally supports those measures, but I will comment later in my contribution about the use of speed cameras.

In relation to drink-driving, in recent months, on my observation, there has been a marked increase in the incidence of breath testing. Over the past six weeks I have been asked to blow into the testing machine four times, which means I am either doing a lot of miles or the police are active. It may also mean that more attention is being given to the eastern suburbs. Breath testing is a minor inconvenience, and it takes only a couple of minutes to go through the testing system. Most motorists would accept and recognise the value of such testing.

The speed camera program does not enjoy the same level of community support. Many people view the use of speed cameras in many locations as a cynical revenue-raising exercise with little or no deterrent effect. In recent weeks three people have come into my electorate office seeking assistance in witnessing traffic infringement notices that have been issued through the Traffic Camera Office as it assigns the offence to the person driving the car. On each of the three occasions they had received notices for between three and six camera offences all detected within a few hundred yards of one or another of the entrances to the City Link part of the Monash Freeway.

As they pointed out, the fines arrived in the post some five to six weeks after the events, which is not much of a deterrent. It is no more than a revenue-raising exercise. If the government is to continue with cameras at such locations it must ensure that the fine is posted to the offender promptly. With current technology one would think it possible that such fines could be posted within 24 hours.

The introduction of alcohol interlock devices is a positive step, but the opposition asks why they are being limited to only high-end offenders. Legislative provision should have been made to allow a trade-off for first-time offenders who have committed relatively low level offences, such as below .08 or .09, to be fined for a first offence rather than losing their licences for a period, or they may accept an interlock device fitted to the vehicle for a period of six months or some other period to be determined.

Education is the best form of prevention so far as alcohol is concerned. On the four occasions when I have had to blow into the bag recently I have asked the officer what my reading was but he was not prepared to tell me. I pressed the point at each occasion. On one occasion I said that I had consumed a couple of glasses of wine over a period of about an hour to an hour and a half, but he still would not tell me the reading. From my point of view that reading would have been valuable information on whether I was .02 or .03. It would be part of a useful education process for motorists to be told what level they were blowing.

About three weeks ago I had lunch with some friends at the RACV Club in Healesville. Over a period of two and a half hours between the four of us we consumed two bottles of wine. The club has a self-testing machine and we decided to test ourselves. It was an interesting test because we had all shared the wine and worked out that we each drank about two and a half or maybe three glasses of wine. The glasses had been filled at an even rate between the four of us. I blew .001, a male friend blew .002, his wife blew .035 and my wife blew .065. My wife was surprised that the reading was so high. We then decided to spend another dollar and check our readings again, but the machine came up with the same readings.

It clearly was a useful exercise to know roughly what the reading was after two or three glasses of wine. It demonstrates that people have different readings because of their metabolism, height and weight. Also one's sex has a bearing on the effect of alcohol on the body. It would be useful if the government were to be more proactive in promoting self-testing and having the police assist in the matter. Vicroads has issued a brochure — the government is renowned for the number of brochures it produces — called 'Test yourself before they do', on alcohol and driving. Such a brochure could be handed out when somebody goes for their licence or it could be posted with registration renewals. Some system should be in place. Establishments selling alcohol, such as hotels and larger restaurants, should be encouraged to install alcohol testing devices that can be used by people to self-test.

The alcohol interlock device will be available as an option for people convicted of serious drink-driving offences. It is estimated that within three or four years about 2000 to 2500 alcohol interlocks will be in place. It is believed the number will remain around that figure in the foreseeable future. Initially the take-up rate will be slow.

The cost of the device is an issue. I do not know what the price of the units will be, but in South Australia,

where such alcohol ignition locks were introduced some months ago, the fitted cost of a device is about \$120 a month and if a driver wishes to purchase a device outright it costs \$1300. I am not aware whether in Victoria the suppliers will allow for the outright purchase of the device. Doing the numbers shows that purchase may be a serious option if somebody is required to fit an interlock for a period of more than about eight or nine months. There is a fitting charge of about \$150, and at the conclusion of the program there is a removal charge of about \$90. Maintenance on the units runs at about \$50 a month.

The government has indicated that there will be a concession for health care card holders. On the evidence that has been provided, about 23 per cent of people convicted of drink-driving are health care card holders. I have not done the research, but that strikes me as being an overrepresentation. It might be something the Road Safety Committee or others might like to research to see what connections there are, if any, and whether there is a relationship between low-income people and health care card holders and their economic and health circumstances and excessive drinking.

The two units that appear to be the most favoured and most likely to gain early acceptance in the Victorian market are the Drager unit and the Guardian unit. I understand both of them will be imported, but importantly both of them will meet the Australian standard AS3547.

All units will be required to gain approval from the corporation. It will not be a matter of going out and only shopping for the best price on the unit; it will be a matter of going out there and determining what units are available that meet the specification and are approved under the regulations. I would be disappointed if only one unit were available on the market, because consumers deserve to be given some choice in the unit they choose to have installed in their vehicles. When installed in a vehicle in terms of size the unit will look something like a larger mobile phone — or a mobile phone of probably seven or eight years ago — and the fitment will probably be something similar.

I need to briefly talk about the issue of maintenance of the unit. We are told that initially the unit will need to come in for recalibration on a monthly basis. This is put to us as being necessary as there is some question about the reliability of the unit. I express some concern that if the unit is required to come in on a monthly basis for recalibration, we might need to look at its testing and robustness qualities. As an aside, the alcotest that was

put into service by the police some years ago was also a Drager unit; if this unit is required to come in for testing on a monthly basis, how accurate is the technology? One hopes that it is 100 per cent, because under the legislation it is said to be 100 per cent.

In responding the minister might like to indicate what form of independent testing has been undertaken on these units. For instance, is there available a report from the State Forensic Science Laboratory that indicates that this unit is accurate and over what period of time it is likely to remain accurate?

When the unit is brought in for recalibration there will be a downloading of data from the unit which will be used to assess the compliance of the driver with the interlock conditions. Under the interlock conditions they will be required to have a zero blood alcohol content. The unit will show the number of occasions when they attempted to start the vehicle when they were intoxicated and I understand it will show the number of times and the period of time the vehicle was driven. So it will contain quite a lot of valuable information on the driver. It will not tell us when a partner, friend or some other person was driving the vehicle, and there is certainly no intention under this legislation for other people to be prevented from driving vehicles with interlocks.

As I indicated, the interlock is an important road safety initiative. If it detects alcohol the interlock will prevent a vehicle starting. It has a number of mechanisms to prevent tampering, but it will not be 100 per cent tamper proof.

I indicate that in, I think, 1993 I looked at interlocks in Alberta, Canada. With technology the interlock has moved on quite significantly since that time, but in 1993 the experience of the police in Alberta was that a significant number of creative people out there were finding ways to get around the interlock. Balloons were being tried on the systems; the most obvious one was to have a friend blow in it and then drive away — but why they would blow in the interlock and get an all clear and head home with their friend who was as drunk as they come, I do not quite know. They would have to be pretty stupid to do that, but that was occurring. Air compressors were also being fitted to the boots of cars. One very creative fellow had a garden pressure pump spray that was pumped up to get to a certain air pressure. He had figured out that — in 1993 — that would clear the interlock. So people were quite creative. Of course then there was also the option of jump-starting the car or circumventing the wiring, which had happened on a number of occasions.

From the information we have been given I am quite certain that the technology of these units is now far more sophisticated. Those practices will not be possible with these new systems. Nevertheless, it is something we will have to keep an eye on. We note that there are significant penalties in the legislation for people who attempt to get around the operation of the interlock.

Interlocks are used in 30 to 40 states in the United States of America, with varying success, and they are certainly used in Canada in Alberta, Quebec, and, I think more recently, Ontario. When I spoke to the people concerned some years ago the United States experience was quite varied. It required the courts over there to issue the interlock order, and because of some of the issues I have mentioned, in some jurisdictions there was a reluctance to use the interlock. I am now told that that has changed and there is now far more acceptance of the interlock.

When a driver has had an interlock condition imposed they will be required to go back to court to have it removed at the end of the period and will need to provide evidence that their drinking patterns and attitudes have changed. A first offender could have a six-month period of interlock condition imposed; a second-time offender who has a blood alcohol content below .15 could have six months; and a repeat offender could get three years. Considering the monthly cost of leasing alcohol interlock units, it is those who have three-year penalties imposed on them who perhaps ought to consider purchasing units as opposed to leasing them.

The alcohol interlock condition is not automatically revoked at the end of the minimum period. As I said earlier, that will require the person to go back to court to demonstrate that they are fit to have their interlock condition removed.

I talked about interference earlier, and it might be useful at this point to note that the penalty for interfering with an alcohol interlock will be \$3000 or four months imprisonment. At the extreme, the vehicle can be immobilised as a final option. This has some limitations because a court would have to consider the impact that might have on the owner of the vehicle, particularly if the person who had the interlock condition imposed on them was not the owner of the vehicle.

The legislation does not address — and I do not know how to do this other than through consistent policing — the issue of people who may have a condition placed on their licences that requires an interlock, but decide that the cheapest, quickest and easiest way for them to go is



to drive unlicensed. They might go out and buy a \$1500-bomb and, if that gets confiscated — well, so be it! — they might go and buy another \$1500 bomb. The police tell me they are picking up a significant number of unlicensed drivers at their random breath-testing stations as well as unregistered vehicles. The drivers detected on these occasions generally have little regard for the law, and I am not sure what we as legislators could do to bring those people back under control. The only mechanism we have is rigorous policing. Indeed, those people may ultimately be given a holiday at society's expense for their actions, but that is something we might need to address at some time in the future.

With those comments, members of the opposition do not oppose this alcohol interlock legislation, although we probably would have liked to have seen this option made available more widely. As I indicated at the outset, we believe alcohol interlock conditions for first-time offenders would have been a reasonable option, although it would be expensive for them. However, if it is a trade-off for a first-time offender between not being able to drive and being able to drive having committed one indiscretion, that would have been a reasonable measure. I repeat that, with those few comments, the opposition does not oppose the legislation.

**Hon. G. D. ROMANES** (Melbourne) — I am pleased to rise to speak in support of the Road Safety (Alcohol Interlocks) Bill, which amends the Road Safety Act 1986 and the Sentencing Act 1991. Through the implementation of its provisions this bill aims to prevent drink-driving by people who have serious drinking problems and who are not able or willing to exercise self-discipline to control their drinking while driving.

The reason for introducing this bill is that this group of people are still causing a disproportionate number of serious accidents in our state which result in fatalities and injuries. We know that a whole regime of measures are in place that try to deal with these issues, but many traditional punishments and many programs that encourage changes of behaviour through education or some other incentive currently do not work as effective deterrents for this group of people. These deterrents work for the great majority of people, who we know drink to excess occasionally but who control when they drink and control their driving so that they are not driving when they have been drinking.

We have seen reductions in drink-driving in recent years, but overall there is still a major problem with repeat offenders who drink and drive and who have not been able to exercise self-control. So the bill addresses

problem drinkers and provides an external check on this group. It requires these people to have alcohol interlocks fitted to their cars when relicensing after a period in which they have committed an offence and lost their licences. It is designed to make that break and prevent a vehicle being started by a person who has been drinking.

Under the provisions of the bill repeat offenders must always have interlock conditions when they are relicensed after a period during which their licences have been taken away, but it also provides for serious first offenders to have, at the discretion of the court, interlocks fitted if the court decides that that would be the best thing for the safety of the community. People who have alcohol interlock conditions imposed on them can only drive cars fitted with interlocks, otherwise they face serious penalties. This also becomes a licence condition.

It is a device that can be removed only when a Magistrates Court is convinced that that person has their driving under control and can be trusted to drive without an interlock. This is serious and drastic action. It is interventionist action by the government but it is in response to the serious problem in our community of repeat drink-driving.

In June 2001 the government published a discussion paper entitled, 'Alcohol ignition interlocks in Victoria', and put fairly and squarely before the community some of the concerns that are raised by repeat drink-driving. Drink-drivers cause 20 per cent, or 1 in 5, fatalities on Victorian roads. Repeat drink-drivers cause 5 per cent of the road toll, roughly 22 people are killed every year. Repeat drink-drivers also cause serious injuries to 220 road users each year and minor injuries to another 340 people. The toll on other people in the community is extremely high. In terms of cost to the community it has been estimated at about \$81 million directly. That is without any estimation of the pain and suffering of all those who are affected when a person is killed on the roads or seriously injured or suffers even minor injuries. In 1998, 3239 repeat drink-drivers were caught. That reflects many people in the community who are affecting the lives of others.

On page 9 of Victoria's 'Arrive alive!' road safety strategy document for 2002 to 2007, a graph shows drink-drivers who were repeat offenders between 1988 and 1998. I was concerned at the rise in repeat offences from 20 per cent to 27 per cent. In the period February to July 2000, more than 35 per cent of those charged with drink-driving had one or more prior convictions for drink-driving. The 10 years of data between 1988 and 1998 shows a steady rise in the proportion of

drink-drivers who had prior drink-driving convictions, but we see an even greater jump in that period February to July 2000. That 2000 figure is alarming and shows the problem is escalating.

We have to look at the problem in the context of the overall Victorian road toll. In 2001 there were 444 deaths in Victoria on the roads. Based on Victoria's population and vehicles, that is one of the lowest rates of road fatalities in the world, but it is far too high. We have an annual accident rate of 1.34 deaths per 10 000 registered vehicles. That is less than in the 1980s, but we have seen little real improvement over the past 10 years.

As was put before the Parliament at the end of last year in the 'Arrive alive!' road safety strategy, the Bracks government is committed to reduce the annual death and injury rate on the roads by 20 per cent within the next five years. As we all know, that is an important commitment on the part of the Bracks Labor government. I am sure honourable members are only too well aware that it is a commitment that will not be easy to meet, but it is one we must commit ourselves to because we cannot tolerate the ongoing increase in the road toll and the destruction of people's lives that represents.

We know we have done much over the past two decades to try to address a range of problems on the roads in relation to road safety and in trying to address the problems of drink-driving. Therefore, we have to consider the introduction of this bill today in the context of Victoria's comprehensive system, which has a significant effective deterrent on drinking and driving for the majority of drivers.

The key features of our current system are a prohibition on driving with a blood alcohol content of .05 or more, with a zero blood alcohol content for probationary drivers and taxidivers. Those who get their licences back after losing them also must have a zero blood alcohol content when driving for the ensuing three years. There is random breath testing, and the honourable member who spoke before me talked about his meetings with the breath testers over the past few weeks. That is something every driver on the road is likely to confront at different times.

There are penalties of licence cancellation in most cases where people are caught driving with a blood alcohol content over the limit. Repeat offenders have to apply to a court for restoration of their licences. Even before applying to a court for a restoration of a licence, within the current regime they have been required to complete

two alcohol assessments and to undertake drink-driver education courses.

These measures have been effective for many and have acted as a significant deterrent for the majority. But we all know there are still many drink-drivers on the roads without self control either through irresponsibility or because they have an uncontrolled dependency.

The bill introduces interlocks as a new approach to what has appeared to be an intractable problem for that group of drivers. By providing a mechanical or physical barrier to drinking and driving, the ignition interlocks are designed to prevent the repeat offender's vehicle being used for drink-driving. The most important break in the barrier to drink-driving provided by interlocks is to encourage a long-term change in the pattern of behaviour that links drinking and driving. That change in behaviour is the critical adjunct to the physical barrier created by the interlock.

The bill provides that an interlock condition cannot be removed except by a court order. The bill gives the courts wide discretion in deciding whether to remove interlock conditions, and in exercising the condition the bill asks the court to give special emphasis to assessing the risks the person poses to other road users. The interlock does not come off automatically at the end of the process. The driver will have to convince a magistrate that it will be okay for him or her to take to the roads again without the interlock as a check on his or her behaviour.

The conditions concerning interlocks will be imposed by the court that returns a drink-driver's licence and will be targeted at those people whose records indicate a serious drinking problem affecting their driving — namely, all repeat offenders and first offenders whose blood alcohol content was 0.15 or higher, which is a very high blood alcohol reading.

There are minimum periods prescribed for the various offenders who have interlocks fitted, but those minimum periods can be extended at the discretion of the court. The court can fix a longer minimum period, subject to appeal. The condition also will not automatically be revoked at the end of a minimum period, as I said earlier. It can only be removed by court order if the magistrate is convinced that the person's behaviour has changed markedly.

Alcohol ignition interlocks have been adopted overseas and are now in South Australia, so evidence is building about whether or not they are effective in reducing repeat offending. Most states in the United States of America — around 38 states — have this kind of

provision and some states of Canada do too, as well as Sweden and, as I said, South Australia. The studies that have been conducted following the introduction of an alcohol interlocks program have shown interlocks to be very effective in reducing repeat offending for as long as they are fitted — for example, a study in Maryland showed a 65 per cent reduction over a year in the re-offence rates for multiple offenders in the interlocks program.

But as we know, no control measure is perfect; there is no panacea. There will be attempts to circumvent interlocks if people are very determined to do so, but there will be penalties associated with that and measures for indicating through the service providers of the interlocks when that sort of thing happens.

The proposed model for the introduction of alcohol interlocks in Victoria is one that has been under consideration for some time. As I mentioned, there was a paper on alcohol interlocks released by the government last year, and considerable discussion has taken place in the community about what this might mean if introduced in this state. This is part of the consideration going on not only in Victoria but across the whole country. Interlock programs are an initiative identified in the National Road Safety Strategy 2001–10, released in December 2000.

Interlock programs have been endorsed by all Australian governments and have been introduced or are being trialled in a number of Australian jurisdictions, so we can expect to see a number of states moving in the same direction as we are moving in Victoria to put these programs in place. It is important, however, that we tailor the Victorian interlock program to the road safety system and the particular regime of carrots and sticks that we have operating in this state. We want to build on the strengths of our existing drink-driving regime rather than replace it.

There has been quite a lot of discussion in the other place about the cost of the interlock program for those who are convicted and are required to install an ignition interlock. One of the other key issues that has been raised in debate is the issue of access to servicing, maintaining and regular calibration of interlocks so they are accurately recording the driving behaviour of the person with the interlock.

The Honourable Barry Bishop and the honourable member for Gippsland West in the other place have raised a number of concerns about whether the program will be structured to allow people in rural areas to have access to services without extra burdens being placed on them. In view of those concerns and of concerns

expressed by the Scrutiny of Acts and Regulations Committee, and again by the honourable member for Gippsland West, about who would be eligible for concessions, there have been a number of house amendments in the bill that is before us today. I am pleased that the minister has responded so quickly and positively to the raising of those issues.

There are a number of minor house amendments and four substantive house amendments now incorporated into the bill. The first is about arrangements for installing and maintaining interlocks in rural areas, which I have mentioned. The provision in the legislation is that Vicroads must table in each house of Parliament guidelines which outline the criteria for suppliers and the arrangements for installing and maintaining approved alcohol interlocks in rural areas.

Vicroads must not approve an interlock supplier unless adequate concessions have been provided to persons of limited means. Health care card holders will be eligible for concessions, which are expected to be about \$50 a month. Other groups may also be eligible for concessions as prescribed by regulation. Therefore, there will be a legislative basis for those concessions.

The government has taken care of those issues. The bill before us is a very important but interventionist one. I note that the Honourable Gerald Ashman has indicated that the opposition will not be opposing the bill.

I also note that back in 1988 the Social Development Committee recommended that an alcohol interlock program be put in place in Victoria. The Labor government of that period was moving in that direction but that was precluded by a change of government. I note further that there have been expressions from the other side of the house that the previous government was very interested in an alcohol interlock program for drink-drivers in this state, but it did nothing about it. I am pleased that this government is recognising this as a serious problem and is addressing it by putting this bill before the house. I commend the bill to the house.

**Debate interrupted pursuant to sessional orders.**

**Sitting suspended 1.02 p.m. until 2.06 p.m.**

## MEMBERS STATEMENTS

### **Frankston and District Junior Football League**

**Hon. B. C. BOARDMAN** (Chelsea) — Last Friday I had the great privilege of attending the Frankston and District Junior Football League (FDJFL) team of the century celebration at the Frankston Arts Centre. For

the record, I was the only member of Parliament there. The Frankston and District Junior Football League decided to host this event to acknowledge the outstanding contribution made by the players to their respective clubs and their sport. Eligibility for the team of the century was from top-level footballers who had started their careers playing for a junior football club in the FDJFL.

The team boasts a goal-to-goal line of Mick McCarthy at full-back, Rob Elphinstone at centre half-back, Robert Harvey in the centre, Dermott Brereton at centre half-forward, and Stewart Loewe at full-forward, with players such as Justin Peckett, Paul Hopgood, Nathan and Ryan Lonie, current Frankston coach Robert Mace, and St Kilda champion Nathan Burke in other positions. The team is an outstanding collection of champions who started their careers in the junior league at Frankston. It is also a tremendous example of the depth of talent and achievement in the Frankston community.

I place on the record the extraordinary contribution made by both the president of the FDJFL, Ken Bartholomew, and the secretary, Alan Wicks, who for a number of years have organised and led this league that has produced such outstanding players; the team is a testament to their commitment. I commend the initiative of the FDJFL in organising the team of the century and thank all of the sponsors for making such a tremendous event possible.

### **Steel industry: USA tariffs**

**Hon. R. F. SMITH** (Chelsea) — I would like to talk about the steel industry in this country and raise a concern about goings-on in that industry with regard to the moves by the United States government to establish significant tariffs, which will have a major detrimental effect on steel producers in this country. In the early 1980s the steel industry workers in Australia underwent massive restructuring and turned our steel industry into one of the most efficient, productive and profitable in the world. They did so on the basis of the advice they got from their union leaders, in particular, and Labor leaders. It is no accident that they have become so successful.

I know honourable members opposite may have a problem with the success the unions and their members delivered to the industry. However, they deserve better than what they are getting from the federal government. The federal government should get off its backside, go to the World Trade Organisation and demand that the Americans review and remove those tariffs and allow our industry, which as I said before is the most

productive and profitable in the Western world, to operate. It deserves more.

### **Shepparton Arts Festival**

**Hon. E. J. POWELL** (North Eastern) — I wish to put on record my congratulations to the Shepparton Arts Festival board and particularly the convenor, Karin Heinz, and the festival chair, Sue Medson, on conducting another very successful festival. It was a 10-day program running from 7 March to 17 March, and it was a celebration of the arts in the Shepparton region. It had a very diverse program of dance, music, art, wonderful food and even nicer wines. I attended a number of functions including the J. Head art award, a garden walk with author Peter Timms and what we class as the cornerstone of the festival, Opera in the Orchards.

The Honourable Bill Baxter and his wife, Jan, and my husband, Ian, also attended this wonderful part of the festival. I would like to thank Ross and Daphne Turnbull for making available the beautiful garden in their orchards. The performers this year were the More Than Opera company from Melbourne, and the cabaret performers were Combo Fiasco, who have just performed in New York.

I would like to put on record my thanks to the sponsors for their help in making this year's festival such a success. I look forward to next year's Shepparton Arts Festival.

### **Oakleigh and Clayton: swimming pools**

**Hon. M. T. LUCKINS** (Waverley) — I condemn the new Labor mayor of the City of Monash, Geoff Lake, and his fellow Labor councillor, Paul Klisaris, for voting to close the Oakleigh and Clayton pools against the wishes of my constituents.

Oakleigh and Clayton are areas of high social disadvantage with a very large proportion of residents from non-English-speaking backgrounds, recent migrants and low-income earners who rely on those pools for recreation as well as fitness and wellbeing. I commend the councillors who voted against the closures and saved those important amenities for the local community, in particular families, schoolchildren, young people and the disabled who all use the facilities.

I say shame on Crs Lake and Klisaris for failing to represent the needs and concerns of ratepayers and residents and for ignoring the pleas of over 350 people who attended a meeting on the issue in my electorate on 5 March. This is just another example of Labor members' hypocrisy: purporting to be the party which



stands up for those in need and those who are economically and socially disadvantaged.

### **International Women's Day**

**Hon. KAYE DARVENIZA** (Melbourne West) — I would like to draw the attention of the house to the outstanding achievements of Ms Maria Dimopolous and Ms Liz Jones, two women who reside in Melbourne's west. Ms Dimopolous and Ms Jones have, as part of the International Women's Day celebrations, been inducted to the Victorian Honour Roll of Women where they join another prominent western woman, Ms Melba Marginson.

Maria Dimopolous is an activist who works to promote women's rights and eliminate domestic violence. In addition to her professional activities, Maria is active in many community groups that seek to address the issues confronting migrant, indigenous and refugee women. She is committed to breaking down segregation wherever it is found within the Australian community.

Liz Jones is an actor, director and innovator in Australian theatre. She has been a major contributor to the development of the distinctive Australian dramatic voice through her long association with the experimental La Mama theatre, of which she is both artistic director and chief executive officer. Through her chosen medium of theatre she explores the cultural and social concerns of both mainstream and minority Australia.

I extend my warmest congratulations to both inductees. It gives me great pleasure to see that the outstanding achievements of those women are recognised as they deserve.

### **Country Fire Authority: Eumemmerring Province brigades**

**Hon. G. K. RICH-PHILLIPS** (Eumemmerring) — I acknowledge the very fine work done by the Country Fire Authority brigades in Eumemmerring province, particularly during the time of the New South Wales bush fires. Eumemmerring is fortunate to be served by 28 CFA brigades, of which 27 are manned by volunteers. Each township in the province turns out a brigade.

The brigades are a testament to the local communities they support. It is remarkable that even small townships like Bunyip and Tynong are able to turn out brigades. They are supported by their auxiliaries and more generally by the local communities in which they are based because the communities realise the important role that the brigades play. During the New South

Wales fires, three brigades sent tankers and many more sent volunteers, while the remaining volunteers were available in the province to support their local communities in the event they were needed.

Being a volunteer firefighter is a dangerous undertaking. We must remember that the Narre Warren fire brigade tragically lost six of its members during the Ash Wednesday bushfires in Upper Beaconsfield in 1983. The CFA brigades in Eumemmerring make a contribution not only in firefighting but also in other areas by supporting the community. The volunteer firefighters in Eumemmerring deserve our support and thanks.

### **Bendigo: public land access rally**

**Hon. P. R. HALL** (Gippsland) — I would like to inform all honourable members of a major event taking place in the city of Bendigo this weekend. It is a public land access rally where thousands of Victorians are expected to rally to voice their joint concerns regarding the continued lockout of traditional activities from public lands in Victoria.

Attending the rally will be prospectors, miners, timber workers, apiarists, recreational shooters, farmers, four-wheel drivers and many others who use public lands for both recreational and commercial purposes. Those people are frustrated at the continual denial of legitimate access for their activities to many areas of public land in Victoria. Further they have some immediate concerns with the potential to lock up more public land with the proposed box-ironbark parks and the establishment of marine parks around the coast of Victoria. They believe politicians are not listening and so I encourage all members of this house to make themselves available to come to Bendigo on Saturday. The rally starts at 11.00 a.m. at the Bendigo railway station and I am assured that honourable members will get a lot of benefit by coming and listening to the legitimate concerns of public land users.

### **Bruce McDonnell and Dean Mighell**

**Hon. J. M. McQUILTEN** (Ballarat) — I am here today to say farewell to two people. The first is my uncle, Bruce McDonnell, who was the Clerk of this Parliament from 1969 until 1983. He was a wonderful man and a great friend to me as a young man.

The second person I have to say farewell to is Dean Mighell, who does not understand the true nature of the Labor Party or that true believers are still in the party and will stay in it. They do not come and go, and come

and go; they stay. I believe Dean is not green; he is just green with envy.

### **Springvale Road: safety**

**Hon. B. N. ATKINSON** (Koonung) — I wish to discuss a problem about Springvale Road in the electorate of Koonung Province and the Mitcham electorate in the other place. Springvale Road suffers considerable congestion and difficulties with road safety, particularly where it intersects with the railway crossing at Nunawading. The Whitehorse City Council has sought engineering advice on whether it is possible to lower the railway line from Laburnum to Heatherdale to eliminate level crossings on Middleborough Road, Blackburn Road, Springvale Road, Mitcham Road and Rooks Road, which would improve the traffic flow of the north–south roads and eliminate considerable congestion points as well as road safety hazards.

On a number of occasions the minister has indicated to this house that he has some interest in this proposal, yet nothing is forthcoming in terms of what work may have been done to assess the engineering proposal and for the government to make a commitment to it. I urge the minister to make a proper evaluation of this proposal and advise the council accordingly.

### **Yarra: voting system**

**Hon. G. D. ROMANES** (Melbourne) — Last Saturday in the Yarra municipal election the result in McKillop ward highlighted once again the undemocratic nature of the voting system for multi-member wards inflicted on the people of this state in local elections by the current opposition parties.

The Greens candidate, Greg Barber, achieved 50.29 per cent and therefore deserved to be elected. Annabel Barbara and Geoff Barbour, both representing Community Labor, polled 22 per cent and 16 per cent respectively. The second Greens candidate, Debra di Natale, polled 6 per cent of the primary vote but was duly elected as the second councillor for the ward after the distribution of Greg Barber's preferences.

*Honourable members interjecting.*

**The PRESIDENT** — Order! I cannot hear the honourable member. I ask the house to settle down and allow the member to finish her contribution.

**Hon. G. D. ROMANES** — I benefited from the system unfairly in 1991 when I was elected to a three-member ward at Brunswick council with 9 per cent of the vote despite being on the bottom of the

Labor ticket, while the person at the top of my ticket received 36 per cent of the vote but was not elected. Former Labor governments tried to change the system to a proportional representation system in 1989 and 1991, but it was blocked by the Liberal and National parties in the Legislative Council. It is time for the opposition parties in this house to extend their newly discovered love of democracy to local government elections and to support proportional representation for multi-member wards.

### **Australian Speak Easy Association**

**Hon. K. M. SMITH** (South Eastern) — I had the great pleasure this week to open a conference for the Australian Speak Easy Association, an organisation set up to help people who stutter. The conference itself was extremely interesting and many people work extremely hard to overcome the difficulty they have with their speech. The Speak Easy association is a not-for-profit organisation and recently it has just appointed its national director. Her remuneration is being paid for by members. I ask the government to support the organisation, because it is prepared to help itself which it has done for the past 10 years, but it should get some help to assist people to stop stuttering, which is a difficult speech impediment to overcome. Many people belonging to that organisation are prepared to help people with this difficulty. I would be pleased to speak to the minister and honourable members about the Speak Easy organisation and provide them with the information they need.

## **ROAD SAFETY (ALCOHOL INTERLOCKS) BILL**

*Second reading*

**Debate resumed.**

**Hon. W. R. BAXTER** (North Eastern) — I am pleased to contribute to this debate, but I should start by saying to the Honourable Glenyys Romanes, who attempted to suggest to the house before the suspension of the sitting that the legislation was a new-found initiative of the Labor government and that it was trailblazing, that it ought to be noted that the former Social Development Committee of this Parliament delivered a report on alcohol interlocks in 1988. When I was the Minister for Roads and Ports in the former Kennett government a lot of work was done on interlocks.

I remember going to Alberta in Canada to look at the system over there. Although I believed it had a useful

role to play in adding to the suite of measures to do with drink-driving, the system that operated in Alberta had a number of defects and a lot more technological development needed to be done. I understand my successor in the roads and ports portfolio, Mr Craige, prepared legislation that would have come to Parliament if the election had not been called when it was in 1999.

I know other honourable members, including Mr Ashman, who was a member of my policy committee, looked at interlocks in various places throughout the world. It should not be put on the record that somehow the Labor government was trailblazing with this legislation. What has transpired in the interim is that the technology of interlocks along with the technology on a range of similar measures has improved immensely so that it is now a viable proposition to introduce these instruments as another arm in our weapon to fight the scourge of drink-driving.

In talking about my dealings with this issue during my ministerial career, I have to say that it was the only time as a minister that I felt I was being unduly pressured by a lobby group and a manufacturer. Perhaps that was one of the reasons why I did not move as quickly as I might have because the Drager company, which saw itself as being the monopoly supplier in this country, thought that somehow or other it could pressure me to the extent that I would dance to its tune. It had the reverse effect. It made me much more concerned about what they were proposing and caused me to undertake more investigations than I might otherwise have done and to hasten slowly. It ought to be noted by the company that that is not the way to deal with governments. I do not know whether the same chief executive officer is still involved in the company, but if he is he might take note of my advice.

It goes without saying that one of the frustrations that people in the community, the Transport Accident Commission, the medical profession, the police force and parliamentarians have as legislators, is that despite all the concern about road trauma, despite all the education taking place about the dangers of drink-driving and how even low levels of alcohol can affect one's judgment and impair driving skills, we still see in our community a significant number of road fatalities where alcohol plays a significant and probably in most cases the dominant role in causation. It is even more frustrating when one studies the statistics to note that many of the people so involved and apprehended for drink-driving are being so apprehended and appearing before the courts for the third and fourth time. That conveys to me that the problem is endemic and that those people are over the limit hundreds of

times, because the fact is you do not get caught every time you are over the limit. So if you are being caught three or four times, it is fair to draw the inference that you have transgressed many times indeed.

I notice that my country newspapers fill their columns by reporting in detail each week proceedings of the local Magistrates Court. It makes for depressing reading when you see so many people appearing before those courts on drink-driving charges for the third or fourth time. There is no doubt that the emphasis on the danger of drink-driving has impacted heavily and appropriately on social drinkers, those who probably never transgress and certainly would not drive if they thought they might be over the limit, but somehow or other it has yet to seep through to the consistent and regular offender.

It is on that basis that the National Party is prepared to go along with the legislation as another measure that might go some way to arresting the incidence of drink-driving and ameliorating it in our community. We do not see it as a panacea. I do not think the government is suggesting it is a panacea, but we certainly believe it is an option that should be available to the courts. I know some say, 'Well, it won't work, they will get someone else to blow in the machine'. So they might, but what is the likelihood of that happening? I would say that if you were a passenger in a car and you were to blow into the machine to start it you would need to be sober and therefore would hardly be likely to blow into the machine to enable a drink-driver to drive you as a sober passenger.

Similarly, if you were someone on the street you would hardly be likely to blow into a machine to start a car for someone who was clearly not sober, to whatever extent, yet you yourself would need to be sober in order for the machine to allow the car to start. I do not think there is a particular risk that we will have that sort of circumvention. We may have the circumvention that Mr Ashman referred to in that some of the smart alecs around the place do their best to circumvent the wiring of a car or the like. As Mr Ashman also acknowledged, the technology of these machines has become so sophisticated that it will be much more difficult to do that in any event. I do not agree with those who suggest that it is not worth going down that track because people will be able to get around it. I do not think they can to any great degree, and clearly the penalties should be harsh for those apprehended in so doing.

One of the concerns I would have as someone representing country Victoria — I know this was a particular concern of my colleague the Honourable Barry Bishop who would have been speaking on behalf

of the National Party had he been able to be here today — is how it will impact on country drivers who lose their licences and opt to have an interlock fitted, bearing in mind that they need to be recalibrated regularly, and probably monthly.

There was a suggestion in another place, during the second-reading debate or in the briefing, that such persons might be required to drive up to 150 kilometres to have their interlocks recalibrated. That is a round trip of 300 kilometres. That is grossly unfair. I am aware that some consideration was given to this in another place, and that there are some requirements now to be placed upon the suppliers of those machines to provide a better service to country participants. That is all well and good, and I hope it transpires, but I am concerned about it. I am also concerned about the concessions that will be made available for health card holders — that it is not the government that is underwriting the provision, it is other users of interlocks.

I have some difficulty with the concept that the government should take that decision that it will provide a subsidy to one class of drink-drivers but require other drink-drivers to bear the cost of the concession being provided. That should be thought through a little more. I have a great deal of difficulty with the concept that a person who can afford to indulge in alcohol consumption should be entitled to some concession if they are caught simply because they are health card holders. There does not seem to be any logic in the argument that they should be treated more leniently than some other offender because they have a health card. To me it is a juxtaposition, an inconsistency and one that I do not subscribe to.

I know also that interlocks will not be taken up at all or very much by our most recidivist offenders because many of them will not consider the monthly leasing cost and the recalibration cost to be worth it. They will do whatever they are doing now — that is, when their licence is suspended they will simply ignore that suspension and continue to drive. What concerns me also is that we have in the community a group of people who are prepared to thumb their noses at the law and simply disregard a licence suspension. If you study the statistics you will see that a large number of people continue to drive after their licence has been suspended, for whatever reason, usually for drink-driving. It seems to me that they will continue to do that. The legislation will not overcome that problem.

So far as I am concerned, the law should come down heavily on people who drive when their licence is disqualified. The companion often is that they are driving an unregistered and uninsured vehicle, and in so

doing they are not only exposing themselves to great danger and risk but also putting at risk, not only in terms of injury but in particular financial risk, other motorists on the road. I have no truck with anyone who is prepared to disregard the rights and the welfare of their fellow citizens by driving an unregistered and uninsured car. I do not think enough has been done to get the message across to drivers, nor do I think the penalties that the courts are handing down in those instances are sufficiently severe to get that message out.

Again alluding to the court reports that I read in the newspapers, increasingly disqualified drivers are appearing before the courts and getting little more than a slap over the knuckles, and off they go and do it again. The experience elsewhere has been alluded to by other speakers, as has the work that was done by the former Social Development Committee. The increasing sophistication of these machines make it an appropriate time for them to be introduced in Victoria.

I believe they will be taken up to a relatively minor degree because of the cost involved, but they at least provide another option both for the offender and for the courts, and they at least provide an option for country people charged with driving over the limit, and therefore subject to licence disqualification, to keep their motor vehicle, bearing in mind that it is somewhat more important to have access to a car in country Victoria where there is an absence of public transport than it might be in the metropolitan area.

It is another option that can be employed. To that extent it is valuable. Whether it will have any effect on rehabilitating people with drinking problems I cannot say. There is some evidence that it may have that effect, but it is inconclusive at this stage. If it has that spin-off then that is an advantage along the way which we will all endorse and applaud.

The National Party is prepared to give its sanction to the legislation. We certainly do not see it as a cure-all but we see it as a valuable addition. We trust that it is introduced sensitively. We look forward to its application across the state, metropolitan and country, being applied as evenly as possible so that there is no disadvantage occasioned to those people who happen to be, by remoteness, somewhat further away than people who are being similarly dealt with in the metropolitan area.

**Hon. ANDREW BRIDESON** (Waverley) — As I am probably the 24th or 25th member of Parliament to speak on this bill, I do not wish to go over what previous speakers in both chambers have said, except to say that the opposition certainly does not oppose this



important piece of legislation. I really wanted to draw attention to a couple of issues of concern to me, but Mr Baxter has just wiped another one of those points off my sheet — that was the one about concessions.

On that issue perhaps I will just say that the opposition is concerned about the fact that penalties for health care card holders will be subsidised. I trust that that will stop with this piece of legislation and will not be transferred to other pieces of road traffic legislation in the future. It is something the government needs to monitor carefully, and we in the opposition will certainly be keeping a close watch on that.

The second-reading speech on the Road Safety (Alcohol Interlocks) Bill starts off with the fairly powerful statement that drink-driving continues to be a scourge on the community that takes and ruins many lives, causing economic loss and an untold amount of grief and emotional distress. That could not be better demonstrated than by a small article on page 19 of today's *Herald Sun*. In the article Mr Brian Peterson of Epping tells in a quite moving way how almost six years ago they lost their eldest son and one of his best friends, who were both 21 and who were cut down in the prime of their lives by a drunk female driver. Mr Peterson says this driver was almost four times over the legal limit several hours after the accident had occurred. She had a magistrate as a character witness. For her sins the driver received only six months in prison, which is, as Mr Peterson says, 'only three months a life'. It made him wonder just how much a life was really worth. He went on to say that the sentence was not even served in a prison; his description was that it was served:

... at one of the country motel-style prisons, which was more of a holiday than a prison.

I trust these sorts of stories will not be published so frequently in the future as a result of the introduction of this legislation.

Perhaps the major issue I am concerned about with this bill is that, as is stated in the second paragraph of the second-reading speech, the bill provides another tool for fighting drink-driving. I certainly concur with that — but the second-reading speech goes on to say that it is one directed at prevention rather than punishment. The speech goes on to say:

The purpose of a minimum interlock period, whether required by the legislation or fixed by a court, is to facilitate rehabilitation ...

Towards the end, under the heading 'A new approach, minimising harm', the speech states:

This bill is not about punishment but harm minimisation and rehabilitation.

What concerns me is that I do not believe there is any mention in the bill of rehabilitation programs. It seems to me that in this legislation the courts should have been given the discretion to impose compulsory education and rehabilitation programs. I am not a lawyer, but if the courts already have that discretion under the Road Safety Act, I would urge all courts — all magistrates and judges — to consider forcing people to attend such rehabilitation programs. I think there is a great expectation in the community today that punishments for drink-driving be as harsh as possible, and I can only urge courts to meet that community expectation.

I received a visit from a businessman from my electorate who came to talk about — totally unrelated to this piece of legislation — drink-driving rehabilitation programs. The gentleman is Mark Kelly, a director of a private company called The Kelrick Group Pty Ltd that has been formed to assist the community to set up programs for drug and alcohol offenders. There are three companies in the group: The Kelrick Group Pty Ltd; CATS Drink Driver Education, which is a subsidiary of Kelrick that conducts government-accredited education programs for drink-drivers after they have been convicted and, according to Mark, assists some 1200 people every year; and the Victorian Association of Drink Driver Services, which is an incorporated industry association that acts as a central networking consultative body supporting drink-driver education programs.

Because of the company's involvement in drink-driving programs it has kept some statistics on its clients. Its research has led to major concerns about the rate of repeat offending by drink-drivers. Its research mirrors the international research that previous speakers have referred to — certainly the Honourable Glenyys Romanes mentioned that research. After examining more than 7000 cases involving its clients it found that between 1992 and 2000, 31 per cent of them had a second or a subsequent offence for drink-driving. From memory the Honourable Glenyys Romanes said that a Maryland study showed a 35 per cent occurrence of a second or subsequent offence. Obviously this is far too high. But what are we really doing in our education and rehabilitation programs?

Currently a person who is convicted of drink-driving must undergo an 8-hour compulsory drink-driver education program. But according to this company that program is not designed in any way whatsoever to change the attitudes or behaviour of drivers. It says that

while it might be suitable for first offenders, it is certainly not suitable for the recidivists.

The company has developed a new, advanced program. It is important to mention to honourable members what this program is so that if they have any inquiries from constituents, police or others they may be talking to they can say that the program is definitely available. In the advanced program clients will be required to attend 12 sessions of 2 hours over a three-month period. The program will incorporate the 8-hour education program required by the Road Safety Act but will also include topics aimed at changing attitudes to alcohol consumption.

Anybody who has read about those who misuse alcohol regularly will know that these people often have mild or more serious forms of mental disorder, emotional problems or issues that have not been addressed in their lives. This company will include elements of stress management and anger management techniques, which will assist recidivists in particular in overcoming their serious drinking problems. The clients will also be required to keep diaries of their drinking and greater emphasis will be placed on drug and alcohol assessment as well as some psychological testing. But the company says the key to their program will be the application of an intensive case management technique, which has been missing to date. Many people will need a case manager to guide them through the program and to assist them with any attitudinal changes. It is only if we can change the attitudes and behaviours of the recidivists that we will have success.

There is plenty of international research to back this up, particularly from Alberta and Ontario in Canada, and also from Sweden. Interlocks work best when combined with probation or treatment, such as counselling or medical monitoring. The alcohol and interlocks discussion paper was put out by the current government in June last year and cites this research.

I would like the government to closely monitor the implementation of this legislation, to perhaps become aware of these programs and to ensure that knowledge of these programs is brought before the courts so that recidivists in particular can undergo intensive rehabilitation programs so that the community will eventually benefit from the changes we can make to the behaviour of such drivers. That is what this legislation is all about.

Mr Baxter spoke very well on the fact that, while the opposition welcomes the government's implementation of this legislation, it has been on the drawing board for a long time. On Tuesday this week I mentioned that it

again shows that legislation develops from our committee system. The Social Development Committee of 1988 needs to be commended for its foresight and it is a great shame that this has taken such a long time to come to fruition, but at least it has happened.

In conclusion, I put on record my appreciation of and thanks to the two gentlemen from Vicroads who briefed the opposition. It was one of the best briefings I have experienced and it sets the bar very high for other departments. I thank those gentlemen and wish this legislation a speedy passage.

**Hon. S. M. NGUYEN** (Melbourne West) — I would like to make a contribution on the Road Safety (Alcohol Interlocks) Bill that is before the house. It is a step forward in what the Bracks government is trying to do to protect the community. This bill implements a new way of controlling the people who have problems with drink-driving. Drink-driving costs our society a lot of money because we have to employ extra police to do alcohol tests and employ more people in hospitals to look after those injured or killed in car accidents.

The bill is designed to stop and make it harder for drink-drivers to use cars. The developers of this bill have carefully looked at many alternatives and options about how we can stop drink-driving. There have been many community education programs in the past to try and stop people from drinking and driving. Many sponsors of sporting events and other major events have supported advertising campaigns, such as the .05 drink-driving campaign. These campaigns have tried to make people think more carefully when they turn their cars on and when people's lives are in their hands.

The program has had some but not total success. There are still many car accidents on our roads every day, and every evening on the news you can see accidents where people have been killed. Although all these accidents cannot be attributed to drink-driving, 20 per cent of fatalities are caused by drink-drivers each year. Repeat drink-drivers cause 5 per cent of the road toll, which is roughly 22 fatalities each year.

Repeat drink-drivers also cause serious injuries to 220 road users every year and minor injuries to another 340. That was mentioned in the 2001 discussion paper, 'Alcohol ignition interlocks in Victoria'.

In the period February to July 2000 over 35 per cent of people who were charged with drink-driving had one or more prior convictions for drink-driving. These figures indicate there are hard-core drink-drivers who are not responding to the current enforcement measures but

continue to reoffend. The report clearly outlines that drink-driving costs the Victorian community a lot of money and causes many deaths and injuries.

The bill goes further than just community education. It is not just about taking away licences for 12 months or 6 months because some people cannot control themselves, they cannot say no to alcohol, they keep drinking and then at the end of the night they drive home. Many are drunk and no-one knows what might happen. They could kill themselves and they could kill other people on the road. Every Friday and Saturday nights there are police cars everywhere trying to control the roads and making sure drivers are aware they cannot get away if they are drinking and driving at the same time. It has stopped a few but does not stop others.

Random breath testing is carried out in many places around Melbourne, especially on hot summers days, days on which there are major events, or the weekends when people will drink. Many people lose their licences but they still drive a car. They take risks, and some get away with it, some do not. They get a higher penalty every time they go to court.

Repeat offenders is an issue. How can we stop people from reoffending? The government had to think of ways to stop that happening again. I am sure many family members of drink-drivers have told their fathers or their husbands not to drive a car when they are drunk, but that advice is not listened to and is a concern for families. Quite a few members of families have told me things like, 'I cannot control my husband and I worry about his life'. No-one can stop the person, but this legislation will give the driver more responsibility. We will do anything we can to make sure they cannot use a car. It is a complicated issue and there had to be plenty of checking and plenty of time spent keeping an eye on drivers.

The installation of an interlock into a car will mean the driver has to blow into the machine before they start the engine because the interlock will connect directly to the car. The driver will have to use the interlock machine before they can use the car. The interlock will be a machine to control everything. People have to have zero blood alcohol content and they have to be very controlled before they can use a car.

This is a new system and many Victorians are not aware of how effective the program will be. Some people in our community will reject it and say they do not want to use it: 'It is complicated, it will cost me more money, it is a headache'. They want to refuse to use it but they have no choice. There is only one way

they can refuse it and that is by not driving the car at all. If they do not know how to use the interlock system and they are thinking of using the car, they are thinking of driving around, they have to learn how to use it.

Interlock conditions will be imposed by the courts. When people have finished their suspension period they will be forced to install this interlock. The court will have the ability to penalise someone who tries to remove the interlock. Some people will try to get away with using some sort of electrical system to remove the interlock so that no-one will know when they are driving the car. Police will keep an eye on the cars of drink-drivers. There is no choice for drink-drivers: they have to use the interlock machine.

I know there is some concern about the cost. I am sure there are some people who cannot afford to spend a lot of money to fix their car. At the same time they have to pay insurance, third-party registration and then they have to pay for an interlock. But there is something that will help them reduce the cost. I am sure the providers will do anything they can to meet the demand. The government will encourage the providers to have a special concession for those who hold health cards. Many people can afford it but some people cannot afford to hire or buy the interlock system.

Some honourable members representing country electorates are concerned about there not being the providers in some country areas, and that it will be easier for the metropolitan driver to buy this machine.

However, people who live in small towns in some country areas do not have access to many services. We need to encourage the providers to establish more services in many parts of Victoria.

Other honourable members have described the provisions of the bill. The provisions will be complicated for many Victorian drivers. When it is first implemented people will complain and say, 'I am not aware of the program, I have a problem with it'. Many Victorians have been concerned about the road toll and have asked ministers and Parliament what could be done to provide better services.

City Link is a good example. People still do not know how to use it. Some people who rarely drive may get caught without a pass when they drive on City Link; the first they know of it is when a penalty notice arrives in the mail. The government will do everything it can to ensure people have the opportunity to learn more about the current system.

The bill will make it easier for drivers who are careful on the road. Drivers will feel safer on the roads. The

incidence of drink-driving should be less. Some Victorians who may be on drugs pose a danger on the roads. Not long ago the house debated legislation that imposed heavy penalties on those convicted of driving while affected by drugs. Many Victorians felt the roads were unsafe and the government should do something about it.

The principle of the bill concerns prevention rather than punishment because when you punish people it is because they have already made mistakes or done something wrong. Prevention is a means of harm minimisation. Honest people can make a mistake. The legislation is aimed at stopping people being killed on the roads. Car accidents are often caused by drink-driving. Prevention is a better method of protecting the community and making it a safer place to live. Especially during peak hours car accidents can occur on the freeways, side streets or any road or street. Car accidents cause traffic jams and inconvenience many people, including other drivers. The message we should send to Victorian drivers is that the government aims to ensure people drive carefully — not over .05 — and to reduce road accidents during peak hours.

Many football and sports clubs are sponsored by the government — for example, there is an onus on not exceeding .05 blood alcohol content (BAC) and the popular slogan ‘If you drink and drive, you’re a bloody idiot’. We want to reinforce that slogan throughout the community. The government will continue to do anything it can to make Victoria a safe place to drive. We have to reduce the number of deaths on the road. Once the interlock program is adopted I hope the statistics about deaths on the road will show an improvement in road safety.

The cost of the health care card is about \$50 a month; it is not expensive. The installation cost of the machine in your car will not be excessive and will be worth every cent because it will save the life of the drink-driver and innocent people. The installation of the machines will lead to a saving in costs to police, hospitals, ambulance services and families.

I conclude by saying that this interlock concept is fantastic. The government believes prevention is better than punishment. We believe saving lives should be the no. 1 priority for any government. We believe the law should impose stronger penalties on drink-drivers. I support the bill.

**Hon. C. A. STRONG** (Higinbotham) — As has been said by other honourable members, the opposition does not oppose the bill. However, two major deficiencies in the bill should be brought to attention

because at least one deficiency could be improved; perhaps the government could think about it.

I will deal with those deficiencies quickly as one who has some personal experience in this matter, having lost my licence some time ago for having been over .05 blood alcohol content (BAC). I have personal experience in this subject. I do not just talk statistics; I can understand the issues fairly well.

I will look at the two issues. Frankly, the bill will have very little impact on the people it is aimed at because those people who are chronic drink-drivers and who have lost their licences once or twice simply ignore all the rules. They may have lost their licences for 12 months; they reoffend; they lose their licences again and may be on two-year suspensions, or they lose their licences for five years. A motor car is such an important thing for members of our community today: they cannot do without it. People in the circumstances I have mentioned simply drive without a licence.

If you have lost your licence for 5 years and are going to lose it for 10 years if you get caught again, that is absolutely no disincentive at all, because if you lose it for 10 years, what the hell, you might as well lose it for 20. It does not really make any difference.

So once a person has offended repeatedly and lost their licence for any reasonable length of time they just work outside the law, and you can understand why. Previous speakers have alluded to that. The Honourable Bill Baxter alluded to the fact that many people are outside the law in that they drive unregistered motor vehicles and simply hope not to get caught. Then if they are caught they get a slap on the knuckles and lose their licences for another couple of years — but what does it matter? They just keep driving. They get a fine, but does that really matter? To so many people a motor car is a necessary part of life, so they just pay the fine. The penalties, frankly, do not stop repeat offenders from driving.

I refer to my personal experience. I went through one of those training courses you have to go through before you get your licence again. I think there were about eight people on the course I was on, and only two of us were first-time offenders — me and one other. The rest had been through it all before and were sitting there yawning, but they had to do it to get back to the magistrate. No big deal, pay your money, it is all part of the process. It is no disincentive at all.

Putting an interlock onto the ignition is going to make no difference. People with an interlock on their car have options: they can get someone else to blow into it or



they can drive another car that does not have an interlock. You can say, 'Hey, kid, would you mind blowing in here? Here is a dollar', and away you go. The truth of the matter is that for these serious cases of people who have lost their licences twice or more these provisions will make no difference. Such people break the law now.

**Hon. C. C. Broad** interjected.

**Hon. C. A. STRONG** — The minister says the people helping them to break the law are also breaking the law, and that is true, but in the world we are in I do not think that will be a problem. People will find a way around the interlock or they will drive a car without an interlock. All I am saying is that these repeat offenders are chronically breaking the law now, and this legislation is just offering another law that they will also break.

The Honourable Glenyys Romanes quoted some statistics to the effect that over 35 per cent of people charged are repeat offenders. That is true. Once those people have got the maximum penalty they just keep going. I really just want to make the point that for the chronic repeat offender the legislation will not make one jot of difference.

But the bill misses an opportunity. Interlocks could be a very significant, positive benefit and could serve a useful purpose. The bill says you cannot use the device if you are a first-time offender unless you have registered over 0.15, which is very, very serious. In many cases we could say to people who are caught for less serious breaches and who make a commitment not to be caught again — and I am one of those: I have made a commitment not to be caught again and do not intend to be caught again, but a great many people are not in that category — rather than exacting a very significant penalty like loss of licence for 12 months, 'You are going to lose your licence for nine months and then for the following six months or nine months you are going to be on an interlock'. Interlocks would be a very significant incentive to encourage people who really intended to obey the law but were caught and do not want to do it again to behave.

I repeat, what I have found when talking with many of the people at those courses is that to lose their licences for 12 months is such a burden on their whole way of life that they simply cannot comply. They may be subcontractors or in any sort of business that needs a motor car, or they may be living in the outer suburbs and desperately need a motor car. They simply have to drive, so they take the risk and break the law. They get caught for driving without a licence and they are back

again. This time they lose their licence for two or three years and they are absolutely caught. They cannot comply, so they break the law again. They might not even be caught for drink-driving, just for driving without a licence, because it is impossible for them to manage their lives for 12 months without a motor car.

If you could provide a system for those people, one that would allow you to take their licences away for a shorter length of time but also ensure that they did not drink-drive, you would be creating a significant community benefit, and imposing an interlock condition on them could do that. If you did that you would be stopping the people who really do not intend to become chronic drink-drivers or chronic unlicensed drivers from falling into that trap. As I have said, many of those people live in the outer suburbs where being without a licence for 12 months is basically impossible, so they take the risk.

If we can provide something like the interlocks that will stop them being drink-drivers, we will have achieved something that will have a big effect on the number of unlicensed drivers and uninsured vehicles on the road. I urge the government to think seriously about using these interlock devices for lower level first-time offenders so they do not move into the higher category of offenders. I repeat: once they are in the higher category of offenders, they just disobey the law whatever it is. With that small contribution, I am happy to support the bill.

**Hon. A. P. OLEXANDER** (Silvan) — It is with pleasure that I rise to support this bill; obviously the opposition is supporting it and there is very good reason for that. This initiative was part of the Kennett government's legislative program as outlined in its road safety agenda towards the end of its term but obviously it was not implemented at that time. The Bracks government has been considering this legislation for two years and the opposition believes it is high time the government moved to do something about this very serious road safety issue, particularly in terms of alcohol-related offences.

A significant amount of work was done by the previous government in understanding the mechanisms available to it in the technological area and it had received a significant amount of feedback as a result of its inquiries. I would like to range over some of that if I can. The Australian Road Transport Council, a peak body with a very high reputation in this area, has long argued that the introduction of alcohol interlocks as a sentencing option, an administrative sanction or a relicensing requirement for repeat drink-drivers is worthy of active consideration by government. It has



promoted voluntary fitting of interlocks for some time. It has also pointed out that these might require the driver to submit to breath testing only when the system senses alcohol near the driver.

It does not end there. Vicroads has also argued very strongly in favour of a proposal such as this for some years. It has recommended that interlocks be introduced due to the success they have enjoyed in countries such as Canada and the United States of America. A study in Maryland in the United States showed a 65 per cent reduction in reoffending rates for multiple offenders in the program run there over a single year. That is a very significant reduction. Vicroads has pointed out that a recent study in Quebec, Canada, found a 74 per cent reduction in reoffending rates for repeat drink-drivers over two years.

It is particularly salient to note that in a discussion paper titled 'Alcohol ignition interlocks' the Vicroads safety department found that:

Alcohol ignition interlocks attempt to break the link between drinking alcohol and driving, both immediately for the time when they are fitted, and possibly in the longer term following their removal.

...

... interlocks promote a pattern of behaviour where the driver does not attempt to drive after drinking.

That is because they force drivers to find alternative transport when they have been drinking. The article further said:

There is evidence that interlocks work best when combined with probation or treatment such as counselling or medical monitoring.

All these things are true and they have been on the public record for some time. Obviously the previous government took these points on board when it put significant work into the development of a proposal like this. Some two years and a couple of months later we finally have a bill before the house and the opposition welcomes its belated introduction.

Alcohol is obviously one of the major causes of road accidents in Victoria. Approximately 400 people are killed on our roads each year. If we break that down, about 80 of those deaths are caused directly by alcohol — about 20 per cent of the total figure. That is significant in anybody's language. A further breakdown shows that about 20 fatalities involve a drink-driver who has been convicted of a drink-driving offence in the past — they are directly attributable to repeat offenders. That is the crux of the issue and this bill aims to address that problem. I add that serious injuries that

do not result in fatalities amount to something like 220 per year.

When you have those sorts of statistics you have to consider the effect this will have on the lives of the individuals involved, on the lives of innocent people and their families and friends. There is a huge amount of social dislocation as a result of these accidents. There is enormous economic loss which has been quantified. The grief and emotional stress encountered by the individuals involved and those who are left behind should not be understated.

The aims of the bill are prevention over punishment — a very sound objective — and to improve road safety by putting alcohol interlocks into the vehicles of repeat offenders and first-time offenders with extremely high blood alcohol contents. The interlocks are designed to prevent a vehicle from being started by somebody who has been drinking. The driver of a car fitted with an interlock must provide a breath sample and prove that they are sober in order for the car to start. This bill provides that interlocks should be fitted in the cars of all repeat offenders who regain their licences and first-time offenders with blood alcohol contents exceeding .15 — three times the legal limit of .05.

It is important to say that convictions that are more than 10 years old will not be counted for the purpose of treating a person as a repeat offender. The interlock condition is to be imposed on a driving licence so the licence is only valid in a car fitted with an interlock. The interlock is to remain in the vehicle until a court approves its removal. There are minimum periods provided for that in the bill but the court can fix a longer period if it sees fit; there is discretion at the court level if that should be seen to be the appropriate thing to do in all of the circumstances. Under this bill problem drink-drivers would remain on interlock after the minimum period has expired until they can convince a court that they can be trusted on the roads. The onus for the removal of the interlock is on the offender himself. The opposition certainly supports the thrust of the bill in that respect.

The purpose of the bill is to facilitate rehabilitation. A rehabilitative rather than a punitive approach is something this state has required for some years. It also aims to enable a reliable assessment of any long-term differences in the offender's behaviour so that once convicted does not mean always convicted. In a sense it means there is the opportunity for the person to change their behaviour patterns and possibly their attitudes to drink-driving. Once that is demonstrated, the bill allows for rehabilitation onto the roads without an interlock device.

Repeat offenders do not require an alcohol assessment to regain their licence after the disqualification period, but assessments will be required for the removal of the interlock condition, which seems a sensible move. Again it is supported by the opposition. The applicant would also have to provide a report from an approved interlock supplier at least after six months use of the interlock.

The bill creates a new offence of driving in breach of an alcohol interlock condition, which means driving a vehicle not fitted with an approved interlock or breaching the law in any other way. The penalty for that can be quite serious. There is the option of imprisonment or immobilisation of the vehicle used.

The interlocks themselves tend to be a point of controversy and have been discussed at length in committees and in other places in this Parliament prior to the debate today. The bill provides that they be paid for by the offenders themselves and they can be bought or leased. The costs relevant to this would be installation and the monthly lease. Also the interlock requires calibration at regular intervals during its lifetime or use and the removal costs from the vehicle should that occur. Cost barriers on any grounds at all would not be an excuse for convicted drivers who have had an order for an interlock.

A concession will be made available for those who carry health care cards. The opposition understands that concession will be around \$50 per month. It is my understanding — and perhaps the government could clarify this point — that this \$50 subsidy would come directly from the interlock fees of other drivers who have had to have interlocks fitted rather than from general revenue so that it is cost neutral. I hope that is the case because I do not believe the community at large should or would accept being financially penalised through taxes or revenue to subsidise people who require an interlock due to their own irresponsibility.

There is the option to spread the costs so that the lump sum does not become a burden. It is not yet determined exactly how much the interlocks will cost but it has been estimated, based on the South Australian experience, that about \$120 a month is realistic, or \$1300 to purchase a unit in a lump sum payment. It is also heartening to know that there will be a review of the legislation once it is introduced. It will be finetuned and monitored carefully by the government, which is necessary whenever a new technology is introduced. Loopholes and difficulties often arise and those things should be corrected as soon as possible.

It is the opposition's view that this bill provides an alternative solution to prevalent drink-driving problems on our roads. With interlocks fitted in vehicles of drink-drive offenders, the opposition believes there will be less chance of repeat offences on our roads. All the evidence points to that. The interlock proposal will result in safer results and generally increased or enhanced security within the community. It will also aid in the rehabilitation of offenders.

Drink-drivers cause 20 per cent or one in five fatalities on Victorian roads every year. That is an alarming statistic. The opposition agrees with the government that we need to look at amending the current law in order to reduce the toll and make our roads safer. The opposition supports the bill and wishes it a speedy passage through the chamber.

**Hon. G. R. CRAIGE** (Central Highlands) — I rise to add my contribution to the debate and do so recognising that the opposition does not oppose the legislation. There are those in the road safety field who would argue that the legislation has had a rather long gestation period — in fact, a very long gestation period. There has been significant debate about the issue, not only within the political framework but also within the public arena.

The Road Safety (Alcohol Interlocks) Bill comes to us today and will pass through this house. Many Victorians, whether they are lawyers, road safety experts, scientists or members of the community, will applaud the fact that this legislation is being introduced.

It is unfair to say on any side of the political framework that this is somebody's great idea. It is not that at all. It is an issue which many previous governments have looked at. My colleague the Honourable Bill Baxter, as the Minister for Roads and Ports in a previous government, I and the current minister — and he has taken some time as well — have looked at this complex issue. The issue concerning this legislation is about a balance between public safety and the rights of individuals. That is always a difficult line to go down.

In 1998 legislation was prepared and in 1999 a bill had been put together which would have been introduced if an event had not occurred in that year.

So no-one can lay claim to achieving a great outcome because a lot of work has been done over a long period. There have been some real champions advocating the fitting of interlocks to vehicles. They have continued the debate and maintained it at a level which has given a lot of people the courage and the energy to make sure the passing of the bill today would come to fruition.

I do not intend to discuss in detail the clauses of the bill, because my colleagues have done that. I place on record my thanks, and the thanks of this chamber, and certainly of opposition members, to the many people who have worked extremely hard, not for 1 or 10 years, but for almost 23 years. The technology has been around that long. No-one can wave the magic wand and say that the Labor government is introducing brand-new technology, but nevertheless it is an essential road safety device. On behalf of the public and my side of the chamber I thank the Vicroads personnel who have worked tirelessly over the years, particularly those in the road safety division. The now chief executive of Vicroads, David Anderson, who was the head of the road safety division during the years I was the minister, was a tireless advocate for the introduction of interlocks. He made sure that during his period as the head of that division all ministers knew there were real benefits to be derived from the introduction of alcohol interlocks in motor vehicles.

I met David South in 1996, and he spent a lot of time with me explaining the issues and he put the issue of public safety with balance, particularly regarding individual rights. I personally thank David and I hope when this is out of the way he will have something else to occupy his days within Vicroads. I place on record my thanks for all his support. He has been a champion of alcohol interlocks. Most honourable members know that Phillip Swann has also been heavily involved in the project. Colin Jordan, who is now with the Royal Automobile Club of Victoria, was the chief executive officer of Vicroads. He made sure that all honourable members understood the significance of having a balanced road safety program and agenda. I have not always agreed with the views of Professor Ken Ogden and sometimes I have disagreed with him, but he has been a champion of interlocks and he will see the passing of the legislation today as something that he has been involved in for many years. He has championed the cause of this technology for many years. Ian Johnson is now the director of the Monash University Accident Research Centre, but in a previous life when working with different organisations he was a champion of alcohol interlocks. Without these people leading the debate and continuing to place the material before the community and before political parties, it would have been so easy not to be debating this bill today.

We all recognise that the Victoria Police have had an energetic program supporting the introduction of alcohol interlocks. I clearly remember the late Frank Green saying to me on many occasions — we know that Frank was never backwards in saying what he thought — that it did not matter how small the issue

was, every single one counts in road safety. He said every piece of the jigsaw mattered, whether it was booze buses, .05, the police presence, the Transport Accident Commission advertisements, Vicroads safety programs, improving pedestrian access, improving intersections, installing lights or putting in new roundabouts. I believe that today.

This legislation is an important part in the big picture of road safety. Of course it will not solve all the problems overnight. No-one expects that. We know, and the evidence is clear, that if by the introduction of this legislation one life is saved it is worthwhile legislation. It is with great pleasure that I add my contribution to this debate today.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Hon. C. C. BROAD** (Minister for Energy and Resources) — By leave, I move:

That this bill be now read a third time.

In doing so I thank all honourable members for their contribution to the debate and their support for the bill to further prevent drink-driving. I also thank the many individuals who have assisted in bringing about this bill.

The Honourable Gerald Ashman has sought clarification about the testing of interlock devices to ensure their reliability and consistency. I advise him that interlocks are required to comply with Australian Standard 3547, which includes the testing method for devices. Interlock devices have been independently tested in accordance with AS 3547 by Crashlab in Sydney, which is part of the New South Wales Roads and Traffic Authority, and the Guardian and Drager devices have been found to comply with the standard and have been certified.

**Motion agreed to.**

**Read third time.**

*Remaining stages*

**Passed remaining stages.**

**JOINT SITTING OF PARLIAMENT****Victorian Health Promotion Foundation****The ACTING PRESIDENT**

**(Hon. C. A. Strong)** — *Order! I have received the following letter from the Minister for Health:*

The Victorian Health Promotion Foundation is established under section 16 of the Tobacco Act 1987 ('the act') to promote good health and disease prevention in the community.

Under section 21(1)(f) of the act, three members of the foundation are members of either the Legislative Assembly or Legislative Council and elected by both houses jointly.

The term of the Honourable Gerald Ashman, MLC, member for Koonung, is due to expire on 22 May 2002.

I would be grateful if you could place this matter on the agenda for a joint sitting of both houses in the autumn sitting of Parliament 2002. In order to maintain the membership of the foundation at the optimum number I would appreciate if this matter could be resolved before Mr Ashman's term expires.

I have forwarded a similar request to the Speaker of the Legislative Assembly.

**Hon. C. C. BROAD (Minister for Energy and Resources)** — *By leave, I move:*

That this house meet the Legislative Assembly for the purpose of sitting and voting together to elect a member to the Victorian Health Promotion Foundation and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly chamber on Wednesday, 27 March 2002 at 6.15 p.m.

**Motion agreed to.**

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

**WATER (IRRIGATION FARM DAMS)  
(AMENDMENT) BILL**

*Introduction and first reading*

**Received from Assembly.**

**Read first time on motion of Hon. C. C. BROAD (Minister for Energy and Resources).**

**JUDICIAL REMUNERATION TRIBUNAL  
(AMENDMENT) BILL**

*Council's amendments and Assembly's amendments*

**Message from Assembly agreeing to Council amendments with further Assembly amendments considered.**

**Assembly's message:**

**Council's amendment 1 as follows agreed to:**

Clause 6, page 7, after line 2 insert —

- “(4) A reference of a matter for an advisory opinion must be in writing.
- (5) The Attorney-General or, if an Order under section 11(2) is in force, the relevant Minister, must cause notification of a reference under this section to be published in the Government Gazette specifying the matters referred to the Tribunal for an advisory opinion within 7 days of referring the matter to the Tribunal.”

**with the following amendment:**

After proposed sub-section (5) insert —

- “(6) Sub-sections (4) and (5) do not apply if the Attorney-General declares that an advisory opinion concerns matters of a confidential or personal nature.”

**Council's amendment 2 as follows agreed to:**

Clause 6, page 7, line 3, omit “(4)” and insert “(6)”.

**with the following amendment:**

Omit “(6)” and insert “(7)”.

**Council's amendment 3 as follows agreed to:**

Clause 8, line 26, after “recommendation” insert “or a report of an advisory opinion”.

**with the following amendment:**

After “or” insert “, unless section 11A(6) applies,”.

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

That the Council agree to the amendments now made by the Assembly to the amendments made by the Council in the bill.

**Motion agreed to.**

**CRIMES (DNA DATABASE) BILL**

*Second reading*

**Debate resumed from 20 March; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).**

**Hon. P. A. KATSAMBANIS (Monash)** — *The opposition supports the provisions of the Crimes (DNA Database) Bill because it recognises that the use of DNA evidence in criminal investigations is an essential investigatory tool for our crime fighting authorities. It is one of the most effective tools available to law enforcement agencies throughout the world today. The*

Liberal Party has a long history of supporting the use of DNA evidence in criminal investigations.

It is heartening to see that the Labor Party, now that it is in government, has worked out exactly how important it is to utilise modern technology in the fight against crime. In 1993 when the legislation to empower our enforcement agencies to utilise DNA evidence was first introduced the Labor Party bitterly opposed it and made it clear that it thought the world would cave in if we introduced DNA testing in our quest to fight crime.

It is pleasing that the Labor Party has come a long way and that in government it is in many ways following the leader on this issue rather than pushing the envelope as far as possible. Later in the debate the opposition will move further amendments to strengthen the DNA system to give police officers the most effective tools available in this modern era to fight against crimes committed by some very intelligent criminals, who find ways to get around the system such as changing their behaviour to cover their tracks and make it difficult to be caught using DNA evidence.

The opposition welcomes the government's change of heart. Apart from working out the tints of its operation, it now appears there is bipartisan support for the use of DNA evidence in helping to effectively fight crime in our community. That can only be a positive step for the people of Victoria.

The bill does a number of things. It makes some changes to the existing regime to fill gaps that have appeared in the system; it also allows for Victoria's effective participation in a national DNA database, which will enable us to compare notes on DNA evidence that is held by other states and territories and by the federal police and will hopefully eventually enable us to link in with overseas systems. Already that is done on an informal basis; this will create a more formal basis on which to do that. That can only be a good thing.

There are some issues the opposition has with the bill, and there are some issues that need to be put on the table for future reference. It is clear that in the decade or so since we have been using DNA evidence policing has changed, criminal investigations have changed, and the activities and modus operandi of criminals have changed.

We often tend to think of criminals who operate out there in the community as people who commit crimes of opportunity, people who might not put a lot of thought into their crimes. Unfortunately we now recognise that some people out there in the community

do not operate in that fashion but are habitual criminals who think about their criminality and who systematically structure their activities in the same way that individuals going about their lawful activities might do. They manage their risks, if you like, and we always need to ensure that we are catching up with them.

It is said that almost any human interaction leaves a DNA-type print. DNA is a biological sample reduced to a series of numbers that can with the use of modern techniques identify an individual, in some cases, within a probability of up to 1 in 6 billion which, given that the world population is about 6 billion, makes it a unique identifying number. The statistical probability that a DNA sample held on a database matched against a DNA sample taken from a suspect or any other person in the community may not be from that person is so minuscule as to make that statistical error almost numerically irrelevant; 1 in 6 billion is so slight that you can discount it.

The only issues concerning effective identification from DNA samples are with the efficacy of the sample collection process itself. It is not a matter of arguing the semantics of whether a match is truly a match. The only issues are: was the sample collected properly; was it stored properly; and was it analysed properly? If that were done it would ensure that there had been no corruption of the data and the sample itself had not been either inadvertently or maliciously interfered with. Once it can be proven that it was collected and tested in the appropriate manner, it is almost impossible to refute that the DNA sample, where matched, can be anything other than a foolproof identifier of a particular individual. That is how far science has come since early methods of DNA investigation came about in the early 1980s. In less than 20 years we have gone from having a hypothetical or almost science fiction-type view of DNA to making it a modern-day reality and the modern-day equivalent of a fingerprint.

In our society we assume that someone's fingerprint is a unique identifier, and we have utilised fingerprint evidence for a long time in that manner. It must be said that DNA evidence is the modern fingerprint — with a helluva lot of improvements. If you talk to fingerprint experts they will tell you how difficult it is to get a fingerprint sample and how many preconditions must be satisfied to make a sample a really good one. The fact is that the only way you can really compare fingerprints, once you have them, is to physically look at them, one with the other. DNA evidence can be found off minute pieces of someone's person or property, and it is much easier to identify DNA evidence from small samples.



Recently I had the opportunity through the parliamentary Law Reform Committee of discussing the further advances in DNA investigatory tools that have occurred as a result of the New York experience of 11 September and how the DNA experts in the city and state of New York have managed to advance their science significantly, meaning that even smaller samples can be used to determine an exact DNA match. The other advantage is: once you have a DNA sample you have a numerical figure; rather than sitting and comparing one fingerprint to the other, it is simply a case of matching the numbers. I do not want to sound alarmist, but in many ways it is almost like a human bar code. If you match the numbers, it is an exact match. It can be done by a machine; it does not need well-trained experts sitting there comparing one fingerprint to another.

It is using modern technology to improve our ability to fight crime, because it is criminals who leave DNA evidence at crime scenes. Obviously as I am fiddling with this pen as I am talking I am leaving DNA evidence on the pen, but I do not intend to commit a crime, so this bill we are passing today will not apply to me. I and other law-abiding citizens have absolutely nothing to fear from this bill.

I talk about this in preamble to highlight some of the deficiencies I see in the bill. The bill introduces the ability for someone to voluntarily offer a DNA sample. Any suspect in a criminal investigation can be asked by the police, and that person can voluntarily accept to give a DNA sample — all well and good. But the bill goes further and allows for voluntary self-administration of a swab. We are moving from a blood testing regime to one of a swab, where people rub a special little device, similar to a cotton bud, in the inside of their mouth and scrape off a few cells. It is a fairly simple technique. Then those cells are analysed to determine someone's DNA. That is called a buccal swab or a mouth swab. This legislation will allow it to be self-administered by the person giving their DNA.

I do not want to pre-empt the findings of the Law Reform Committee, but I must say that I had the opportunity to discuss this with worldwide experts. In my discussions as a member of that committee, whether I spoke to experts from New York, from London or from Interpol, they all said that it is important to ensure the integrity of the sample collection process, and that in order to do that they do not have self-administration; they have a trained police officer, someone who is trained in how to best collect samples, simply insert the little cotton tip into the mouth of the person giving the sample and do the buccal or mouth swab. It is not left up to the individual to do it themselves.

In the New York example, where the swab is taken by a trained police officer, it is found that less than 1 per cent of samples are found to be faulty. In areas where there is self-administration, up to 35 per cent or 40 per cent of all samples are found to have not been taken properly, so that it is impossible to get a proper DNA sample to include in the database. I raise that as a concern because, as I said, we are not arguing the statistical probability of a sample matching an individual person.

Basically, that has been proven beyond doubt. Once you have a match, you have a match. The only question in this process is whether the sample is taken properly and whether you can rely on the integrity of that sample. International best practice tells me and told the Law Reform Committee that in order to rely on the sample being taken properly, it should be administered by someone trained to do so. Sometimes the individuals who take their own mouth swabs can inadvertently not do it right. Of course there are occasions — and I do not need to spell these out in this place or to the public of Victoria — where there could be very good reasons why someone would knowingly make sure the swab they gave was not a proper swab so there was not enough or appropriate cell evidence on their buccal swab to be examined properly.

If people think this is far fetched or out of some crime novels, which incidentally I do not read, I can tell you that there are overseas examples of changes criminals are making to their own behaviour as a result of the introduction of DNA evidence. We have all read that you can get DNA evidence off cigarette butts. The police in England find that when they arrest criminals today — burglars and the like — cigarette butts are found in those criminals' coat and trouser pockets. The criminals know that if they leave a cigarette butt around, near or at a crime scene it could be possible for the police to get DNA evidence, so they put their cigarette butts in their pockets. If they do so whilst they are on the way to commit a crime, or at a crime scene, or on their way back from the scene of a crime, what do you think they are going to do when they are sitting in a police cell self-administering a buccal swab? I put it that self-administration is not exactly going to be a panacea. Criminals have clearly adjusted their behaviour to avoid detection through DNA evidence.

**Hon. K. M. Smith** interjected.

**Hon. P. A. KATSAMBANIS** — It could be good if they were butting their cigarettes out in their pockets too! Unfortunately they are not as silly as that. They are criminals, not fools and we should always treat them that way.

I raise that as one example of where the bill is moving along the right track, but unfortunately international best practice and international evidence tends to suggest that we should look at allowing trained police officers to administer the taking of swabs and that they should not be self-administered.

Another issue with the voluntary samples is the amendment made by the government in the other place relating to either an independent person being present while samples are obtained, or that the process of collection of DNA samples be subject to videotape recordings. Again, utilising international best practice, we did not find that requirement anywhere else in the world, except in South Australia. To my knowledge, South Australia's is a unique situation because it is the only jurisdiction, within Australia and in other countries where common-law jurisdiction applies, that it occurs. It was interesting that I received a letter from Mr Paul Mullett, who is the secretary of the Police Association Victoria. I believe other members of this place also received similar letters on 4 March. He wrote specifically about DNA processing of relevant suspects and persons. Amongst other things, he said:

We are further of the understanding that some members of the Victorian Parliament wish to place debilitating and unnecessary restraints on our members in terms of taking DNA samples. These measures apparently include the requirement for an independent person to be present whilst the samples are obtained and/or the process is proposed to be the subject of videotape recordings.

We believe that this would be a time-consuming and resource-intensive imposition on our members that would involve considerable delays in terms of collecting the DNA that is so vital in relation to the compilation of a contemporary database. The expense in terms of time and resources would include the calling in of independent persons and the associated delays to both police and the persons who are the subject of DNA sample collection. This situation would also seriously impact on the ability of our members to undertake proactive patrolling and would increase our response times to calls for service from the community. The Victoria police force, supported by the association, is committed to reducing unnecessary paperwork and bureaucracy. The proposed amendments would have a counterproductive effect on the ability of our members to do their job.

There it is in black and white from the Police Association. To impose a condition requiring the presence of an independent person, or to subject the procedure to videotaping would take a lot of time in waiting for the person to come, or the independent person to be found to be available to come along to the police station. It would take a lot of time to find the video expert to come along and start videotaping. More importantly, it would cost time and money as a factor of police resources. It will eat into the police budget and

will eat into the time of police officers who could be on the beat. That is what Paul Mullett says: what the government proposes to do will put police back in police stations, taking up time waiting and twiddling their thumbs until they can find an independent person or a video expert, and doing so when they could be out on the beat protecting the community of Victoria. The government has seen sense and is going to remove this provision in this place. I am awaiting that. It is quite clear that the government is on the wrong tram.

DNA is very similar to fingerprint evidence. We have never had a situation where you need an independent person in a police station to take fingerprints and we have never had a situation where you videotape the taking of fingerprints. There might be some concerns about the level of force that might be used, but as my colleague the shadow Attorney-General in another place pointed out during his contribution, it is pretty much the same with fingerprints. If someone clenches their fist and says, 'You're not taking my fingerprints!', there is pretty much nothing a police officer can do unless they use some reasonable force if they want to take fingerprints.

If you clench your fist it is pretty hard to open it without physical force. If you are a suspect in a criminal investigation and you say no, there is very little the police can do other than attempt to use some commensurate and reasonable force to take those fingerprints.

I hear all the arguments about interfering with people's civil liberties. I am conscious of those arguments and, as people know, I take those arguments strongly into account. If the database is a secure one and its integrity is beyond question — and I will get to that issue as well — then it is a database that cannot be misused. If the database is used for the purpose of identifying suspects and discounting suspects on the basis of the evidence they provide, then why is that person clenching their fists or keeping their mouth closed when someone wants to take fingerprints or DNA evidence? If the police are looking for 1 person and they fingerprint 10, at least 9 of them will be innocent. Is it because they want to preserve their civil liberties or that they want to frustrate the course of the criminal investigation? I have every sympathy for those people who want to preserve their civil liberties. I have no sympathy for those people who want to deliberately frustrate the process of a criminal investigation.

I have as much sympathy, Mr Smith, for those people as I would have for those criminals who might have butted out their cigarette in their pocket, after having inadvertently left their cigarette alight, and they caught

on fire! I have that much sympathy for someone who is trying to interfere with a police investigation and to stymie that process.

The proposition put to me by Paul Mullett in the letter from the Police Association makes eminently good sense to me. We do not force police to videotape fingerprinting. We do not force them to find an independent person, whatever that may mean. Who do you get? Do you run down and get the local chemist or the local doctor, or do you get a justice of the peace to come along? We do not force them to do that for fingerprinting and we should not force them to do it for the modern-day equivalent of fingerprinting, the fingerprinting of the 21st century — DNA evidence.

If the government has come to its senses on that, it can only be a good thing. It will give our police the power they need and at the same time not unnecessarily eat into their budget or their time which could be better spent out on the beat protecting our community from the criminals this bill is designed to catch. As far as I am concerned, it is imperative that police are not unnecessarily burdened with red tape and bureaucracy in conducting DNA sampling but are given the opportunity to do it.

The bill extends the number of forensic sample offences for which we can obtain DNA evidence beyond the current offences such as murder, burglary, armed robbery and rape. It includes the offences of false imprisonment and also perpetrating hoaxes — the sorts of anthrax-type hoaxes or hoaxes in relation to tampering with goods in supermarkets and the like. It will give police the power to take forensic samples from individuals who are suspected of having committed these sorts of crimes.

We all know the alarm that a hoax can cause. More importantly, we all know the damage that it can cause if the hoax turns out to be real and the person who has made the threat has followed through with that threat. We need to make sure we fully protect the citizens of Victoria by giving our police powers to use modern technology to catch those people before they do any harm to the community.

The Law Reform Committee looked at best practice overseas and it seems to me that we are lagging behind in the types of offences for which we can demand DNA evidence from a suspect in a criminal investigation. Yes, we have murder, burglary, rape and the like, and we are including false imprisonment, kidnapping and hoaxes. I refer to the practice in the United Kingdom and what they do in England, and particularly in Wales. Scotland has its own system so it is better to focus on

England and Wales rather than the United Kingdom. In England and Wales the police have the power to demand DNA evidence from any suspect in any criminal investigation. If they have reason to believe this person is a suspect, they can demand DNA evidence from that person. Moreover, that evidence goes on to the DNA database and is kept forever. If someone is exonerated or if the charge does not go ahead or they are found to be innocent either through the investigatory process or later in a court, they can then apply to have their evidence taken off the database. Otherwise it stays on the database.

In England any adult reasonably suspected of a crime under the law is able to be DNA tested, which is exactly the case with fingerprints in Victoria at the moment. That is where England and Wales have gone under the Blair Labor government, a government which has realised this is a powerful tool. That has not happened under a conservative government but a Labor government — like your government, Minister. They have accepted and acknowledged they must provide their police officers with modern-day tools to help fight crime.

What have they found in England? By having a larger pool of DNA samples on their criminal investigation database they are solving more crimes. They are finding that someone who might have committed a burglary in one area of England suddenly comes up as a match to an investigation for rape or sexual assault in another part of England. It goes to show that criminals do not specialise. A burglar is not necessarily only committing burglaries; a car thief is not necessarily only stealing cars. They are solving crime in England at a rate that they have never solved crime before as a result of having a larger database.

As I said at the outset, DNA testing is just modern-day fingerprinting. It applies modern technology to create a unique identifier of a human being. It is easier to obtain than fingerprinting, and it is certainly easier to match than fingerprinting because it is a numerical string that can be computer searched. You can play around with certain high-tech programs that do that with fingerprints, but in the main fingerprints are identified by highly trained and specialised experts comparing one with the other in a laborious, time-consuming manner. With DNA, at the press of a button you can compare and get a match. That is what they are doing in England. They have given their police the power and the wherewithal to fight crime by being able to DNA sample any person who is reasonably suspected of having committed a criminal offence.

It is clear this government does not want to go down that path, but as I go around Victoria — metropolitan Melbourne and country Victoria — it is clear that the law-abiding citizens of Victoria — and the vast majority of us are, of course — want our police to be equipped with the most powerful tools possible to catch criminals and stop them from reoffending. Hopefully, by using these modern tools, the police will also be able to stop them from offending in the first place, let alone reoffending.

The government is doing the right thing in extending the range of forensic sample offences; it is just not going far enough. The opposition will, later on in committee, be proposing a series of amendments that will have the effect of giving our police better and more powerful tools at their disposal to fight crime. I will not go into it in detail at the moment except to suggest that the opposition is intending to give the police power to fingerprint suspects — adult suspects, this will not apply to children — in criminal cases to give them the power to demand DNA evidence from them and to do so if the police reasonably suspect the person to be involved in the crime.

That is the test they use in England but we will also have a second test to protect the public. In our case, not only will the police need to have a reasonable belief the person is a suspect, they will also need to have a reasonable belief that by obtaining DNA evidence they can resolve the crime. It will not be good enough to say, 'I suspect you of being a criminal in this case'. The police will have to have already collected DNA sample evidence from the scene of the crime and have that at their disposal in order to make the reasonable assumption that by the collection of the DNA evidence they will be able, hopefully, to solve the crime.

That is a protective mechanism and I will submit in committee on behalf of the Liberal Party opposition that that is a position that will give our crime fighters, our police, the best possible way of fighting against very well organised criminals out there in our community who are trying to perpetuate their criminality and avoid getting caught. That is what this is about; it is about trying to stop those people from committing crimes and giving us a chance to catch them rather than allowing them to avoid getting caught.

Other provisions in this bill that allow for the carrying out of forensic procedures relate to the police being able to get orders for those people who have been convicted of criminal offences in the past and who under our regime can be made to give DNA samples. There are many people out there — I think about 35 000 orders are out — who can be asked to give DNA samples.

There are convicted criminals out there in the community who qualify under the forensic sampling offences to have their DNA kept on a database.

**Hon. D. G. Hadden** — It is 3500.

**Hon. P. A. KATSAMBANIS** — Sorry, 3500. Did I say 35 000? Okay, sorry. Thankfully there are only 3500, not 35 000, but 3500 is too many. These people are serious criminals who have been convicted in the past and whom the legislation, the Parliament and the people of Victoria expect to be DNA tested.

Unfortunately the existing legislation does not give the police the power to force those people to attend to give their DNA. The police get an order and say to them, 'Give us your DNA', but effectively the convicted felons can scoff at the police and say, 'Yeah, well you have the order but you cannot do anything about it if I do not come in'. The legislation gives the police the power to specify a time and place for the attendance of these people to obtain the DNA evidence and if they fail to comply with the order to attend at a certain police station at a certain time and place they are fully in breach of the order and the full power of the law can be used to issue warrants for their arrest and the collection of the DNA evidence.

That is a good thing. It will enable us to build a database of the DNA of convicted felons to compare against samples from future offences they might commit. We would all like to think that when someone comes out of our criminal justice system they are fully rehabilitated but unfortunately statistical evidence and everyday experience tend to tell us that the recidivist rate of our convicted felons on release is still extraordinarily high so the ability to have DNA and other forensic samples from serious offenders — the murderers, the rapists, the sex offenders, the armed robbers and the like — and have them on a database is going to be an absolutely crucial tool for crime fighting in the future.

The bill enables us to participate in the national DNA database. That database is being put together by the state and federal police forces and will be an essential tool for crime fighting in the 21st century. The states of the United States of America and the US Federal Bureau of Investigation have put together a system called the Combined DNA Index System and the early results of that system have tended to confirm what we all think — namely, that criminals do not confine their criminal activities within state boundaries, cities, local government boundaries or states. Increasingly, unfortunately, they do not even confine their activities to nations. Having a system that properly catalogues



DNA samples from criminal suspects nationwide, as the national criminal investigation DNA database will do, will add to the police toolkit. It will enable them to compare data with police data in databases in other states.

We have heard stories in the past of guns for hire, people who have been brought in from interstate to commit serious offences, murderers and the like, and to break people's legs and what not. Some people are making literary careers out of that sort of stuff at the moment. However, we want to protect the law-abiding public of Victoria from these offences. The creation of the national criminal investigation DNA database is going to be a major component of the fight against crime.

Again what we found when looking at the international experience is that your database is only as good as the quality and the number of samples in it. I have spoken a little bit about the quality in so far as the collection process is concerned. I have to say that in speaking to international experts I was a bit shocked but immensely proud that every single one of the experts in the United States of America, England and continental Europe commended the Victoria Police forensic centre for the quality of its DNA sampling, collection and identification. It is quite clear that we have experts from Victoria on international bodies headed up by Interpol, people who are acknowledged not as Victorian or national experts but as international experts. As a Victorian, talking to these people made me feel immensely proud to know that our police and forensic experts in Victoria are acknowledged as leading the world. As far as the quality of sampling is concerned, there is no doubt that we are at the forefront of criminal investigations.

However, the other issue is how large the database is. I recall one Interpol expert telling me that if we are only going to have 2000 or 3000 samples on the database, we should not bother building it. The message was: if your police will not be able to have access to a database of a large number of suspects, what is the point of building it? The bigger you can make it, the better it is going to be and the more protected your law-abiding citizens will be. That is true. That is why we in the opposition want to give our police and our community the best way of fighting crime by ensuring that we can obtain DNA samples from suspects in criminal cases rather than stymieing our police and stopping them from doing that. To put official boundaries in the way of the collection of DNA evidence and stop the police from collecting this evidence is simply to stop them from doing their job. It will stop the Victorian public from feeling as protected as it can.

If people think the use of DNA databases is simply a tool for convicting criminals, think again. When we met with officers from the Governor's office in the state of New York, the person who heads up their DNA database, Julie Pasquini, gave members of the Law Reform Committee an amazing presentation. At the start of the presentation she put up a mug shot of a person who was arrested for a sexual offence in a small town in upstate New York. This man was arrested, identified by the victim in a line-up and identified by name by three, four or five people as having been the person in the bar prior to the commission of the sexual offence. Those people would swear it was Joe Bloggs of such and such place. They said they knew who he was and they all swore black and blue that it was that person. The police put him in a line-up and the victim identified him as the man. He was put in jail, a DNA sample was taken and evidence was collated. The suspect was jailed — there is no bail for a suspect charged with a sexual offence, and that is a good thing — charged with a sexual offence and locked away pending trial. However, when the DNA sample came back there was no match. The police were dumbfounded as were the locals in that small town and the victim.

Six or eight months later they were advised of a match from another state. They checked the database and it was a match to this particular sexual offence. Ms Pasquini put up the mug shot of the man who was eventually arrested and convicted of this sexual offence. I have it here on my computer and if you looked at the two pictures you would swear black and blue those two individuals are one and the same person except the guy on the right-hand side had had a heavy night before the picture was taken. Mr Smith is looking at it here.

**Hon. K. M. Smith** — It is true; I can guarantee it.

**Hon. P. A. KATSAMBANIS** — That showed me that DNA evidence is not something that can only convict, rather it is something that can ensure that we do not lock up people who are not criminals, not offenders — it can help exonerate people. When we look at the future of DNA we should look at implementing what some jurisdictions call an innocence program. I would call it a post-conviction program where if DNA evidence exists individuals who are currently serving prison terms should have the opportunity to have their cases re-examined using modern techniques. There are examples in other jurisdictions where people who have served time behind bars have eventually been acquitted by DNA technology that did not exist when they were convicted of the crime.



If the government is fair dinkum about protecting civil liberties, this is a practical way it can do that. It is not a matter of having an independent person present when the DNA is being taken but funding a program of post-conviction DNA testing, putting in some rules and probably looking at this area very closely and at international best practice to ensure that convicted felons who feel, and can prove, they were wrongly convicted have access to this technology. That will ensure that we are convicting the right people.

I raise that example because it was striking proof of how DNA evidence can be used to exonerate an innocent person when every other piece of evidence points to their guilt. That bloke on the left would quite clearly be serving time for a sexual offence today if it were not for DNA evidence and the bloke on the right would be out there committing more sexual offences.

DNA evidence is a powerful tool. It is a tool that should not be denied to our police officers. With the proper safeguards we should allow our police officers as much access to DNA evidence gathering as possible. It is all part of a move to evidence-based policing that will help keep our community safe. When you look at international best practice there are a lot of other things that our state can learn from other places which have been doing this for longer than we have. I do not want to pre-empt the findings of the Law Reform Committee. I am a member of the committee and it will table its report in due course. The committee has looked at this and it is continuing to look it. I dare say that when it is tabled the committee's report will show us the way we can advance this area of the law in the future.

We find today that with this bill the government has come on board. It has taken a long time between 1993 and 2002. Labor members kicked and screamed in 1993 when DNA evidence was introduced. They kicked and screamed again in 1998 when the first tranche of amendments were made to this area of the law. Labor is now coming on board and hopefully we will get bipartisan support to do what Paul Mullett and the Police Association said we should be doing — that is, giving the police the power to be out there doing their work on behalf of the Victorian community. That is what Paul Mullett wants, that is what the Police Association wants, that is what the police want, that is what the public of Victoria wants and it is what we should all want. That is why later in the committee stage the opposition will move its amendments. The opposition thinks the government has come some way; it has accepted this area of the law for starters, and it is making some good changes. The Labor Party has seen the light on the bad changes it made but the opposition

thinks it is not good enough to be playing catch-up. The opposition thinks the government should be going further.

As a community we should be going further and when we debate the amendments in committee stage, they will be the sort of amendments that the public of Victoria want us to pass. In 2002 they are the sort of tools Victorians want our police to have in order to make sure that law-abiding Victorians are protected from criminals.

**Hon. D. G. HADDEN** (Ballarat) — I speak in support of the Crimes (DNA Database) Bill. The bill is an important part of this government's commitment to the detection and prevention of crime in the state as well as to keep all Victorians safe. The government acknowledges that DNA technology is a valuable investigative and evidentiary tool in both the investigation and solving of crimes. The value of DNA information is important because it can either implicate or exonerate a person from criminal liability. That is something that must and should be preserved in legislation so that both the police, law officers and Victorians know what the ground rules are.

The bill has two components. It proposes to amend the Crimes Act 1958 to facilitate Victoria's effective participation in the national DNA database scheme and to amend procedures for the obtaining, use and retention of forensic samples. The bill reflects the government's commitment to ensure that police have appropriate powers to detect and investigate crimes so that responsible persons are brought to justice. However, this goal must be balanced with the need to safeguard our fundamental right, which is that each person charged with an offence is innocent until proven guilty by a judge and jury.

There is also a fundamental right to privacy and civil liberties. A balance must be met and considered at all times. The bill promotes public confidence in the criminal justice system and reflects the government's commitment to effective law enforcement in the state.

Currently the Crimes Act provides for intimate forensic sample procedures, that is the taking of blood or a scraping of the inside of the mouth. This may only be taken by a person such as a doctor, nurse or dentist and the procedure must be witnessed by an independent person. That person may be the doctor, dentist or nurse taking the sample.

Clause 7 provides that a person suspected of a crime will be able to consent to the taking of their own sample of a scraping of the mouth, subject to the supervision of

an authorised police officer. The purpose of this is to minimise the intrusiveness of the taking of the intimate sample for forensic purposes. The bill provides that where the suspect has consented to this forensic sample procedure, the police must record that consent by audio consent or in writing signed by the person.

The bill also provides that the taking of the forensic sample procedure must be either videorecorded or witnessed by an independent person. Following consultation by the government since the bill passed in the Legislative Assembly, the government proposes to introduce house amendments to remove the requirement that the procedure must be either videorecorded or witnessed by an independent person. That requirement is considered to be unnecessary where a suspect consents to the procedure.

The government is concerned to ensure that the process operates fairly and effectively. All honourable members appreciate that police must have the proper tools available to investigate crimes effectively. At the same time, ensuring that the processes are conducted properly and fairly, needs to be balanced with the burdens placed on police investigating crime in the 21st century. Certainly there are many situations where the requirement that a process either be videorecorded or witnessed by an independent person operates to protect both police and the person who is the subject of the procedure. The proposed house amendments for the suspect to conduct the procedure themselves respects that person's privacy, civil liberties and minimises the intrusiveness of the forensic sampling procedure.

Like the previous speaker, Mr Katsambanis, I also received a letter addressed to me personally, signed by Paul Mullett, the secretary of the Police Association, regarding the DNA processing of relevant suspects and persons. It is correct that in the letter, it was brought to my attention that the members of the association were concerned that the bill may place debilitating and unnecessary restraints on police members in the taking of DNA samples.

Mr Mullett noted that his members believe it would be a time-consuming and resource-intensive imposition on them that would involve considerable delays in collecting DNA, which is so vital in the compilation of a contemporary database.

As soon as I received the letter I forwarded it to the relevant ministers in the government, and it is the representations made by many members of the government in response to Mr Mullett's letter and the concerns and consultations that have taken place since the bill was passed in the other place that have resulted

in the proposed house amendments to be introduced into this place by the government.

Adequate safeguards already exist to protect both police and suspects in relation to forensic sample procedures with the requirement that police must record the person's consent to take their mouth swab in writing or by recording.

In relation to the opposition's proposed house amendments to the effect that the taking of DNA samples should be equivalent to the taking of fingerprints, I suggest that the state already has a comprehensive regime for the taking of forensic samples from suspects, prisoners and convicted criminals. The bill is consistent in many respects with the model Forensic Procedures Bill developed by the Model Criminal Code Officers Committee and legislation recently enacted in other jurisdictions — namely, the commonwealth, New South Wales and the Australian Capital Territory .

In relation to the opposition's criticism that the taking of DNA should not be distinguished from fingerprint procedures, the government's response is that the Model Criminal Code Officers Committee has distinguished the taking of fingerprints from the taking of DNA material on the basis that fingerprints provide less information and DNA samples are more invasive of the person. The procedure for the taking of DNA samples is more invasive than the procedure for the taking of fingerprints. There are also potential health risks in the taking of an intimate forensic sample, by the nature of its definition.

In relation to other aspects of the bill, arrangements already exist in legislation for the taking of forensic samples from certain offenders who have been convicted of what is known as a schedule 8 forensic sample offence, which is a very serious indictable offence. However, the legislation does not provide for any arrangements for the carrying out of a court-ordered forensic sample where the person is not in custody. So unless a person is cooperative and comes forward to the police and offers to participate in the giving of a forensic sample, the police have no power to take the sample. At present there are some 3500 unexecuted orders made against people who are not in custody, and if these orders are not executed the ability of the Victoria Police to use DNA information to investigate criminal offences will be limited. The bill introduces some important new procedures in the detection of crime in this state and will enable the police to obtain a court-ordered forensic sample from an offender who is not in custody. If the person refuses to cooperate with the court-ordered forensic sample, the

police will be able to apply to a magistrate for a warrant to arrest the person for the purpose of taking the forensic sample.

The other aspect of the bill is the participation of Victoria in the national DNA database scheme. The purpose of the provisions is to establish safeguards to ensure that DNA information can only be disclosed and used for very limited purposes related to law enforcement. The privacy of Victorians is guarded against invasion because each step in dealing with forensic material is regulated and reinforced by various criminal offences that carry penalties for misuse of the database and the DNA information. In conclusion, I support the bill and wish it a speedy passage.

**Debate adjourned on motion of Hon. R. M. HALLAM (Western Province).**

**Debate adjourned until next day.**

## WATER (IRRIGATION FARM DAMS) BILL

### *Council's amendments*

**Returned from Assembly with message agreeing to some amendments insisted upon by Council and disagreeing with others.**

**Ordered to be considered next day.**

## ADJOURNMENT

**Hon. M. M. GOULD (Minister for Education Services)** — I move:

That the house do now adjourn.

### **Trams: dynamic fairways**

**Hon. ANDREA COOTE (Monash)** — My question is, through the Minister for Energy and Resources, for the attention of the Minister for Transport in another place. I refer to the dynamic fairway trial in Toorak Road between Punt Road, South Yarra, and Grange Road, Toorak.

The dynamic fairway trial began in June 2001 at a cost of \$500 000. As I have explained before, it consists of large electronic signs at the major intersections which are supposed to help the flow of traffic along Toorak Road in peak hours. There is a lot of discussion and debate about this, and they do not seem to be helping at all.

I am informed that the results of the trial will be finalised in early 2002, when consideration will be

given to the implementation of dynamic fairways on other tram routes. I ask the minister whether the report has been finalised and, if so, how much time the dynamic fairways have saved commuters and tram travellers along Toorak Road.

### **Minister for Environment and Conservation: alpine board reports**

**Hon. G. K. RICH-PHILLIPS (Eumemmerring)** — I raise with the Minister for Energy and Resources a matter for the attention of the Minister for Finance in the other place. The Minister for Finance is responsible for section 46 of the Financial Management Act 1994, which requires that ministers responsible for public bodies lay before the house annual reports and audited financial statements of the entities for which they are responsible within four months of the end of the entities' financial years or on the next day of sitting.

Earlier this week the Minister for Environment and Conservation notified the President of the Legislative Council by way of letter that with respect to the six alpine resort management boards for which she is responsible no report could be laid before the Parliament, which is in breach of section 46(1) of the act.

In her letter to the President the minister suggested that it was because an audit of the financial statements of those statutory bodies had not been completed. Section 45(2) of the Financial Management Act requires that the entities present to the auditor some eight weeks after the end of their financial year their financial statements for auditing.

It is a full eight weeks between when the auditor was required to receive those statements and when the statements were required to be tabled in the house. To date the house has not received the statements as required under the act.

Will the Minister for Finance investigate why the Minister for Environment and Conservation has failed to uphold her responsibilities under section 46 of the Financial Management Act with respect to the six alpine resort boards, and whether section 45(2) of the act has been breached?

### **National Youth Week**

**Hon. S. M. NGUYEN (Melbourne West)** — Can the Minister for Youth Affairs outline what Victoria is doing for National Youth Week and how different it will be this year?

### Kays Picnic Ground, Kallista

**Hon. A. P. OLEXANDER** (Silvan) — I seek the assistance of the Minister for Environment and Conservation through her representative in this place, the Minister for Energy and Resources, about the natural spring at Kays Picnic Ground near Olinda. The spring in question was recently closed down after tests indicated that it was contaminated with the bacteria *Yersinia enterocolitica*. The bacteria is found in freshwater and bush environments, but is also said to have possibly come from the gut of an animal. The bacteria could possibly cause or potentially cause diarrhoea or septicaemia. As a result of this finding, Parks Victoria, Dandenong Ranges branch, moved to shut down the spring indefinitely.

However, outraged local residents have informed me that the outlet has not only been closed but destroyed, and it appears that there is no intention to reopen the spring at any time.

A group of local residents in support of the reopening of the spring has informed me of the widespread community anger at the sudden closure of the natural spring. Local papers in my electorate of Silvan reflect that that is actually true.

The residents question exactly how the spring was contaminated — they do not see how it could have become contaminated all of a sudden — and when Parks Victoria plans to clear the spring of bacteria and reopen it for the use of the general public. Furthermore they request that a report be released to the general public as to how the spring was contaminated in the first place.

I was informed by the group that many of the locals prefer to collect water from the spring because of its renowned purity as well as their dislike for chlorinated water. One resident commented on the tourist attraction that the spring, which is hundreds of years old, brought to Olinda and the Dandenong Ranges. She had personally witnessed people coming from all over Victoria with trailers to collect the water.

I call on the minister to act immediately to investigate the reasons the natural spring was closed and to advise the local community when the water will be purified and the spring reopened.

### Drugs: harm minimisation

**Hon. R. F. SMITH** (Chelsea) — I raise a matter for the attention of the Minister for Youth Affairs. Is the minister aware of my statements, which appeared in the *Frankston Hastings Independent* on 19 February? In

that edition I stated, among other things, that both Cameron Boardman and Matt Viney were wrong in their support of the anti-drug strategy known as harm minimisation. Cameron Boardman stated that my statistics were littered with errors and that he would like to know the source. He also stated that my real target was Matt Viney.

Matt Viney is the Labor-endorsed candidate for the seat of Chelsea Province. As such he will have my entire and full support, and I believe he will win the seat abandoned by Cameron Boardman because Cameron Boardman has chosen to abandon — —

### The ACTING PRESIDENT

**(Hon. G. B. Ashman)** — Order! Mr Smith, you are not able to make a speech. You must make a request of the minister. Do you have a request?

**Hon. R. F. SMITH** — I am responding to the statements made by Mr Boardman and I am asking the minister whether she is aware of the statements I made.

### The ACTING PRESIDENT

**(Hon. G. B. Ashman)** — Order! I remind honourable members of the rules of the house. On the adjournment they may make a complaint, make a request or pose a query. In doing so the honourable member must raise only matters which are within the administrative competence of the Victorian government, confine his or her remarks to a single subject and be brief — within 3 minutes. A member may not develop his or her remarks into a set speech, reflect upon a statute, request introduction of legislation or raise a matter previously discussed in the same session. I invite Mr Smith to continue, but that he be aware of the rules that govern the house.

**Hon. R. F. SMITH** — I say again that Matt Viney will win the seat of Chelsea Province.

**Hon. Bill Forwood** — On a point of order, Mr Acting President, Mr Smith is obviously flouting your ruling. Your ruling was that he should put his question and get on with the issue, not come in here and give a political speech about who will or will not win the seat of Chelsea Province.

**Hon. M. M. Gould** — Further on the point of order, Mr Acting President, we heard the Leader of the Opposition the other night talk about all the councillors in Banyule. The honourable member is posing a question to me with respect to harm minimisation and the question of chroming and wants to ask me about it. I believe, Mr Acting President, there is no point of order.



**The ACTING PRESIDENT**

**(Hon. G. B. Ashman)** — Order! There is 1 minute 42 seconds left on the clock. Mr Smith should come to his point very quickly.

**Hon. R. F. SMITH** — Thank you, Mr Acting President. I continue the question to the minister. The source of the statistics I quoted was queried in this house. I would like to now state where those statistics came from. Before I do I have to say that Mr Boardman was in one sense correct on the fact that I stated that the United States of America had reduced by 50 per cent its use of — —

**Hon. A. P. Olexander** — On a point of order, Mr Acting President, it has become clear in the time that Mr Smith has been on his feet that he is seeking to make a point of personal clarification. Other forms are available to him. There are standing orders in this place and the adjournment debate is not the time for that to be raised. I ask you, Mr Acting President, to rule him out of order, sit him down and proceed to the next adjournment query.

**Hon. T. C. Theophanous** — Further on the point of order, Mr Acting President, Mr Smith is making a set of statements which have to do with harm minimisation, which is within the ambit of government business. In so doing he is making the minister aware of statements made by another member on harm minimisation and seeking to clarify whether those statements are correct so that the public is not misled by Mr Boardman or anyone else in this house. He is entitled to ask the question of the minister of whether she is aware of it and in so doing elaborate on what it is about harm minimisation that the Honourable Cameron Boardman may have said.

Mr Acting President, I urge you to rule that the Honourable Bob Smith is in order and is able to elaborate, because the topic is about government business and he is allowed to talk about what other members in this house may have said on that topic and make the minister aware of those comments.

**The ACTING PRESIDENT**

**(Hon. G. B. Ashman)** — Order! I asked Mr Smith to abide by the rules of the adjournment, not make a set speech, and to come to the point of making a request of the minister.

**Hon. R. F. SMITH** — Thank you again, Mr Acting President. Is the minister aware that the United States drug policies, which include harm minimisation, have in effect reduced the percentage of drug use in the United States between the years 1985 and 1992 by

some 50 per cent — in fact, 58 per cent? Is the minister aware that the source of my statistics is a Dr Gold, MD, member of Drug Watch International, the education arm of the International Drug Strategic Institute in the USA, which was established some 15 years ago? Is the minister aware that the Drug Advisory Council of Australia says that the harm prevention strategy used in the United States has reduced the percentage of the United States citizens who take illicit drugs to 5 per cent in comparison with Australia's 22 per cent? Is the minister aware that the figures for 1998 show that the number of young people in the United States — —

**The ACTING PRESIDENT**

**(Hon. G. B. Ashman)** — Order! The honourable member's time has expired.

**Western Port Highway: Hastings duplication**

**Hon. R. H. BOWDEN** (South Eastern) — I seek the assistance of the Minister for Energy and Resources, in her capacity as the representative in this place of the Minister for Transport, concerning the urgent and increasing need to consider and take action on the duplication of the Western Port Highway southbound from its intersection with the Cranbourne–Frankston Road to the township of Hastings.

During recent years the Western Port Highway has been increasingly used by heavy transport, mixed commercial use and a great deal of commuter traffic. From the point I have mentioned down to Hastings the highway has been used increasingly by residential and commuter traffic in both directions. This mixture of traffic consists of large heavy transports, large double fuel tankers carrying liquid petroleum gas and all sorts of other vehicles. The actual capacity of the road in the opinion of many of my constituents is cause for a great deal of concern, because it is only one lane in each direction for a considerable distance. Once one gets to the Cranbourne–Frankston Road intersection the highway then becomes duplicated if you are heading north towards Melbourne.

In response to my office receiving very vocal and continual expressions of concern from many of my constituents I ask the minister to please ask the Minister for Transport to consider the duplication of the Western Port Highway between the intersection I have mentioned and Hastings as an urgent priority item because of the severe danger it represents to many tens of thousands of people in the northern Mornington Peninsula in particular.



### Liquor: licences

**Hon. W. I. SMITH** (Silvan) — The matter I raise for the attention of the Minister for Small Business relates to an answer she gave in question time this morning, when she said her commitment to small business and the liquor industry was to maintain the 8 per cent liquor licensing cap unless there was industry agreement to do something different. The minister claimed there was industry agreement and this was the basis on which she was proceeding. In the *Australian* this morning Mark Westfield wrote:

Woolies has shown aggression in expanding its share of the retail liquor market and is playing a game of rapid catch-up with Coles. Its moves in Victoria are being closely watched by the small liquor store owners who fear that Woolies will use its muscle to strike deals with the suppliers which will allow it to undercut the independent operators.

Mark Westfield goes on to say:

Their fears are well and truly justified.

There can be no doubt that Woolies (and Coles) will use all leverage and distribution capacity to force the best possible deals from suppliers and sell at prices the independents cannot hope to match.

The industry does not believe there is an agreement. If there is an agreement, why does the minister not bring it to Parliament and show us?

### Police: Endeavour Hills station

**Hon. N. B. LUCAS** (Eumemmerring) — I raise a matter, through the Minister for Sport and Recreation, for the Minister for Police and Emergency Services. It relates to a broken promise by the Labor government. Prior to the last election the government, the then opposition, put out a document under the heading 'Living suburbs — Labor's plan'. There was a list of items headed 'We will do'. The first one says that it will provide \$2.5 million for a new 24-hour police station at Endeavour Hills.

For the last two and a half years the government has run around Endeavour Hills looking for a site for the police station. It has found one and its idea is to put the police station in a park. The Minister for Police and Emergency Services and his storm-troopers are going to come in and rip out the swings, the slides and the trees and put a police station in a park. Rightly the City of Casey has knocked them back and they are not going ahead with that plan, and that is a correct decision. But the people of Endeavour Hills are very concerned about the government's inability to provide the promised police station. They want the police station and, in their opinion, deserve it, but nothing happens. All the

government has come up with is putting the police station — —

*Honourable members interjecting.*

**The ACTING PRESIDENT** (**Hon. G. B. Ashman**) — Order! The interjections across the chamber are becoming a barrage. I ask honourable members to desist!

**Hon. N. B. LUCAS** — All the government has come up with is a proposition to put the police station in a park — in a park! What do honourable members think the residents and young kids in Endeavour Hills think about that? The City of Casey rightly had a good look at this and said, 'No way!'. Now the Minister for Police and Emergency Services is bagging the council for saying it does not want a police station in the park. This is a promised item of infrastructure, which the people of Endeavour Hills would love to have and which has been promised to them.

There are eight items on the list of things that have been promised but not provided — for example, the roundabouts on Heatherton Road and the Narre Warren railway crossing. None of them has been provided by that lot! Labor is not helping Victoria. Victoria is losing under Labor. It is a do-nothing government. We want our police station. We do not want it in a park; we want it on a suitable piece of land in Endeavour Hills. We want it to provide the services that the people of Endeavour Hills deserve. Labor promised it. Where is it?

It is not there because people over there on the government benches have not fulfilled their promises. I can give plenty of examples of promises that have not been kept. The people of Endeavour Hills will hold Labor members responsible if this police station is provided. I ask the minister to advise me of when the government is going to keep its promise to provide the new 24-hour police station at Endeavour Hills.

### Gas: Macedon Ranges supply

**Hon. C. A. FURLETTI** (Templestowe) — I raise a matter with the Minister for Energy and Resources. In mid-February I visited the Macedon Ranges Shire Council and met with a number of councillors, who pressed me about one of their major concerns — that is, the extension of the gas reticulation system in their shire. The council resolved to approach the matter of the extension sensibly if it received indications that the cost would be in the range of \$20 million. The councillors told me that they had sought funding from the government to conduct a feasibility study on the prospect of the gas-distributing company agreeing to

the extension on the basis of use. As the minister is aware, the Shire of Macedon Ranges is a predominantly domestic area. The council is very concerned about the lack of local industry and is keen to have a dual situation, and the minister is aware of that. It is a chicken-and-egg situation: industry comes if gas is there, and gas will come if industry is there.

I was told the cost of the feasibility study would be \$30 000. I have announced publicly that I have called on the government to assist Macedon Ranges shire by granting one-off funding for this particular project. An article in the *Macedon Ranges Telegraph* of 12 March says that the matter has become exacerbated by the demise of Ansett and that its community is in particularly dire straits. Given the special circumstances in the Macedon Ranges council at this time and within the municipality, I ask the government to seriously consider making a one-off payment to the Shire of Macedon Ranges for the \$30 000 required to conduct the feasibility study, which is a sensible and appropriate approach, before expending further resources towards the gas reticulation project.

### Gas: Gippsland pipeline

**Hon. K. M. SMITH** (South Eastern) — I raise with the Minister for Energy and Resources a matter concerning the Origin Energy Bassgas project to bring national gas from Bass Strait to Victorian consumers. I recently attended a meeting at the Pakenham South hall, which was packed with people, particularly local farm people. The pipeline is to extend through Bass Coast shire to the coast at Kilcunda through to a gas plant at Lang Lang, and then it will connect to a pipeline running through the Cardinia shire. This has brought some problems with it. The pipeline has to run through some 900 properties. Farmers in particular have a great concern about this.

Cr Graham Osborne of Cardinia shire has researched the concerns of his constituents, and also mine, looking for an alternative route to run this pipeline so it will not have a dramatic effect on the farming community and to save Origin Energy having to purchase easements through each of those properties, form the easements and have them written into all the titles. The farming community there is greatly concerned because of the problems it will cause to their farms, many of which are asparagus farms, dairy farms and other vegetable growing farms.

I must say the alternative route put forward has been supported by the Cardinia Shire Council, which is also looking for an alternative route. Cr Graham Osborne has come up with a new route that shows the pipeline

could run up some drainage easements there and along some old railway easements that are also in position. It will take the gas very close to Lang Lang and Koo Wee Rup, which will mean those two towns could also be connected to the pipeline.

I think what is proposed is good. Yes, it will be a little longer than was originally proposed, but it will certainly pick up the two townships. It is a very viable proposition because Origin Energy would not have to create and pay the farmers for all the easements that will be put through.

The minister is in the position to tell Origin Energy to look at this as being a viable and smart alternative. It will save many problems and may well get that pipeline into place so the Victorian community will gain by gas being brought into the area. I therefore ask the minister to give the proposal full and proper consideration so that the farmers down there in particular will not be inconvenienced and Victorian consumers will gain the benefits.

### Monash: mayoral election

**Hon. M. T. LUCKINS** (Waverley) — I raise a matter with the Minister for Sport and Recreation to pass on to the Minister for Local Government. Last Tuesday, 19 March, councillors met to elect a new mayor for the City of Monash. The meeting had been brought forward from 27 March to 19 March without explanation after that date had been agreed to by the council.

The circumstances surrounding the election of Labor mayor, Cr Geoff Lake, are of grave concern for ratepayers, residents and members of Parliament, and may have ramifications for Victoria. Cr Lake and other members of the Australian Labor Party coerced, pressured, harassed and effectively blackmailed a fellow Labor councillor to secure Cr Lake's election over former mayor, Tom Morrissey. The councillor in question was threatened with the sacking of a family member from a union unless she cast a vote for Cr Lake. I raise this matter to also ensure that the union employee in question has some protection from unfair dismissal by the union.

The council was also asked to procure from Cr Morrissey a written guarantee that he would not assist any Liberal MP and that he would not do anything real or perceived to jeopardise the re-election of the current member for Burwood in another place.

I ask the minister to investigate the circumstances surrounding the mayoral vote as well as the reason this vote was brought forward with the very late notice

provided to councillors. I ask the minister what action he will take against Cr Lake if and when these allegations are proved correct and what he will do to improve the integrity of mayoral votes across the state in the future in light of the undue and inappropriate pressure applied by and for a Labor councillor against a fellow Labor councillor in the City of Monash.

### **Frankston: central activities district development**

**Hon. B. C. BOARDMAN** (Chelsea) — Through the Minister for Sport and Recreation I pose a query for the Minister for Local Government in another place. In doing so I refer the minister to the contributions made by the Honourable Gavin Jennings on Tuesday to the debate on the report of the Select Committee on the Frankston Central Activity District Development — and my contribution in no way pre-empts the ongoing debate this chamber is having on that. However, Mr Jennings implied, and I paraphrase, that as at 17 October the Minister for Local Government was prepared to put in an inspector to evaluate this situation, and that under the provisions of the Local Government Act that had transpired.

Unfortunately the only press release I can find from the minister was on the same date, 17 October, titled ‘Minister hits out at kangaroo court’. The minister made the point in the press release that he would only appoint a municipal inspector if a prima facie case existed. Subsequent to 17 October last year an exhaustive search has not been able to identify any more public comments from the Minister for Local Government in relation to the appointment of a municipal inspector or of the results of the ongoing investigation. I give the Honourable Gavin Jennings the benefit of the doubt. I do not want to reflect on his remarks because there may have been a misunderstanding, but it begs the question whether such an inspector has been appointed.

However, this matter becomes somewhat more complicated because the select committee clearly identified some serious breaches of the Local Government Act. Not only does it warrant an investigation, not only has a prima facie case been established, but the government would be quite negligent if it did not pursue the path of appointing such an inspector.

The twist to this is the involvement of the honourable member for Frankston East in the other place, who was named in the report as having quite an inappropriate role in drafting amendments to a council motion that was going to be presented at the subsequent council

meeting by Cr Mark Conroy — who was a de facto employee at the time — which clearly implies that he has had a role in this sorry saga to the detriment of the Frankston community.

I ask the minister to consider all the findings and recommendations of the select committee and to advise me who is the inspector, what are the time lines for the inspection and what are the terms of reference that are associated with such an investigation.

### **Responses**

**Hon. M. M. GOULD** (Minister for Education Services) — The Honourable Sang Nguyen raised a matter with me with respect to National Youth Week, which will be held between 7 and 14 April, which is during the upcoming school holidays. I encourage all members of the house to participate in the activities of youth week. National Youth Week is a commonwealth, state, territory and local government initiative that gives young people the opportunity to express new ideas, express their views and act on issues that affect their lives; and most importantly to have fun. It gives the wider community the opportunity also to listen to young people and to celebrate their achievements. I know the Honourable Sang Nguyen is very active in his electorate with young people, especially with the ethnic communities in his electorate.

The theme for this year’s National Youth Week is ‘Bring it on’. I look forward with the honourable member to being involved in National Youth Week, which will be launched in a couple of weeks in the City of Boroondara. I encourage honourable members to look at the posters when they come out and at the timetable of the events to see if they can find the time — Parliament is not sitting that week — to at least get to one of the events in their local region.

The Honourable Bob Smith raised a matter with me with respect to whether I was aware of his comments. I was, and I thank him for the statistics that he drew to the attention of the house.

**Hon. C. C. BROAD** (Minister for Energy and Resources) — The Honourable Andrea Coote requested the Minister for Transport to advise her regarding certain traffic management arrangements in Punt Road and Grange Road. I will pass that request to the minister.

The Honourable Gordon Rich-Phillips requested the Minister for Finance to investigate compliance with certain sections of the Financial Management Act. I will pass that request to the minister.

The Honourable Andrew Olexander requested the Minister for Environment and Conservation to investigate the reasons for closure of the natural springs in Olinda and advise on future arrangements for those springs. I will pass that request to the minister.

The Honourable Ron Bowden requested the Minister for Transport as a matter of priority to consider the duplication of the Western Port Highway at Hastings. I will pass that request to the minister.

In response to the matter raised by the Honourable Carlo Furletti, I can advise him that the matters he has raised have been the subject of discussions with the government and those matters continue to be the subject of consideration.

In relation to the matter raised by the Honourable Ken Smith, I can advise him that the Bass gas development project is being assessed under a Victorian and commonwealth environment effects statement (EES) and environmental impact statement (EIS) process. I am pleased to say that the same assessment process will inform both the state and commonwealth requirements and that the EES and the EIS went on display on 6 February. I understand the closing date for submissions is tomorrow. Both submissions will then be considered by a panel appointed by the Minister for Planning before that minister makes an assessment.

**Hon. M. R. THOMSON** (Minister for Small Business) — The Honourable Wendy Smith raised a matter in relation to the liquor industry. Unfortunately the premise on which the question was based was wrong and the honourable member needs to check what she believes to be fact.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I will refer the matter raised by the Honourable Neil Lucas about Endeavour Hills to the Minister for Police and Emergency Services in the other place.

I will refer the issue raised by the Honourable Maree Luckins regarding aspects of the City of Monash to the Minister for Local Government in the other place.

I will also refer the issue raised by the Honourable Cameron Boardman regarding the appointment of a municipal inspector to the Minister for Local Government.

**Motion agreed to.**

**House adjourned 5.39 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, 19 March 2002**

**Arts: ministerial staff**

**1992. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Arts): As at 30 May 2001, how many staff were employed by the Minister — (i) in the Minister's office as Ministerial staff, what are their names and what is the cost; and (ii) on secondment from the Victoria Public Service, what are their names and what is the cost.

**ANSWER:**

I advise that:

All staff working in the Office of the Minister for Arts are employed by the Premier. Therefore, there are no Ministerial staff employed by me in the Office of the Minister for Arts.

As at 30 May 2001, no staff working in my office were on secondment from the Victorian Public Service.

The Member may wish to refer to the Budget Papers for details on expenditure.

**Arts: State library — conservation of newspapers**

**2036. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for the Arts): What was the total cost of the specialist cleaning service and conservation treatment for newspapers at the Maribyrnong store of the State Library of Victoria.

**ANSWER:**

I am informed that:

An amended response to this question is being submitted due to a transposition error.

The total cost for the specialist cleaning service and conservation treatment of the newspaper collection at the Maribyrnong store was \$195,885.36.

**Premier: Whitehorse — community cabinet public opinion polling**

**2128. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to the City of Whitehorse on 15 June 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:



I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Bendigo — community cabinet public opinion polling**

**2129. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Bendigo on 18 July 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Mildura — community cabinet public opinion polling**

**2130. THE HON. D. McL. DAVIS** — To ask the Honourable the Leader of the Government (for the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Mildura on 23 and 24 August 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Sunbury — community cabinet public opinion polling**

**2131. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Sunbury on 4 September 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Ballarat — community cabinet public opinion polling**

**2132. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Ballarat on 27 November 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Latrobe Valley — community cabinet public opinion polling**

**2133. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to the La Trobe Valley on 11 December 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Portland — community cabinet public opinion polling**

**2134. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Portland on 13 December 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Knox — community cabinet public opinion polling**

**2135. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Knox on 21 May 2001; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Broadford — community cabinet public opinion polling**

**2136. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Broadford and Seymour on 18 June 2001; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Boroondara — community cabinet public opinion polling**

**2137. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to the City of Boroondara on 28 June 2001; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken; and (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Premier: Ararat — community cabinet public opinion polling**

**2138. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Was polling, local area research, focus groups and/or other public opinion polling undertaken as part of the Community Cabinet process prior to the visit of the Community Cabinet to Ararat on 19 October 2000; if so — (i) what was the cost of the polling, local area research, focus groups and other public opinion polling undertaken and; (ii) by which company, organisation or person was it done.

**ANSWER:**

I am informed that:

I refer to the answer provided to Question No 2126, a copy of which is attached. As the question has been substantially answered, the resources required to provide further details are not warranted.

*[For attachment see Hansard reference: Legislative Council, Vol. 452, 9 October 2001, page 724]*

**Sport and recreation: physical resource management system**

**2153. THE HON. ANDREW BRIDESON** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): In relation to the Physical Resource Management System (PRMS) maintenance program funding:

- (a) Will the Minister provide a list of the schools allocated funding in the \$51 million PRMS maintenance announcement in July 2001, detailing the amount allocated to each school.
- (b) How much was spent in 2000-2001 by the Government on the program.

**ANSWER:**

I am informed as follows:

927 schools received funding under the \$51,226,151 PRMS announcement. All were notified of their allocation individually.

**Premier: taxi and hire car expenses**

**2251. THE HON. G. K. RICH-PHILLIPS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): What are the total expenses per month incurred for taxi cab and hire car use by the Premier's advisers, including media advisers, since January 2000.

**ANSWER:**

I am informed that:

I am informed by my Department that a request under the Freedom of Information Act was made by an Opposition MP on the same subject matter as this Question in October 2000. This request was refused on the grounds that it would unreasonably divert the resources of the Department.

The Opposition MP then amended the request in December 2000 so as to confine it to the Premier's media advisers. This request was again refused on the same grounds.

Following the lodgment of a complaint by the Opposition MP, the Ombudsman reviewed this refusal and in September 2001 determined that he agreed with my Department that the request was too voluminous and would unreasonably divert the resources of the Department.

On this basis, the resources cannot be justified to answer the honourable Member's question.

**Premier: staff**

**2252. THE HON. G. K. RICH-PHILLIPS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): What is the role, job description, and responsibility, respectively of the following staff in the Office of the Premier — (i) departmental liaison officer; (ii) assistant ministerial adviser; (iii) adviser; (iv) senior policy adviser; (v) chief of staff; (vi) reps coordinator; (vii) infrastructure adviser; (viii) Premier’s personal assistant; (ix) administration and resources officer; (x) administration assistant — correspondence; (xi) executive assistant to the chief of staff; (xii) adviser — speechwriter; (xiii) adviser — Department of State and Regional Development; (xiv) adviser — social policy; (xv) adviser — Department of Justice; (xvi) director policy; (xvii) director Parliament; (xviii) director social policy; (xix) director economic policy; (xx) director strategy; (xxi) director administration; (xxii) director media; (xxiii) media adviser; (xxiv) Premier’s media adviser; (xxv) departmental media director; (xxvi) media administration assistant; and (xxvii) media assistant.

**ANSWER:**

I am informed that:

The roles, job descriptions and responsibilities of staff in my Office change from time to time.

The member may wish to refer to the Ministerial Staff Collective Agreement 2000 for details on classifications and responsibilities of Ministerial staff members.

**Police and emergency services: sworn police officers — salaries**

**2264. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): What is the total number of sworn police officers 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 sworn police officers employed in each of those financial years.

**ANSWER:**

I am informed by Victoria Police of the following:

The table below outlines the number of sworn employees and the total salaries over the past 5 financial years.

Sworn Employees (Headcount)	1996/97	1997/98	1998/99	1999/2000	2000/2001
Police	10130	9800	9432	9472	9744
PSOs	128	133	136	130	142
Reservists	49	42	42	36	30
Total Sworn	10307	9975	9610	9638	9916
Recruits	95	58	153	317	375
Salary*	\$470,300,000	\$480,300,000	\$481,900,000	\$482,000,000	\$493,800,000

\* Includes salaries and allowances expenditure for all police, protective services officers, reservists and recruits but excludes overtime payments.

**Police and emergency services: sworn police officers — superannuation**

**2265. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): What is the total contribution made by the



Government to the superannuation of sworn police officers 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 number of sworn police officers on whose behalf these contributions were made in each of those financial years.

**ANSWER:**

I am informed by Victoria Police of the following:

The table below outlines the number of sworn employees and the total superannuation paid on the employees behalf over the past 5 financial years.

Sworn Employees (Headcount)	1996/97	1997/98	1998/99	1999/2000	2000/2001
Police	10130	9800	9432	9472	9744
PSOs	128	133	136	130	142
Reservists	49	42	42	36	30
Total Sworn	10307	9975	9610	9638	9916
Recruits	95	58	153	317	375
Superannuation*	\$132,300,000	\$124,800,000	\$133,500,000	\$131,800,000	\$72,600,000

\*Includes expenditure to meet employer contributions to the Emergency Services Superannuation Scheme on behalf of all sworn employees and recruits in addition to Government funding for the years 1996/97 to 2000/01, to offset the cost of the unfunded liabilities of the scheme.

**Police and emergency services: sworn police officers — salaries**

**2266. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): What salary and benefits (excluding superannuation) are estimated to be paid by the Government to sworn police officers in 2001–02.

**ANSWER:**

I am informed by Victoria Police of the following:

The table below outlines the estimated number of sworn employees and the total salaries for the period 2001/02.

Sworn Employees (Headcount)	2001/2002 (Estimate)
Police	10075
PSOs	135
Reservists	25
Total Sworn	10235
Recruits	307
Salary*	\$517,000,000

\* Includes salaries and allowances expenditure for all police, protective services officers, reservists and recruits but excludes overtime payments.

**Police and emergency services: sworn police officers — superannuation**

**2267. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): What superannuation is estimated to be paid by the Government to sworn police officers in 2001–02.

**ANSWER:**

I am informed by Victoria Police of the following:

The table below outlines the estimated number of sworn employees and the total superannuation to be paid in 2001/02.

Sworn Employees (Headcount)	2001/2002 (Estimate)
Police	10075
PSOs	135
Reservists	25
Total Sworn	10235
Recruits	307
Superannuation	\$56,300,000

**Planning: government land purchases**

**2292. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister Assisting the Minister for Planning: What land was purchased by the Government between 20 October 1999 and 30 June 2000 indicating — (i) the date of the purchase; (ii) which Department purchased the land; (iii) the land’s location; (iv) who the land was purchased from; (v) why the land was purchased; and (vi) what was the cost of the purchase.

**ANSWER:**

The Department of Infrastructure does not have all the information you seek, however some information is held by the Government Land Monitor (GLM).

The GLM is part of the Department of Infrastructure and has the role of ensuring the integrity of government property transactions. It does this by considering and providing approvals to transactions, and providing advice to government departments and agencies on property transactions.

The Government of Victoria Policy and Instructions on the purchase, compulsory acquisition and sale of land provides that transactions with a value in excess of \$250,000 require the approval of the GLM and since October 1999, it is estimated that there have been 1200 property transactions submitted to GLM.

The GLM’s role includes being satisfied that legislative powers exist for the sale/purchase to proceed. Reasons for purchase or sale would best be provided by the particular Government Agency undertaking the transaction. Not all the transactions submitted to GLM proceed. GLM will not usually know the date of sale or purchase and will not necessarily know the final purchase or sale price. There will be numerous transactions that are not submitted to GLM because they are under the threshold of \$250,000.

It would be more appropriate for the Honourable Member to direct his Question to Ministers in regard to individual Departments and Agencies

**Planning: government land sales**

**2293. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister Assisting the Minister for Planning: What land was sold by the Government between 20 October 1999 and 30 June 2000 indicating — (i) the date of sale; (ii) which Department sold the land; (iii) the land's location; (iv) who the land was sold to; (v) why the land was sold; and (vi) what price was the land sold for.

**ANSWER:**

The Department of Infrastructure does not have all the information you seek, however some information is held by the Government Land Monitor (GLM).

The GLM is part of the Department of Infrastructure and has the role of ensuring the integrity of government property transactions. It does this by considering and providing approvals to transactions, and providing advice to government departments and agencies on property transactions.

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It would be more appropriate for the Honourable Member to direct his Question to Ministers in regard to individual Departments and Agencies

**Planning: government land purchases**

**2294. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister Assisting the Minister for Planning: What land was purchased by the Government between 1 July 2000 and 30 June 2001 indicating — (i) the date of the purchase; (ii) which Department purchased the land; (iii) the land's location; (iv) who the land was purchased from; (v) why the land was purchased; and (vi) what was the cost of the purchase.

**ANSWER:**

The Department of Infrastructure does not have all the information you seek, however some information is held by the Government Land Monitor (GLM).

The GLM is part of the Department of Infrastructure and has the role of ensuring the integrity of government property transactions. It does this by considering and providing approvals to transactions, and providing advice to government departments and agencies on property transactions.

The Government of Victoria Policy and Instructions on the purchase, compulsory acquisition and sale of land provides that transactions with a value in excess of \$250,000 require the approval of the GLM and since October 1999, it is estimated that there have been 1200 property transactions submitted to GLM.

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It would be more appropriate for the Honourable Member to direct his Question to Ministers in regard to individual Departments and Agencies

**Planning: government land sales**

**2295. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister Assisting the Minister for Planning: What land was sold by the Government between 1 July 2000 and 30 June 2001 indicating — (i) the date of sale; (ii) which Department sold the land; (iii) the land's location; (iv) who the land was sold to; (v) why the land was sold; and (vi) what price was the land sold for.

**ANSWER:**

The Department of Infrastructure does not have all the information you seek, however some information is held by the Government Land Monitor (GLM).

The GLM is part of the Department of Infrastructure and has the role of ensuring the integrity of government property transactions. It does this by considering and providing approvals to transactions, and providing advice to government departments and agencies on property transactions.

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The GLM's role includes being satisfied that legislative powers exist for the sale/purchase to proceed. Reasons for purchase or sale would best be provided by the particular Government Agency undertaking the transaction. Not all the transactions submitted to GLM proceed. GLM will not usually know the date of sale or purchase and will not necessarily know the final purchase or sale price. There will be numerous transactions that are not submitted to GLM because they are under the threshold of \$250,000.

It would be more appropriate for the Honourable Member to direct his Question to Ministers in regard to individual Departments and Agencies

**Premier: helicopter travel**

**2299. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Will the Premier provide a detailed list of helicopter travel he, or Ministers of the Government, have made since 20 October 1999, including — (i) the date of the helicopter travel; (ii) the names of the passengers; (iii) who paid for the travel; (iv) the cost of the travel; (v) the service provider of the travel; (vi) the purpose of each trip; (vii) the location(s) departed from; and (viii) the destination(s) of the travel.

**ANSWER:**

I am informed that:

The member may wish to refer to the information released to an Opposition MP on 25 January 2002 pursuant to a Freedom of Information application by the Opposition MP on the same subject matter as this Question.

**Premier: staff**

**2383. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Health, Minister for Planning and Deputy Premier on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Health, Minister for Planning and Deputy Premier.

**Premier: staff**

**2384. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Industrial Relations on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Industrial Relations.

**Premier: staff**

**2385. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Energy and Resources and Minister for Ports on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Energy and Resources and Minister for Ports.

**Premier: staff**

**2386. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Sport and Recreation and Minister for Youth Affairs on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Sport and Recreation and Minister for Youth Affairs.

**Premier: staff**

**2387. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Small Business and Minister for Consumer Affairs on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.



**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Small Business and Minister for Consumer Affairs.

**Premier: staff**

**2388. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Workcover and Minister for Local Government on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Workcover and Minister for Local Government.

**Premier: staff**

**2389. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Finance and Minister for Post Compulsory Education, Training and Employment on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Finance and Minister for Post Compulsory Education, Training and Employment.

**Premier: staff**

**2390. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Education and Minister for Arts on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Education and Minister for Arts.

**Premier: staff**

**2391. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Treasurer and Minister for State and Regional Development on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Treasurer and Minister for State and Regional Development.

**Premier: staff**

**2392. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Environment and Conservation and Minister for Women's Affairs on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Environment and Conservation and Minister for Women's Affairs.

**Premier: staff**

**2393. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Agriculture and Minister for Aboriginal Affairs on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Agriculture and Minister for Aboriginal Affairs.

**Premier: staff**

**2394. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Transport on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Transport.

**Premier: staff**

**2395. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Police and Emergency Services and Minister for Corrections on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Police and Emergency Services and Minister for Corrections.

**Premier: staff**

**2396. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Attorney-General, Minister for Manufacturing Industry and Minister for Racing on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Attorney-General, Minister for Manufacturing Industry and Minister for Racing.

**Premier: staff**

**2397. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Gaming and Minister for Major Projects and Tourism on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Gaming and Minister for Major Projects and Tourism.

**Premier: staff**

**2398. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office

of, or worked at the direction of the Minister for Community Services on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Community Services.

**Premier: staff**

**2399. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked assisting, worked in the office of, or worked at the direction of the Minister for Housing and Minister for Aged Care on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Minister for Housing and Minister for Aged Care.

**Premier: staff**

**2400. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): How many staff employed by the Premier worked directly assisting, worked in the office of, or worked at the direction of the Premier and Minister for Multicultural Affairs on 30 May 2001 and — (i) what were their names; and (ii) what was the annual salary and employment related costs of those staff.

**ANSWER:**

I am informed that:

As at 30 May 2001, there were 142.4 EFT staff employed by me to work in my office and to work in Ministerial offices at the direction of Ministers, including the Premier and Minister for Multicultural Affairs.

**Transport: Scoresby freeway**

**2401. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What commitments has the Government got from the Federal Labor Opposition regarding the Scoresby Freeway.
- (b) Has the Government got a commitment by the Federal Labor Party to abide by the \$445 million funding package as announced on 9 October 2001.

**ANSWER:**

- (a) Prior to the November 2001 Federal election, the Federal Opposition announced that, if elected to Government, it would meet 50 per cent of the cost of the Scoresby Freeway. It also undertook to provide \$55 million to fund the public transport component of the Scoresby Integrated Transport Corridor Project.

- (b) The Government has, via a jointly signed Memorandum of Understanding, a commitment by the Federal Government to fund 50% of the cost of the Scoresby Freeway (excluding land acquisition expenditure prior to the date of the Memorandum).

**Transport: rail projects group — consultants**

**2403. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What are the costs involved in the provision of consultants within each of the various groups within the Rail Projects Group (RPG) since its establishment.
- (b) Will the Minister provide an itemised list of all consultants employed since the Group's establishment and the various costs paid or owing and any future expenses involved.

**ANSWER:**

A consultant is defined by the Victorian Government Purchasing Board as an entity, whether an individual, a partnership or a corporation, engaged to do all of the following:

- provide expert analysis and advice which facilitates decision making,
- perform a specific, one off task or set of tasks,
- perform a task involving skills or perspectives which would not normally be expected to reside within a Department.

The Rail Projects Group has not engaged individuals or companies to undertake the consultancy activities defined above.

**Transport: public transport — Scoresby corridor**

**2408. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What public transport improvement has the Government identified as required in the Scoresby corridor.
- (b) What is the estimated cost of these improvements.
- (c) What priority does the Government have on each of the identified improvements.
- (d) What is the timeframe for the delivery of each of the identified improvements.

**ANSWER:**

(a) The Government has identified the following public transport improvements as candidate projects for consideration for possible inclusion in the public transport component of the Scoresby Integrated Transport Corridor Project:

- provision for future public transport in the Scoresby Freeway reservation
- provision of improved public transport services along Burwood Highway to Knox City. This could take the form of a tram extension;
- a public transport upgrade along Wellington Road from Huntingdale Station to Monash University and possibly to Rowville;
- multi-modal transport interchanges;
- enhanced bus services along Springvale Road and Stud Road;



- (b) The estimated costs of these projects will be determined as part of the development of the business case under the government's Partnerships Victoria Policy for the overall Scoresby Integrated Transport Corridor Project. Despite the refusal of the Commonwealth to fund any part of the public transport component of the overall Project, the Government remains committed to an integrated road and public transport outcome.
- (c) Priorities will be determined as part of the business case to be considered by Government in mid 2002.
- (d) The timeframe for delivery will be determined as part of the business case.

**Transport: employment of Mr Mal Sandon**

**2411. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): In relation to the nature of employment of Mr Mal Sandon, who during two periods at Vicroads earned a total of \$9440.00 for 28 days work:

- (a) What was he employed to do.
- (b) What responsibilities did he have.
- (c) Was an assessment made at the conclusion of employment that the task had been completed.
- (d) What process was employed by Vicroads to select him for the position.
- (e) Who was his direct supervisor.
- (f) Who was responsible for selecting him for the position.

**ANSWER**

Mr Sandon was employed to:

- assist with the development of a communications strategy and material for the launch of the Victorian Road Safety Strategy;
- liaise with key stakeholders including Government agencies to facilitate the launch;
- assist with identification of major initiatives to be recommended for announcement at the launch;
- facilitate a process of public consultation on the proposal to introduce alcohol ignition interlocks.

It is standard practice during provision of services of this nature to hold regular discussions with the contractor to review progress. This process was applied in this instance.

Mr Sandon was approached by Vicroads who discussed the proposed assignment with him and sought his services on the basis of his extensive experience in the area.

His direct supervisor was Vicroads' General Manager - Road Safety.

Vicroads' General Manager Road Safety in consultation with the then Chief Executive, Vicroads was responsible for his selection.

**Transport: Melbourne airport rail link**

**2427. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): In relation to the research into the Melbourne airport rail link from Booz Allen & Hamilton and Maunsell McIntyre for the Department of Infrastructure:

- (a) What are the patronage forecasts from each of those consulting firms.
- (b) What was the cost of each consultancy.

**ANSWER**

- (a) The Report on patronage estimates for the Airport Rail Link commissioned from Booz-Allen & Hamilton was finalised in November 2001. A Business Case utilising the results of the study was subsequently considered by the Government and it was decided not to proceed with an airport rail link at this time. A summary of the study findings can be found on the Linking Victoria web-site, [www.linkingvictoria.vic.gov.au](http://www.linkingvictoria.vic.gov.au).

As part of the previous government's rail privatisation program, Maunsell McIntyre was engaged by the Transport Reform Unit (TRU) of the Department of Treasury and Finance in 1998, to prepare a patronage study for a possible airport link. The Department of Infrastructure held discussions with Maunsell McIntyre and the TRU on the methodology and preliminary findings of the study but did not engage Maunsell McIntyre to undertake research on an airport link.

- (b) The cost of the work being performed by Booz-Allen & Hamilton on patronage is the subject of a contract with the Department of Infrastructure, which contains an upper limit on fees of \$409,760.

**Treasurer: land tax**

**2452. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Treasurer): In relation to properties located in postcodes 3155, 3156, 3152 and 3178:

- (a) How many properties are expected to have land tax levied on them in 2001-02.  
 (b) What is the total expected value of land in each of these postcodes for 2001-02.

**ANSWER:**

I am informed that:

Land Tax that will be collected in the 2001-02 year will be largely derived from the issue of the 2002 Land Tax Assessments. Land Tax is assessed on a calendar year basis, and the 2002 calculations will be based on a landowners total land holdings at midnight on 31/12/2001, excluding exempt land.

The 2002 Land Tax assessments are currently being calculated and are not yet publicly available.

**Community services: state disability plan**

**2453. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): In relation to the draft State Disability Plan and the Solution Development Phase, February to September 2001 for the development of strategies and recommendations to be included in the Plan:

- (a) What was the focus of each of the five Working Groups formed.  
 (b) What are the names of the members of each group, and which organisation (if any) did each represent.  
 (c) On which date or dates did each of the five groups meet.  
 (d) What are the names of the members of the Reference Group for Advocacy, and which organisation (if any) does each represent.  
 (e) On which date or dates did the Reference Group for Advocacy meet.  
 (f) What are the names of the members of the Reference Group of People with a Disability, and which organisation (if any) does each represent.  
 (g) On which date or dates did the Reference Group of People with a Disability meet.

- (h) On which date or dates were discussions held with the Victorian Disability Advisory Council and which members were present on each date.
- (i) What are the names of the members of the Ministerial Working Party on Disability Services Provision, and which organisation (if any) does each represent.
- (j) On which date or dates were discussions held with the Ministerial Working Party on Disability Services Provision.
- (k) What are the names of the eminent people in the disability field, both within Australia and overseas, from whom input was received, and which organisation (if any) does each represent.

**ANSWER:**

**(a) What was the focus of each of the five Working Groups formed.**

The Working Groups looked at the issues people raised during the Phase One Public Consultation Process, as well as issues raised in the Auditor General's Report on *Services for People with an Intellectual Disability* and the *Aspirations of People with a Disability within an Inclusive Victorian Community Research Project*. The Working Groups also identified other issues that needed to be considered.

Five theme-based Working Groups were established to look at these issues. These were:

1. Access to Disability Support
2. Individual Rights and Advocacy
3. Living in the Community
4. Quality
5. Strengthening Partnerships

**(b) What are the names of the members of each group, and which organisation (if any) did each represent.**

Members of the Working Groups were as follows. Non-Government members of the Working Groups were appointed as individuals, and not as representatives of organisations by which they may be employed.

**1. Access to Disability Support Working Group**

Mr Arthur Rogers (Convenor)	Department of Human Services
Dr Chris Bigby (External Contributor)	
Ms Kris Honey (Facilitator)	
Ms Michelle Lowe	State DisAbility Plan, Department of Human Services
Ms Frances Floyd	State DisAbility Plan, Department of Human Services
Ms Alma Adams	Department of Human Services
Mr Geoff Anderson	Department of Human Services
Ms Jan Child	Department of Human Services
Mr Kevin Craig	
Ms Lisa Hamilton	Department of Human Services
Ms Willa Longmuir	Department of Human Services
Ms Vittoria Mancini	Department of Human Services
Ms Karen O'Neill	Department of Human Services
Mr Phillip Toovey	

**2. Individual Rights & Advocacy Working Group**

Mr Arthur Rogers (Convenor)	Department of Human Services
Dr Chris Bigby (External Contributor)	

Ms Catherine Santo (Facilitator)	
Mr Ian Parsons	State DisAbility Plan, Department of Human Services
Ms Margaret Cooper	
Ms Jill Gardiner	Department of Human Services
Mr Bill Lawler	
Mr Chris Leach	Department of Human Services
Ms Dominique Saunders	Department of Human Services
Ms Mary Swift	Department of Human Services
Mr David Sykes	Office of the Public Advocate

**3. *Living in the Community Working Group***

Ms Christine Owen (Convenor)	Department of Human Services
Dr Chris Fyffe (External Contributor)	
Ms Kris Honey (Facilitator)	
Ms Christine Mathieson	State DisAbility Plan, Department of Human Services
Mr Paul Dunn	Department of Human Services
Ms Jill Evans	
Ms Jenny Foster	Department of Human Services
Mr Kym Irvine	Department of Infrastructure
Ms Louise Keramaris	Department of Human Services
Ms Denise Laughlin	Department of Human Services
Mr John McKenna	
Mr Peter Ruzyla	
Ms Jenni Sewell	
Ms Karyn Spencer	Department of Human Services

**4. *Quality Working Group***

Ms Ann Wearne (Convenor)	Department of Human Services
Dr Chris Fyffe (External Contributor)	
Ms Catherine Santo (Facilitator)	
Mr Chris Allen	State DisAbility Plan, Department of Human Services
Ms Angela Connors	Department of Human Services
Ms Margherita Coppolino	
Ms Donna Cousins	Department of Human Services
Ms Jodie Hamilton	Department of Human Services
Ms Maren Lorentzen	Department of Human Services
Ms Karen Nankervis	
Ms Carol Peterson	Department of Human Services
Ms Marsha Sheridan	
Ms Brenda Whitmore-Seidel	Department of Human Services
Ms Sue-Ellen Woolley	Department of Human Services
Ms Liz Wright	Department of Human Services

**5. *Strengthening Partnerships Working Group***

Mr John Leatherland (Convenor)	Department of Human Services
Dr Maree Dyson (External Contributor)	
Ms Kris Honey (Facilitator)	

Ms Frances Floyd	State DisAbility Plan, Department of Human Services
Mr Rod Amos	
Ms Frances Ford	Department of Human Services
Ms Susan George	Department of Premier & Cabinet
Mr Ernie Harris	Department of Human Services
Mr Harald Klein	Department of Human Services
Ms Therese Owe-Young	Department of Family & Community Services
Mr David Riley	Department of Human Services
Mr Graeme Schaeche	Department of Education, Employment and Training
Ms Noble Tabe	Department of Human Services
Ms Stella Young	

**(c) On which date or dates did each of the five groups meet.**

Plenary sessions of the Working Groups were held on:

12 February 2001  
 6 March 2001  
 24 April 2001  
 3 October 2001

Meetings for each Working Group were as follows:

*1. Access to DisAbility Support Working Group*

14 March 2001  
 28 March 2001  
 6 April 2001

*2. Individual Rights and Advocacy Working Group*

14 March 2001  
 28 March 2001  
 9 April 2001

*3. Living in the Community Working Group*

15 March 2001  
 23 March 2001  
 6 April 2001

*4. Quality Working Group*

20 March 2001  
 29 March 2001  
 10 April 2001

*5. Strengthening Partnerships Working Group*

13 March 2001  
 28 March 2001  
 10 April 2001

Additional Meetings for the Project Management Team (comprising Convenors, External Contributors, Facilitators and members of the State DisAbility Plan Team) were held on:



28 February 2001  
 8 March 2001  
 15 March 2001  
 23 March 2001  
 29 March 2001  
 5 April 2001  
 10 April 2001  
 17 April 2001  
 18 April 2001  
 8 May 2001  
 15 May 2001  
 25 May 2001

**(d) What are the names of the members of the Reference Group for Advocacy, and which organisation (if any) does each represent.**

Members of the Advocacy Reference Group were as follows:

Action for Community Living - Phillip Ripper  
 Action on Disability within Ethnic Communities - Licia Kokocinski  
 Action for More Independence and Dignity in Accommodation - Gabrielle Dickinson  
 Association for Children with a Disability - Michael Gourlay  
 Blind Citizens Australia - Helen Freris  
 Communication Aid Users Society - Peter Dawson  
 Communication Aid Users Society - Jan Ashford  
 Disability Discrimination Legal Service - Jonathon Goodfellow  
 Disability Employment Action Centre - Michael Hand  
 Disability Employment Action Centre – Bryan Ambrosius  
 Disability Justice Advocacy - Mark Feigan  
 Disability Justice Advocacy - Niki Sheldon  
 Disability Rights Victoria - Glenn Cardwell  
 Headway - Sue Kirkegard  
 Headway - Dean Dadson  
 Inner Western Region Migrant Resource Centre - Elizabeth McGarry  
 STAR Victoria - Esther Harris  
 Westernport Speaking Out - Margaret Labb  
 Victorian Advocacy League for Individuals with a Disability - Kevin Stone  
 Victorian Council of Deaf People - Grant Roberts  
 Victorian Women with Disabilities Network - Maree Ireland  
 Villamanta Legal Service - Phil Grano

**(e) On which date or dates did the Reference Group for Advocacy meet.**

16 March 2001  
 5 April 2001  
 9 May 2001  
 3 October 2001

**(f) What are the names of the members of the Reference Group of People with a Disability, and which organisation (if any) does each represent.**

Members of the Reference Group of People with a Disability were as follows. Members of the group were appointed as individuals, and not as members of any organisation.

David Bamfield  
 Kelvin Dedlefs  
 Heather Forsyth  
 Amanda Hiscoe  
 Colin Hiscoe  
 Jane Hauser  
 Doug Pentland  
 Luke Stone  
 Don Sweeney  
 Robert Blackley (Support Worker)

**(g) On which date or dates did the Reference Group of People with a Disability meet.**

4 May 2001  
 6 June 2001  
 19 June 2001

**(h) On which date or dates were discussions held with the Victorian Disability Advisory Council and which members were present on each date.**

Discussions were held with the Victorian Disability Advisory Council on the following dates:

4 April 2001  
 3 May 2001  
 3 October 2001

Members of the Victorian Disability Advisory Council present at these meetings were as follows:

*4 April 2001*  
 Mr David Green (Chair)  
 Mr Julian Gardner  
 Ms Sue Tait  
 Ms Christine Blackburn  
 Ms Delia Flack  
 Ms Clare Hargreaves  
 Ms Valerie Johnstone  
 Ms Therese Owe-Young  
 Mr Trevor Barnes  
 Ms Stella Young  
 Mr Steven Hurd  
 Dr Bob Davis  
 Mr Martin Fathers  
 Mr Steven Hurd  
 Ms Jennifer Boulton  
 Mr Paul Jacobs

3 May 2001

Mr David Green (Chair)  
 Ms Valerie Johnstone  
 Ms Christine Blackburn  
 Dr Bob Davis  
 Mr Trevor Barnes  
 Mr Steven Hurd

3 October 2001

Ms Keran Howe (Chair)  
 Mr Steven Hurd  
 Ms Jennifer Boulton  
 Ms Valerie Johnstone  
 Mr Julian Gardner  
 Dr Bob Davis

**(i) What are the names of the members of the Ministerial Working Party on Disability Services Provision, and which organisation (if any) does each represent.**

Members of the Ministerial Working Party on Disability Services Provision are:

ACROD - Tony Fitzgerald (to June 2001)  
 ACROD - John Morkhom  
 ARBIAS - Marilyn Hage  
 Council of Intellectual Disability Agencies (Vic) Inc - Sue Jackson  
 Department of Human Services, DisAbility Services Division - Bob Solly (to June 2001)  
 Department of Human Services, DisAbility Services Division - Arthur Rogers  
 Department of Human Services, DisAbility Services Division - Ann Wearne  
 Department of Human Services, Hume Region - Professor Tom Keating  
 Department of Human Services, Eastern Region - Mike Debinski  
 Huntington's Disease Association - Tim McCarthy (to June 2001)  
 VICRAID - Ian McLean  
 VICRAID - Chris Glennan

**(j) On which date or dates were discussions held with the Ministerial Working Party on Disability Services Provision.**

Phase Two discussions were held with the Ministerial Working Party on:

21 February 2001  
 28 March 2001  
 28 August 2001  
 1 October 2001

**(k) What are the names of the eminent people in the disability field, both within Australia and overseas, from whom input was received, and which organisation (if any) does each represent.**

Input was received from a range of eminent people in the disability field, including:

Dr Chris Bigby	Senior Lecturer
(External Contributor – Phase Two)	School of Social Work and Social Policy
	La Trobe University
	Bundoora, Victoria

<p>Dr Maree Dyson (External Contributor – Phase Two)</p>	<p>Director Dyson Consulting Group Pty Ltd Melbourne, Australia</p>
<p>Dr Chris Fyffe (External Contributor – Phase Two)</p>	<p>Director Grimwood Pty Ltd Victoria, Australia</p>
<p>Dr Michael J Kendrick</p>	<p>Kendrick Consulting Services Massachusetts, USA</p>
<p>Dr Elizabeth Ozanne (Principal Editor)</p>	<p>Chair, Research and Graduate Studies School of Social Work The University of Melbourne</p>
<p>Dr Marcia Rioux</p>	<p>Research Associate Robarts Centre on Canadian Studies York University, Canada Policy Adviser Inclusion International Geneva Policy Adviser to the United Nations Special Rapporteur for International Expert Meeting on Human Rights Abuses, Stockholm, Sweden (2000) Principal Coordinator – Canada National Resource Centre for Inclusion (India) Project Bombay, India</p>
<p>Dr Nancy Rosenau</p>	<p>Chief Researcher Disability Foundation of Australia Melbourne, Australia Director of Community Services Macomb Oakland Regional Center Michigan, USA</p>

**Community services: state disability plan**

**2454. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): In relation to the proportion of Victorians who have a disability, as outlined on pages 13 and 14 in the draft State Plan for Disability Services and sourced from the Australian Bureau of Statistics, what are Victorian population estimates for the number of persons — (i) with disabilities by activity restriction; and (ii) by age.

**ANSWER:**

The data on the proportion of Victorians who have a disability outlined on pages 13 and 14 in the Draft State DisAbility Plan was sourced from the Australian Bureau of Statistics. Information on the Victorian population estimates for the number of persons with a disability by activity restriction and by age are available in the Australian Bureau of Statistics publication *Disability, Ageing and Carers: Summary Tables Victoria 1998* Publication Number 4430.2.40.001. Copies of the relevant tables from this publication are attached.

**Community services: state disability plan**

**2455. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): In relation to the State Disability Plan:

- (a) Will the Final Plan be released in the first, second, third or fourth quarter of 2002.
- (b) Is the financial year the basis for the annual periods which will be encompassed by the Plan.

**ANSWER:**

The date of release of the final State Disability Plan, which is under development, has not been finalised.

The annual periods that will be encompassed by the final State Disability Plan will refer to financial years.

**Community services: commonwealth–state disability agreement**

**2456. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): Further to the answer to question no. 2120, given in this House on 18 September 2001, how much of the funds made available by the Commonwealth to assist Victoria under the Commonwealth/State Disability Agreement was allocated to Early Intervention Services for children aged 0-6 years with disabilities/developmental delay in 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01, respectively, and what is the estimate for 2001–02.

**ANSWER:**

Under the Commonwealth/State Disability Agreement, ‘Part 8 – Financial Arrangements’, details that both the Commonwealth and the State have responsibilities for making funds available for the provision of services to people with disabilities, which are set out in Schedule A to the Agreement.

In Victoria the specialist disability services includes clients associated with Early Intervention Services, Psychiatric Disability Support Services and Disability Services.

Commonwealth revenue as a Departmental administrative function has always been allocated in the Disability Services Program because the program was the major/lead provider of services.

Funding for the Early Intervention Services and the Psychiatric Disability Support Services form part of the Victorian funds made available for specialist disability services set out in Schedule A of the Agreement. Therefore, no Commonwealth revenue is allocated to Early Intervention Services.

**Community services: commonwealth–state disability agreement**

**2457. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): Further to the answer to question no. 2120, given in this House on 18 September 2001, how much of the funds made available by the Commonwealth to assist Victoria under the Commonwealth/State Disability Agreement was allocated to the Disability Services Program in 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01, respectively, and what is the estimate for 2001–02.

**ANSWER:**

(a) Commonwealth funding under the CSDA allocated to Disability Services Program is:

1996-97	\$67.367M
1997-98	\$68.593M
1998-99	\$74.869M



1999-00	\$78.377M
2000-01	\$95.195M

- (b) Commonwealth funding to be made available in 2001-02 is \$112.989M

**Community services: commonwealth–state disability agreement**

**2458. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): Further to the answer to question no. 2121, given in this House on 18 September 2001, how much of the funds Victoria made available to meet its responsibilities under the Commonwealth/State Disability Agreement was allocated to Early Intervention Services for children aged 0-6 years with disabilities/developmental delay in 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01, respectively, and what is the estimate for 2001–02.

**ANSWER:**

- (a) Funding Victoria made available to meet its responsibilities for Early Intervention Services for children aged 0-6 years with disabilities/developmental delay under the CSDA is:

1996-97	\$8.411M
1997-98	\$11.882M
1998-99	\$13.061M
1999-00	\$14.132M
2000-01	\$17.285M

- (b) Budgeted Victorian funding to meet its responsibilities for Early Intervention Services for 2001-02 is \$17.100M

**Community services: commonwealth–state disability agreement**

**2459. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): Further to the answer to question no. 2121, given in this House on 18 September 2001, how much of the funds Victoria made available to meet its responsibilities under the Commonwealth/State Disability Agreement was allocated to the Disability Services Program in 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01, respectively, and what is the estimate for 2001–02.

**ANSWER:**

- (a) Funding Victoria made available to meet its responsibilities for Disability Services Program under the CSDA is:

1996-97	\$342.145M
1997-98	\$429.070M
1998-99	\$449.433M
1999-00	\$488.333M
2000-01	\$556.197M

- (b) Budgeted Victorian funding to meet its responsibilities for Disability Services Program for 2001-02 is \$575.091M

**Treasurer: land tax**

**2465. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Treasurer): In relation to properties located in postcodes 3105, 3106, 3107, 3108 and 3109:

- (a) How many properties are expected to be subject to payment of State land tax for 2001-02.
- (b) What is the total expected revenue from state land tax for each of the postcodes for 2001-02

**ANSWER:**

I am informed that:

Land Tax that will be collected in the 2001-02 year will be largely derived from the issue of the 2002 Land Tax Assessments. Land Tax is assessed on a calendar year basis, and the 2002 calculations will be based on a landowners total land holdings at midnight on 31/12/2001, excluding exempt land.

The 2002 Land Tax assessments are currently being calculated and are not yet publicly available.

**Premier: ministerial staff**

**2466. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier):

- (a) What are the names of each ministerial officer employed by the Premier.
- (b) On what date did each ministerial officer employed by the Premier — (i) commence employment; and (ii) sign a pecuniary interest form.

**ANSWER:**

I am informed that:

Ministerial officers currently sign a pecuniary interest form at the point of employment.

This pecuniary interest form is generally updated on an annual basis.

**Premier: staff — calendar**

**2474. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Has a calendar been produced and provided to the Premier's private office staff since January 2000; if so, what are the — (i) reasons for printing the calendar; (ii) the total number produced; and (iii) total costs for the production of the calendar, including, design, layout and printing costs.

**ANSWER:**

I am informed that:

The member may wish to refer to the information released to an Opposition MP on 27 December 2001 pursuant to a Freedom of Information application by the Opposition MP on the same subject matter as this Question.

I am informed by my Department that the opposition MP inspected a Calendar of Major Projects for 2000/01 which lists major sporting, business and arts/entertainment events. The Opposition MP took the matter no further.

**Ports: West Swanson Dock**

**2476. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: Is the report of the Steering Committee on the Minister's proposal to extend the on-dock rail to West Swanson Dock, including the stakeholder comments, completed; if so — (i) what are the recommendations in the report; and (ii) what is the time line for implementing those recommendations.

**ANSWER:**

The final report of the Steering Committee on the Minister's proposal to extend the on-dock rail to West Swanson Dock includes primary stakeholder comments. However, broader stakeholder comments are being collated by the MPC and it is proposed to issue them as an addendum to the final report.

The recommendations propose a process for the reinstatement of rail into West Swanson Dock. Discussion is continuing between Melbourne Ports Corporation and P&O Trans Australia with the commercial arrangements between the parties expected to be finalised by the end of 2001.

It is anticipated that the rail terminal will be in place mid 2002.

**Ports: Westgate terminal project**

**2477. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: What is the breakdown of the \$30,630 spent on worldwide briefings aimed at encouraging potential investors in the Westgate Terminal Project.

**ANSWER:**

The cost allocated to the Westgate Project for the worldwide briefings was \$30,630. This comprised of:

- Air Fares to New Zealand, Hong Kong and Sydney      \$27,302
- Accommodation      \$ 2,689
- Others (travel insurance, taxi etc.)      \$ 639

**Ports: Westgate terminal project**

**2478. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: What was the total cost of briefings in Australia aimed at encouraging potential investors in the Westgate Terminal Project.

**ANSWER:**

Briefing sessions in Australia were conducted from normal operating costs, with little additional expenditure incurred specifically for the project. In order to keep costs to a minimum briefings were held in the Melbourne offices of MPC.

Information sessions for shipping lines were held in Melbourne and Sydney. The costs of these sessions were as follows:

- Melbourne      \$1,818
- Sydney      \$2,273

**Ports: Westgate terminal project**

**2479. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: When will the names of parties that expressed interest in the Westgate Terminal project be disclosed.

**ANSWER:**

The identity of the parties that expressed interest in the project will not be revealed.

However, the short-list of bidders for the Westgate Terminal Project will be formally disclosed after Cabinet has approved the Melbourne Port Corporation to formally invite tenders for the project.

**Industrial relations: State and Regional Development — annual report**

**2484. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations: In relation to page 27 of the Department of State and Regional Development 2000-2001 Annual Report:

- (a) What constitutes an ‘investment attraction exercise involving sensitive industrial relation issues’ under the Advice heading.
- (b) How many of these exercises was Industrial Relations Victoria involved in.
- (c) What were the exercises referred to.
- (d) What was the role of Industrial Relations Victoria in these exercises.

**ANSWER:**

- (a) An “investment attraction exercise involving sensitive industrial relation issues” constitutes a broad range of advice and assistance depending on a number of factors such as the investor, the industry and the nature of the investment that is being considered.

Advice is based on the specific circumstances of the investment and can include a range of activities such as:

- an explanation of the industrial relations framework in Victoria, including the process for negotiating employment agreements;
- a presentation of the minimum and industry-standard entitlements of employment;
- a presentation of other legislative obligations relating to employing a work force; and
- the introduction to relevant industry associations.

The investor’s understanding of industrial relations and managing people can influence the level of information and advice that they require.

- (b) For the 2000/01 year, Industrial Relations Victoria (IRV) was involved in approximately 20 specific investment attraction exercises as part of the Department of State and Regional Development’s overall investment attraction and facilitation functions. In addition, IRV also provided general industrial relations information to the Department of State and Regional Development for their referral when liaising with investors.
- (c) The exercises related to a range of investment projects, and the advice provided was specific to individual investor needs, covering a range of advice and assistance outlined in (a) above.
- (d) Again, IRV’s role differed depending on the nature of the investment, however, it included the range of advice and assistance outlined in (a) above.

**Industrial relations: Industrial Relations Victoria, executive director**

**2485. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations: On what date did Mr Geoff Fary commence employment with Industrial Relations Victoria as Executive Director.

**ANSWER:**

The Honourable the Minister for Industrial Relations: I am informed that Mr Geoff Fary commenced employment with Industrial Relations Victoria on 1 May 2000.

**Transport: Yarra Trams**

**2486. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Further to the answer to Question No. 2308, given in this House on 20 November 2001:

- (a) How much of the \$100 million investment in these new 'low floor' trams is being provided by the government.
- (b) Will other private operators be provided with similar transport.

**ANSWER:**

(a) The financing arrangements for all of the rolling stock purchases currently under way were put in place by the previous Government under contracts signed by the Kennett Government and public transport operators in August 1999.

These arrangements involve:

- Purchase of the rolling stock directly by a third party lessor (usually a financier);
- Leasing of the rolling stock by the lessor to the relevant franchisee;
- The lease entered into will run for 15 years with provision to novate the lease to a succeeding franchisee and for the Government to buy back the vehicles at the end of 15 years; and
- Payment by the Government of a franchise subsidy adjustment on account of the additional lease payments incurred by the franchisee.

The franchise subsidy adjustments to be paid by Government were bid by franchisees at the time of the letting of franchises as was the buy-back price at the end of the lease should the Government wish to pursue this option. Assuming that the Government of the day does exercise the option to purchase the rolling stock (or enter into a second long-term lease) the Government contribution will effectively cover the whole of the purchase price and financing costs.

(b) The funding framework described above applies to all of the private operators purchasing new trams and trains.

**Transport: Metroplan strategy**

**2487. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details of the costs involved in the development of the Metroplan strategy, including the total costs of the — (i) community forums; (ii) distribution; (iii) printing; and (iv) administration.

**ANSWER:**

The Government has made significant progress in the development of the Melbourne Metropolitan Strategy. This is the first major update of the Metropolitan Strategy for 15 years and will provide guidance for the development of Melbourne and its region for the coming 20-30 years.

The 2000-2001 State Budget included funding of \$1.0m in 2000-2001 and \$0.5m in 2001-2002 for the development of the Metropolitan Strategy Initiative. Existing Departmental resources have also been assigned to the project with the total cost for the project as at October 2001 being \$2.7m.

	1999/00	2000/01	2001/02	Totals
<b>ERC Funding</b>	N/A	\$1.0m	\$0.5m	\$1.5m
<b>Departmental Budget</b>	\$0.16m	\$1.13m	\$0.15m	\$1.4m
<b>Total Expenditure</b>	\$0.16m	\$2.13m	\$0.4m (as at Oct 01)	\$2.7m (as at Oct 01)



During the periods of October to December 2000 and April and May 2001 over 2,200 people attended the forums to participate in the development of the strategy. In total there were 33 community forums held in metropolitan and regional Victoria. The total cost to date to provide these valuable forums has been \$0.82m. This figure includes the hire of equipment, facilities and facilitators.

The Metropolitan Strategy has generated a number of publications, which have enabled all Victorians to understand the challenges facing Melbourne’s development and contributing to the strategy. The total cost to date for the printing and distribution of these items has been \$0.27m.

The administrative expenses that relate directly to this project to date are \$0.23m, this figure includes expense items such as: data purchases, telecommunications, travel related and office expenditure. This figure does not include the coordinating and management on-costs associated with the general operation of the Department, ie. existing staff salaries and related expenses, depreciation and occupancy expenses.

**Transport: rural and regional buses — subsidy**

**2488. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details on the annual financial subsidy of Victoria’s rural and regional buses, listing the payments to each private operator for each financial year since 1995-96.

**ANSWER:**

The information requested is confidential to the individual contract arrangements between Rural and Regional Bus operators and the Department of Infrastructure and therefore cannot be provided in this instance.

The outturn payments in aggregate are available for Rural and Regional Bus Services see below

Year	Cost in today’s \$ \$M
1995/96	21.30
1996/97	23.27
1997/98	21.42
1998/99	21.33
1999/00	24.92
2000/01	24.40

Note that ERC funding for air-conditioning and student revenue issues was included in the base contract from 1999

**Transport: Melbourne metropolitan buses — subsidy**

**2489. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details on the annual financial subsidy of Melbourne metropolitan buses, listing the payments to each private operator for each financial year since 1995-96.

**ANSWER:**

The information requested is confidential to the individual contract arrangements between Metropolitan Bus operators and the Department of Infrastructure and therefore cannot be provided in this instance.

The outturn payments in aggregate are available for Metropolitan Bus Services (see below).

Years	Cost in today's \$
1995/96	204.61
1996/97	196.80
1997/98*	198.91
1998/99	203.73
1999/00	205.61
2000/01**	208.30

Note : Bus contracted services were managed by PTC and DOT in the years prior to June 1996

1997/98\* MBL won the tender for Government bus contract and started operating in April 1998.

1998/99 The full year impact of MBL took effect in 1998/99.

2000/01\*\* The volatility of world fuel prices and unexpected increases in Wage on costs contributed to an increase in budget outturn.

Note: ERC funding for new services and air-conditioning was included in the base contract from 1999.

**Transport: fast rail project**

**2490. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details of the maximum Government financial commitment to the Regional Fast Rail Project.

**ANSWER:**

The Government's financial commitment to the project is \$550 million.

**Transport: Spencer Street station subway upgrade**

**2491. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What are the details of the cost of the Spencer Street Station subway upgrade.
- (b) How was this project assessed and decided upon based on the various other competing areas for money to be spent on the Spencer Street Station project.

**ANSWER:**

The Spencer Street Station Authority commenced operations on 1 July 2001, having been created by legislation and supported by all sides of Parliament.

In its first 17 months, the Authority has concentrated on improvements to public safety and amenity, for the 60-70 thousand people who pass through the station each day. Matters such as emergency evacuation procedures, fire services, security, cleaning and public health have been dealt with, as well as a considerable upgrade to retail facilities, seating, signage, etc.

It is anticipated that construction work will begin in mid 2002 on the Spencer Street Redevelopment Project with construction proposed to be finished by mid 2005. During this period the existing pedestrian subway will be a vital, probably the only, means by which the travelling public will be able to safely gain access to and from the train platforms.

After the new station has been built, the subway will continue to have an important role for luggage transfer and other operational matters, and as a vital emergency evacuation route.

The Authority therefore made a decision to upgrade the subway, to achieve three things:

- (a) to eliminate health problems by removal of asbestos and termite infestation;
- (b) to open up the passageways by removing three shops from the centre aisle; and
- (c) to provide better retail facilities for the public, bearing in mind that those on the two upper levels may have to be closed at certain stages during the redevelopment.

The original scope of works was expanded to meet these objectives, prior to being competitively tendered. The lowest tender of \$737,938.85 (including GST) was accepted from Allmore Constructions, who had previously carried out the refurbishment of the main concourse. The Authority has since approved variations to this contract of approximately \$50,000 to deal with more extensive termite damage in the subway than originally anticipated.

The improvements currently being carried out are fully funded by the Authority using revenue it generates from its retail activities and property leases, including public car parking and rentals paid by the train and bus operations.

**Environment and conservation: Parks Victoria office — Mallacoota**

**2495. 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) What are the current hours of operation of the Parks Victoria Office of the Department of Natural Resources and Environment in Mallacoota.
- (b) What variation (if any) has there been for public access to the office for information over the past 2 years.
- (c) What plans are there (if any) to expand the hours of operation for the office.

**ANSWER:**

I am informed that:

The Parks Victoria office at Mallacoota is a work centre for local operations and is not a general tourism Information Centre. The office provides information on areas managed by Parks Victoria and the Department of Natural Resources and Environment.

- (a) The current hours of operation are 9.00 a.m. to 5.00 p.m. Monday to Friday, with the office being open to the public from 9.30 a.m. to 3.30 p.m.
- (b) There has been no variation to public access over the past two years.
- (c) There are no plans to expand the hours of operation for the office.

**Environment and conservation: ‘Discovering Mallacoota’**

**2496. 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): In relation to the publication ‘Discovering Mallacoota’:

- (a) At what outlets is this publication now available.
- (b) If it is not available, what plans are there for it to be printed.

- (c) If there are no plans for it to be printed, what is the rationale for this decision.

**ANSWER:**

I am informed that:

- (a) The brochure 'Discovering Mallacoota' is now out of date and is no longer printed.
- (b) Parks Victoria does not plan to reprint that particular brochure as the business sector in Mallacoota provides brochures on accommodation and tourism opportunities in the area.
- (c) Parks Victoria have, over time, expanded and improved the range of brochures available. The current brochures (provided free to the public by Parks Victoria) promote a wider range of visitor facilities and the natural values in Parks in the Mallacoota area than the 'Discovering Mallacoota' brochure.

**Energy and resources: Department of Natural Resources and Environment annual report — beach renourishment**

**2497. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Energy and Resources: In relation to page 37 of the Department of Natural Resources and Environment annual report for 2000-2001:

- (a) What is the beach location which features the photograph of the truck engaged in beach renourishment works.
- (b) What was the total cost of the project.
- (c) In which financial year was the work undertaken.

**ANSWER:**

I am informed that

- (a) The beach renourishment works identified in the photo on page 37 of the Department of Natural Resources and Environment's 2001 Annual Report occurred at Middle Park Beach, adjacent to the Middle Park Life Saving Club;
- (b) The total cost of the project was approximately \$150,000 of which \$50,000 was funded by the City of Port Phillip.
- (c) The works were undertaken in the 2000/2001 financial year.

**Police and emergency services: Bayside — policing requirements**

**2499. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): In relation to the study being commissioned to identify the most appropriate location of policing facilities to best serve the local community of Sandringham, when will a decision be made regarding policing requirements for the City of Bayside and the siting of such facilities.

I am informed as follows:

The study by Victoria Police is to identify the most appropriate location of policing facilities for the City of Bayside to best serve the local communities. The study is not limited to one specific location. Of course, the scope of the study includes the Sandringham area.

The advice as to priorities in the City of Bayside for the development of police facilities will need to be balanced alongside other police requirements across the State.

My current advice is that the review is expected to be completed before the end of the year.

Any subsequent question of where to deploy police and how many police to deploy is an operational decision for Victoria Police.

**Transport: Dingley bypass project**

**2500. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What is the status of the Dingley Bypass Project.

**ANSWER:**

A planning assessment report for the Warrigal Road to Springvale Bypass section of the Dingley Route is being finalised.

A construction timetable would be determined following completion of the project planning and development phase.

**Transport: Eastern Freeway and Greensborough bypass**

**2501. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Does the Government support a freeway link between the Eastern Freeway and the Greensborough bypass.

**ANSWER:**

The Victorian Government is not considering any proposal in relation to a freeway link between the Eastern Freeway and the Greensborough Bypass.

**Transport: proposed train to Rowville**

**2503. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What is the status of the proposed train to Rowville.

**ANSWER:**

As part of the Scoresby Integrated Transport Corridor Project, the Government is currently investigating a range of options for improving public transport linkages to areas of Melbourne's outer east including Rowville.

In addition, a study to develop an Outer East Public Transport Plan (OEPTP) commenced in September 2001. This incorporates the municipalities of Whitehorse, Maroondah, Knox, Monash, Greater Dandenong, Casey, Manningham and part of Yarra Ranges. The study will take into consideration findings of studies into the Scoresby Corridor as part of a wider, longer term plan for the provision of public transport services in the region. The OEPTP study is in the Inception phase and in the second half of the year will consider options for extending rail to Rowville along with other public transport improvement options.

During 2002 the Government will determine the scope of the Scoresby Integrated Transport Corridor Project. The overall project will include the freeway and a public transport package with options for light rail, bus improvements and upgraded modal interchanges. The scope of the public transport package will take into account financing limits relating to the Commonwealth's decision not to contribute funding to this component.

**Transport: City Circle service**

**2504. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What is the total penalty which Yarra Trams have been penalised for the limited City Circle service.

**ANSWER:**

Services on the City Circle were reduced by agreement with the Department of Infrastructure. This was due to shortages of rolling stock arising from the withdrawal for safety reasons of the W Class trams under the instructions of the Director of Public Transport.

The City Circle tram service does not fall within the Operational Performance Regime which applies to other route services under the Franchise Agreement with Yarra Trams. Consequently, no penalty has been applied for the reduction in service on the City Circle tram.

**Transport: public transport fare increases**

**2505. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Will the Minister provide annual data for public transport fare increases (as a percentage increase as well as the nominal price) since 1985 for — (i) full fare and concession two hour (zones 1, 2, 3, 1+2, 2+3, 1+2+3) tickets; (ii) full fare and concession daily (zones 1, 2, 3, 1+2, 2+3, 1+2+3) tickets; (iii) full fare and concession weekly (zones 1, 2, 3, 1+2, 2+3, 1+2+3) tickets; (iv) full fare and concession monthly (zones 1, 2, 3, 1+2, 2+3, 1+2+3) tickets; and (v) full fare and concession yearly (zones 1, 2, 3, 1+2, 2+3, 1+2+3) tickets.

**ANSWER:**

1. Details of the price of individual tickets since 1985 is not available. However, it is the understanding of officers within the Department of Infrastructure that all ticket types have increased by the same proportion when fare rises have occurred over this period.
2. General fare rises since 1985 have been as follows:

<b>Year</b>	<b>Month</b>	<b>Average increase</b>
1985	November	7.1%
1986	July	5.7%
1987	July	6.1%
1988	-	-
1989	August	4.1%
1990	September	15.0%
1991	March	10.0%
	October	9.2%
1992	-	-
1993	January	10.0%
1994	January	3.2%
1995	-	-
1996	-	-
1997	January	3.4%
1998	-	-
1999	January	3.0%
2000	July	5.0%
2001	January	8.3%



Note: the price rise in July 2000 was GST-related, and the price rise in January 2001 was based on the CPI rise in the previous two years and included some GST effects.

3. Changes in the prices of the identified fares since 1999 are as follows:

<b>Ticket type</b>	<b>Zone</b>	<b>1999</b>	<b>July 2000</b>	<b>January 2001</b>
<b>Full fare</b>				
Two hour	1	\$2.30	\$2.40	\$2.60
	2	\$1.70	\$1.70	\$1.90
	3	\$1.70	\$1.70	\$1.90
	1+2	\$3.90	\$4.00	\$4.40
	2+3	\$3.20	\$3.30	\$3.60
	1+2+3	\$5.30	\$5.50	\$6.00
	Daily	1	\$4.40	\$4.60
2		\$3.00	\$3.10	\$3.50
3		\$3.00	\$3.10	\$3.50
1+2		\$7.10	\$7.40	\$8.00
2+3		\$5.90	\$6.10	\$6.70
1+2+3		\$9.50	\$9.90	\$10.80
Weekly		1	\$19.10	\$20.00
	2	\$13.10	\$13.70	\$14.80
	3	\$13.10	\$13.70	\$14.80
	1+2	\$32.30	\$33.90	\$36.70
	2+3	\$26.30	\$27.60	\$29.90
	1+2+3	\$39.50	\$41.40	\$44.90
	Monthly	1	\$71.50	\$75.00
2		\$48.00	\$50.40	\$54.50
3		\$48.00	\$50.40	\$54.50
1+2		\$110.00	\$115.50	\$125.00
2+3		\$96.50	\$101.30	\$109.70
1+2+3		\$134.50	\$141.20	\$152.90
Yearly		1	\$770.00	\$808.50
	2	\$525.00	\$551.20	\$597.00
	3	\$525.00	\$551.20	\$597.00
	1+2	\$1,230.00	\$1,291.50	\$1,398.00
	2+3	\$1,030.00	\$1,081.50	\$1,171.00
	1+2+3	\$1,525.00	\$1,601.20	\$1,734.00

<b>Ticket type</b>	<b>Zone</b>	<b>1999</b>	<b>July 2000</b>	<b>January 2001</b>
<b>Concession</b>				
Two hour	1	\$1.30	\$1.35	\$1.45
	2	\$0.90	\$0.90	\$1.00
	3	\$0.90	\$0.90	\$1.00
	1+2	\$2.00	\$2.10	\$2.25
	2+3	\$1.70	\$1.75	\$1.90
	1+2+3	\$2.70	\$2.80	\$3.05
	Daily	1	\$2.30	\$2.40
2		\$1.60	\$1.65	\$1.80

Ticket type	Zone	1999	July 2000	January 2001
Concession	3	\$1.60	\$1.65	\$1.80
	1+2	\$3.60	\$3.75	\$4.05
	2+3	\$3.00	\$3.15	\$3.40
	1+2+3	\$4.10	\$4.30	\$4.65
Weekly	1	\$9.50	\$9.95	\$10.80
	2	\$6.50	\$6.80	\$7.35
	3	\$6.50	\$6.80	\$7.35
	1+2	\$16.10	\$16.90	\$18.30
Monthly	2+3	\$13.10	\$13.75	\$14.85
	1+2+3	\$18.30	\$19.20	\$20.80
	1	\$36.00	\$37.80	\$40.90
	2	\$24.00	\$25.20	\$27.25
Yearly	3	\$24.00	\$25.20	\$27.25
	1+2	\$55.00	\$57.70	\$62.50
	2+3	\$48.00	\$50.40	\$54.55
	1+2+3	\$63.50	\$66.65	\$72.20
No concession available				

**Transport: outer east public transport study**

**2506. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) Why hasn't the outer east public transport study been released, as promised in the Australian Labor Party policy.
- (b) What consultation process has been put in place for this study.

**ANSWER:**

The Outer Eastern Public Transport Study is underway. Its scope and timing have been heavily influenced by the negotiations between the Victorian and the Federal Governments on the scope and financing of the Scoresby Integrated Transport project. As you may be aware, the Bracks Government obtained the Commonwealth Government's agreement to fund the Scoresby Freeway as a Roads of National Importance (RONI) Project in October 2001.

The public transport study includes the following three related activities:

- Finalising the scope and design of the Scoresby Project.
- Preparation of a Public Transport plan for the region.
- Regional bus studies which form part of a metropolitan-wide bus planning study (Bus Plan).

Consultation on the various aspects of these studies have been underway with the local government authorities affected, over an extended period. Detailed consultations with community groups and interested individuals for the public transport study are scheduled to commence early in 2002, with the release of an Inception Report. The Inception Report will set out the breadth of the public transport initiatives that are feasible, to provide a basis for effective consultation.

It is expected that the Study and the Bus Plan will be completed during 2002.

**Transport: public transport — train station staff**

**2507. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) How many train station staff have been employed on the public transport system since September 1999 for each private operator.
- (b) How much money has the Government paid.

**ANSWER:**

The following figures represent the approximate numbers of staff employed at railway stations by the private operators since the commencement of franchising in September 1999:

- V/Line Passenger:	180
- Connex:	290
- M>Train	350

In addition, the Government has provided funding for an extra 100 staff at railway stations (known as “Roving Safety Officers”) as part of its commitment to improve passenger safety on the network, particularly in the evening period. The full compliment of 100 new staff was introduced during December 2000. Currently, Connex and M>Train employ 43 and 57 Roving Safety Officers respectively.

The costs associated with the employment of Station Staff, other than the Roving Safety Staff, are the responsibility of the franchisees and do not involve any additional funding from Government over and above general subsidy levels.

From 1 July 2000 to 30 November 2001, M>Train has been paid \$3.97m and Connex has been paid \$2.86m for the Roving Safety Staff initiative (inclusive of GST). These figures include start up capital costs such as the provision of staff facilities at railway stations. The difference in payments between the businesses reflects the greater number of staff being employed by M>Train.

**Transport: tram projects**

**2508. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What percentage of the total funds have been or will be funded by the Government for the following projects — (i) Box Hill tram extension; (ii) construction of the Spencer Street/Collins Street superstop; (iii) construction of the Collins Street/Spring Street superstop; and (iv) introduction of low floor trams for Yarra Trams.

**ANSWER:**

The projects in question are all part of Yarra Trams franchise commitment for the operation of the Yarra Tram network. The Government is committed to make payments to Yarra Trams as set out in the Franchise Agreement. Yarra Trams is committed to deliver the work irrespective of whether the Government contribution covers the full cost. The total cost of the projects is therefore unknown at this stage however the Government contributions are:

- (i) Box Hill tram extension is funded through a \$14M franchise payment. In addition the Government is required to deliver the land acquisition required for the project, the total cost of the land acquisition is not known at this stage. The Government has agreed to make a \$1m contribution to additional enhancements to the Box Hill project (valued at \$1.76M) including rubber boot resilient track, grassed track, weight-tensioned overhead and a left turn slip lane at Elgar Road.

The Government has also agreed to contribute \$300,000 towards the cost of a significantly enhanced terminus at Box Hill including enhanced connection between the tram terminus and the train and bus stations.

- (ii) The construction of a Superstop at the Spencer Street / Collins Street intersection is being considered by Yarra Trams. If approved, it would be funded as part of the Government contribution to Yarra Trams' \$4.8M franchise commitment to construct 15 Superstops and enhance 200 tram stops across the network.
- (iii) The Collins Street/Spring Street Superstop is funded as part of the Government contribution to Yarra Trams' \$4.8M franchise commitment to construct 15 Superstops and enhance 200 tram stops across the network.
- (iv) Yarra Trams is introducing 36 low floor trams as a \$100M franchise commitment. The new trams are fully funded through the franchise payment.

**Transport: Public Transport Users Association**

**2509. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) Why was the Public Transport Users Association banned from the Northern Central City Corridor Study reference group.
- (b) What advice was given to the Minister by the Department of Infrastructure in relation to banning the Public Transport Users Association from this reference group.

**ANSWER:**

- (a) At no stage did the Minister for Transport say there was a ban on the PTUA. In fact, the PTUA has been invited to sit on a number of Government committees including the Public Transport Consultative Committee and the Metropolitan Strategy Reference Group.

In the case of the Northern Central City Corridor Study, more than 20 community groups were invited to participate, including many with strong views on public transport, such as Environment Victoria.

- (b) The Department of Infrastructure provided a list of recommended groups for invitation onto the Northern Central City Corridor Study's Community Reference Group. The list was prepared with the aim of keeping the Group to a manageable size whilst also providing reasonable representation, particularly of local community representatives. Whilst the PTUA was not included in the list of recommended Community Reference Group members submitted by the Department they are among a range of organisations being consulted for this study.

**Transport: public transport industrial disputes**

**2510. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Will the Minister provide annual data for public transport industrial disputes or action since 1985 including — (i) days lost to action; and (ii) hours lost to action.

**ANSWER:**

- (i) Actual days lost have not been recorded on the PTC payroll system, nor recorded by the franchisees.
- (ii) The following table presents the number of labour hours lost due to industrial action, according to payroll data held by the PTC since 1985 on a financial year basis.

Year (ending June 30)	Hours
1985	648
1986	39643
1987	14239
1988	102675
1989	93599

Year (ending June 30)	Hours
1990	84865
1991	13931
1992	22140
1993	179413
1994	22476
1995	69761
1996	12132
1997	51798
1998	54170
1999	362
2000	755

Since the commencement of privatisation, ie August 1999 to 30 November 2001, 1539 labour hours have been lost due to industrial action.

**Transport: Middle Footscray railway station**

**2513. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): In relation to Middle Footscray station:

- (a) What is the status of the station.
- (b) How will the Regional Fast Rail project affect the station.
- (c) How will the Albion route for the airport rail affect the station.

**ANSWER:**

- (a) Middle Footscray Station is approximately 600 metres away from West Footscray and Footscray Stations with bus services operating to both these stations. National Express provides metropolitan passengers train services.
- (b) Works required in the metropolitan area as part of the Regional Fast Rail Project (RFRP) (including the area around Middle Footscray Station) have yet to be specified. These will be tendered under the Alliance Agreement in 2002 after the country works have been awarded.
- (c) The Government recently announced that the proposal for an Airport Rail Link through the Albion corridor would be postponed for at least a period of ten years.

**Transport: Box Hill railway station**

**2514. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) Why isn't the Box Hill tram extension terminating at the Box Hill Railway Station.
- (b) What is the purpose of a so-called 'integrated' system when new projects such as this area are not even designed to connect with other transport modes.

**ANSWER:**

- (a) The Box Hill tram extension will extend the tram services from their current terminus at Union Road, Mont Albert along Whitehorse Road to a brand new terminus in the median of Whitehorse Road near Market Street,

Box Hill. Consideration was given to terminating the tram in the railway station but this would reduce the capacity for additional rail services in the future.

- (b) The terminus will be designed to provide a convenient link to the Box Hill train and bus stations and the shopping centre as well as providing flexibility for any future extension of the tram network. Bus, train and tram services will be further integrated with real time passenger information for all services.

**Housing: public housing estates — redevelopment**

**2515. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the redevelopment of public housing estates:

- (a) Which estates are earmarked for redevelopment.
- (b) What is the time line for each redevelopment.

**ANSWER:**

- (a) Eleven public housing estates are currently earmarked for redevelopment: Victory Boulevard, Ashburton; Long Gully, Bendigo; Rathdowne Street, Carlton; Peace Court, Doveton; Thomson Estate, Geelong East; Kensington Estate, Kensington; Maidstone/Braybrook Estate; Raglan/Ingles Sts, Port Melbourne; Elizabeth Street, Richmond; Parkside Estate, Shepparton and Mark/Rundle Estate, Wodonga.

In addition to these redevelopments, public housing estates in Wendouree West and the Latrobe Valley (East Morwell, Churchill, Moe and Traralgon) have been designated as neighbourhood renewal projects.

- (b) Each of these redevelopment projects is subject to a variety of factors, including but not limited to, planning processes, tender processes, tenant relocation processes, construction processes and community consultation mechanisms.

**Housing: public housing estates — redevelopment**

**2516. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the redevelopment of public housing estates.

- (a) Which redevelopments involve contributions in kind from the not for profit sector.
- (b) What are the details of the type of contributions made.
- (c) Which redevelopments involve contributions in kind from private developers.
- (d) What are the details of the type of contribution made.

**ANSWER:**

- (a) None of the redevelopments involve contributions in kind from the not-for-profit sector.
- (b) Not applicable.
- (c) None of the redevelopments involve contributions in kind from private developers.
- (d) Not applicable.

**Housing: public housing estates — redevelopment**

**2517. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the redevelopment of public housing estates, on which



housing estates has the Government already undertaken or proposes to undertake to subdivide and sell the land for private sector development.

**ANSWER:**

The Government has not undertaken sub-division on any of the presently-planned redevelopments of public housing estates, but the following sub-divisions are proposed: Ashburton, Kensington, Port Melbourne and Wodonga.

**Housing: public housing estates — private developers**

**2518. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the details of the contractual arrangements the Government proposes to negotiate with private sector developers to encourage a mix of private and public housing developments on State Government owned sites.

**ANSWER:**

Any types of contractual arrangements proposed to be used by the Government to encourage a mix of public and private housing on Government-owned sites will accord with the Government's existing guidelines and policies, such as those for the purchase and sale of land, the Code of Practice for the Building and Construction Industry, the Partnerships Victoria policy and the relevant rules governing such contracts, such as the Directions under the Project Development and Construction Management Act.

**Housing: public housing estates — private developers**

**2519. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Which private sector investors have submitted a joint venture proposal for the redevelopment of public housing estates.

**ANSWER:**

No joint venture proposals have been submitted by private sector investors for the redevelopment of public housing estates.

**Police and emergency services: City of Manningham — offences**

**2520. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): What is the total number of offences recorded in the City of Manningham (postcodes 3105, 3106, 3107, 3108, 3109) for 1999-2000 and 2000-2001 in each of the following categories — (i) crime against the person including homicide, rape, sex (non rape), robbery, assault, abduction and kidnap; (ii) crime against property including arson, property damage, burglary (aggravated), burglary (residential), burglary (other), deception, handling stolen goods, theft from motor vehicle, theft (shop steal), theft of motor vehicle, theft of bike; (iii) drug offences including manufacturing, trafficking, possession and use; and (iv) other crimes including going equipped to steal, justice procedures, regulated public order, weapons, explosives, harassment and behaviour in public.

**ANSWER:**

I am informed that the information sought by the Honourable Member is publicly available for purchase from the Statistical Services Branch of Victoria Police.

**Ports: Victorian Channel Authority — channel deepening**

**2521. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports. In relation to the Victorian Channel Authority's assessment on the economic, environmental and technical aspects of Port Phillip Channel deepening:

- (a) Has the assessment been completed.
- (b) What are the recommendations of the assessment.
- (c) Will the recommendations be made public.

**ANSWER:**

- (a) Preliminary assessments of the economic, environmental and technical aspects of Port Phillip Channel Deepening have been completed by the Victorian Channels Authority.
- (b) The recommendations made, and accepted, are:
  - That Government provide in-principle support for the proposal to deepen the approach channels to the Port of Melbourne in Port Phillip Heads, Port Phillip Bay and the Yarra River, subject to:
    - The satisfactory outcome of Victoria's normal environmental processes, including the Environment Effects Act 1978;
    - The satisfactory resolution of all technical issues associated with the deepening; and
    - Acceptance by Government of a sound financing strategy for the project
  - That Government approve detailed investigations by the Victorian Channels Authority and relevant departments to identify measures necessary to protect the environment during and after the deepening works
- (c) The recommendations have been made public via a Press Release from my office on 18 December, 2001. Summaries of the studies undertaken are also available on the Victorian Channels Authority web site ([www.vicchannels.vic.gov.au](http://www.vicchannels.vic.gov.au)).

**Environment and conservation: tree spraying**

**2522. THE HON. W. R. BAXTER** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Further to the answer to Question No. 2288 given in this House on 18 October 2001, what was the cost of spraying pepper trees on the roads.

**ANSWER:**

I am informed that:

The Public Land Works program in the Shepparton Irrigation Region (SIR) spent \$10,374 on chemical control of peppercorns last financial year with 94 kilometres of high conservation value roadsides and 6 public land reserves (74 hectares) being treated. The works were performed in the Picola, Barmah, Cobram and Toolamba districts.

**Ports: channel deepening**

**2523. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: In relation to the Victorian Channel Authority's assessment on the economic, environmental and technical aspects of Port Phillip channel deepening:

- (a) When will the recommendations be made public.
- (b) What is the time line to proceed with the recommendations.

**ANSWER:**

- (a) The recommendations from the VCA's assessment have been made public via a Press Release from my office on 18 December, 2001.
- (b) The Victorian Channels Authority is currently proceeding with the initial planning for the detailed investigation stage of the Port Phillip Channel Deepening. This stage is expected to take 18 months to two years to complete.

**Ports: channel deepening**

**2524. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: What is the cost of the Victorian Channel Authority's assessment on the economic, environmental and technical aspects of Port Phillip channel deepening.

**ANSWER:**

The cost of the preliminary studies is \$1.27 million.

**Ports: channel deepening**

**2525. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Ports: Will the Government conduct public consultation regarding the recommendations of the Victorian Channel Authority's channel deepening recommendations.

**ANSWER:**

The Victorian Channels Authority has undertaken public consultation during the preparation of the preliminary studies. This has involved a number of forums attended by relevant local councils, environment groups, bay users and government agencies. The Victorian Channels Authority has also met one on one with a number of interested stakeholders.

The Victorian Channels Authority will conduct a comprehensive public consultation program during the detailed investigation stage of the project. This program will include further meetings with local councils, environment groups and bay users as well as holding public meetings at locations around Port Phillip Bay. The program will also include the preparation of brochures, videos and other publications to assist in providing information to interested stakeholders.

**Environment and conservation: Bunyip State Forest — operator fees for land use**

**2606. THE HON. B. C. BOARDMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Has the Department of Natural Resources and Environment and/or the Minister for Environment and Conservation been made aware of any failure by any companies, private operators or other organisations to pay any or full operator fees for use of land adjacent to the Bunyip State Forest, in any year since 1995-96; if so — (i) what are the names of these companies, private operators or other organisations; (ii) how much revenue has been lost or forgone; (iii) who made the decisions that resulted in revenue lost or forgone; (iv) when were the decisions made; (v) has there been any discussion of, and subsequent decision to recover monies through, legal action from any companies, private operators or organisations; if not, why; and (vi) who was involved in this decision-making process.

**ANSWER:**

I am informed that:

As the land being used adjacent to the Bunyip State Forest, which covers a considerable area, was not specified, the Minister is unable to answer the question.

**Health: chief executive officers — employment costs**

**2607. THE HON. M. T. LUCKINS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): What were the total employment costs, including salaries, superannuation, Workcover, payroll tax, bonuses and other entitlements, for the financial years ending 30 June 1999, 30 June 2000 and 30 June 2001, respectively, for the Chief Executive Officer of — (i) Austin and Repatriation Medical Centre, or its predecessors; (ii) Bayside Health, or its predecessors; (iii) Eastern Health, or its predecessors; (iv) Southern Health, or its predecessors; (v) Melbourne Health, or its predecessors; (vi) Women's and Children's Health, or its predecessors; and (vii) Peninsula Health, or its predecessors.

**ANSWER:**

I advise the Honourable Member Luckins that Chief Executive Officers of Metropolitan Health Services and the predecessors of these Health Services are employed by the Boards of Management of these agencies. The employment contracts between Chief Executive Officers and Boards of Management are personal and confidential and the Department is not privy to the specific employment arrangements contained in these. Total remuneration package (TRP) entered into between the Chief Executive Officers and the Boards of Management incorporates various components, which include annual cash salary, employer superannuation and other employment benefits. As indicated, information on TRP is personal and confidential and held by Metropolitan Health Services (MHSs).

Prior to July 2000, Hospital Boards determined remuneration of Chief Executive Officers in consultation with the Joint Advisory Panel, predecessor of Government Sector Executive Remuneration Panel (GSERP). From July 2000, Government Sector Executive Remuneration Panel Guidelines were established to set the range of TRP based on recommendation from a company that provides professional independent remuneration advice. GSERP sets the remuneration range for Chief Executive Officers in hospitals and Hospital Boards set the actual TRP within the GSERP range.

I draw the Honourable Member's attention to the fact that a number of Health Services, as indicated in their published financial statements, appear to have reduced their CEO's TRP to more reasonable levels since this Government took office. Unlike the previous Government, this Government is committed to responsible financial management. This extends to ensuring that senior executives employed in the public sector are remunerated appropriately and within community expectations. Unlike the previous Government we have ensured that our Remuneration Guidelines are adhered to and that there are no longer exorbitant TRPs being negotiated between MHS Boards' of Management and their CEOs.

The Boards of Management for Metropolitan Health Services have the delegation under the Executive Remuneration Guidelines for Metropolitan Health Services to remunerate the Chief Executive Officer within an approved range and in accordance with GSERP policy.

The approved ranges for remuneration are as follows:

- For very large health services with a turnover of \$250-\$450 million per annum, the total remuneration package ranges from \$200,000 to \$253,000. Health Services within this Band A are, Southern Health, Bayside Health, Melbourne Health, Austin and Repatriation Medical Centre and the Royal Women's and Children's Hospital.
- For large health services with a turnover of \$100-\$200 million per annum, the total remuneration package ranges from \$160,000 to \$240,000. Health Services within this Band B include Eastern Health and Peninsula Health.
- For medium health services with a turnover of \$30-\$80 million per annum, the total remuneration package ranges from \$135,000 to \$205,000 for these Band C Health Services.

Both this and the previous Government's remuneration policy allows for the inclusion in executive contracts of a provision for payment of a performance bonus of up to 20% of TRP per annum. This provision is in addition to the total remuneration packages that I have just outlined.

I further advise that public hospitals are exempted from the payment of payroll tax.

In respect of Workcover, while the Department of Human Services funds hospital's Workcover at a set rate of approximately 1.8% on salary and wages, the premium paid by respective hospital varies according to the risk profile of each agency.

If the Honourable member so wishes to pursue his Question on Notice, I suggest that he contact the MHSs directly for the information sought.

**Treasurer: databases on economic, financial or social indicators**

**2608. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Treasurer): 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 Treasurer has responsibility.

**ANSWER:**

I am informed that:

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

**Environment and conservation: koalas**

**2610. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): In relation to the study published in the Zoological Society of London's Journal *Animal Conservation*:

- (a) Does the Government accept the finding that koalas in Victoria are genetically predisposed to extinction because of inbreeding.
- (b) What advice does the Government have on finding that Victoria's koalas are genetically predisposed to extinction because of inbreeding.

**ANSWER:**

I am informed that:

- (a) The Victorian Government accepts that the unique history of the Koala in Victoria has resulted in a population that has low genetic variation compared to some populations of koalas in NSW and Queensland. However, there is no evidence that this low genetic variation is adversely affecting population growth in any way. In fact, our koala population monitoring program indicates that population numbers and breeding rates are very high indeed.
- (b) Even though the levels of testicular aplasia in French Island males may be higher than in some other populations, the koala's polygamous mating system ensures that most females are fertilised in most years of their reproductive life. Therefore, the Government sees little reason to conclude that the limited genetic variation is a threat to Victoria's koalas. Further, the genetic bottlenecks that have led to this situation occurred many decades ago and there is now little that can realistically be done to improve the genetic base of Victoria's koalas.

**Environment and conservation: koalas**

**2611. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Does the Minister have any advice on the proposition by the Universities of Melbourne and New South Wales scientists that there are low genetic variation among Victoria's wild koalas.

**ANSWER:**

I am informed that:

The Minister acknowledges that most koalas in Victoria are derived from a small number of individuals that were introduced to French Island and Phillip Island in the late 1800s and early 1900s. Consequently, there is a limited amount of genetic variation within the population. However, all populations that have been assessed show very high rates of reproduction and population growth. The Government believes that there is no reason for concern about the conservation of the koala at this time.

**Environment and conservation: koalas**

**2612. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What genetic studies will the Department facilitate as a result of the finding that Victoria's wild koalas are predisposed to extinction.

**ANSWER:**

I am informed that:

All koala populations that have been assessed show very high rates of reproduction and population growth. The Government believes that there is no reason for concern about the conservation of the koala at this time.

The Department of Natural Resources and Environment is completing a strategy for the management of koalas in Victoria. Consideration will be given to the facilitation of any research recommended in the strategy, subject to funding priorities.

**Major projects and tourism: tourism strategy for Victoria**

**2614. 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): When will the new 'tourism strategy' for Victoria be released.

**ANSWER:**

I am informed that the tourism strategy for Victoria will be released in the first half of this year.

**Major projects and tourism: Jigsaw tourism strategy**

**2615. 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): Will the 'jigsaw' advertisements that form part of the existing tourism strategy be abandoned.

**ANSWER:**

I am informed that there are no plans to abandon Tourism Victoria's jigsaw strategy. The campaign continues to enjoy the support of the tourism industry as well as consumers.

**State and regional development: environmental management and renewable energy — strategic audits**

**2616. 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 environmental management and renewable energy 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 Environmental Management and Renewable Energy sector was publicly released in November 2001.

**State and regional development: transport distribution and logistics — strategic audits**

**2617. 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 transport distribution and logistics 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 Transport, Distribution and Logistics sector was publicly released in September 2001.

**State and regional development: information and communications technology — strategic audits**

**2620. 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 information and communications technology sector, as identified on page 14 of the Department’s Annual Report, 2000–01 be completed.

**ANSWER:**

I am informed that the Information and Communications Technology Sector plan, “Growing Tomorrow’s Industries Today - the Victorian Government’s 2010 Information and Communications Technology Industry Plan,” was publicly released in November 2001.

**State and regional development: financial services — strategic audits**

**2622. 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 financial services sector, as identified on page 14 of the Department’s Annual Report, 2000–01 be completed.

**ANSWER:**

I am informed that consultation is occurring for the financial services sector audit, and that the audit will be completed this financial year.

**State and regional development: sports and recreation — strategic audits**

**2623. 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 sports and recreation sector, as identified on page 14 of the Department’s Annual Report, 2000–01 be completed.

**ANSWER:**

I am informed that two discussion papers have been released and the audit will be completed this financial year.

**Manufacturing industry: finance industry consultative committee**

**2625. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Manufacturing Industry):

- (a) On what dates has the Finance Industry Consultative Committee met since 1 July 2001.
- (b) Which members attended each meeting.
- (c) Did any Ministers or Ministerial advisers or staff attend each meeting; if so, who and on what dates.
- (d) What topics did the Committee discuss at each meeting.

**ANSWER:**

I am informed that the Honourable Member's question falls outside my portfolio responsibilities. The Honourable Member should direct his question to the Honourable the Minister for State and Regional Development.

**State and regional development: 'Rural and regional Victoria' magazine**

**2636. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What was the total cost of producing and distributing the Rural & Regional Victoria magazine in March 2001.
- (b) To whom was the magazine distributed.
- (c) Will this magazine be produced in 2002.

**ANSWER:**

I am informed that:

- (a) The cost of production and distribution of the March 2001 issue of Rural Victoria magazine totalled \$37,935.22 (Inc. GST).
- (b) The magazine was distributed to regional community and business groups including local government and public libraries. In addition, copies were made available through the Victorian Business Centres and at public meetings in regional Victoria.
- (c) The magazine was produced to complete a contract that was entered into by the previous Government. The program for promoting regional and rural Victoria, of which the magazine is a part, is currently under review and, as such, I have not yet determined whether the magazine will be produced in 2002.

**State and regional development: 'Securing success in Victoria's west'**

**2638. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): What was the total cost of producing and distributing the 'Securing success in Victoria's west' supplement in the *Weekly Times* on 6 December 2000.

**ANSWER:**

I am informed that the cost of the *Weekly Times* supplement "Securing success in Victoria's West," which appeared on 6 December 2000, was \$27,509.63 (inc. GST). The publication was part of a twin publication with "Victoria's East – Business energy builds opportunity" published in the *Weekly Times* on March 28 2001.

**State and regional development: ‘Victoria’s east — building energy builds opportunity’ supplement**

**2639. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): What was the total cost of producing and distributing the ‘Victoria’s east — building energy builds opportunity’ supplement in the *Weekly Times* on 28 March 2001.

**ANSWER:**

I am informed that the cost of the *Weekly Times* supplement “Victoria’s East – Business energy builds opportunity,” which appeared on March 28 2001, was \$27,509.63 (inc. GST). The publication was part of a twin publication with “Securing Success in Victoria’s West” published in the *Weekly Times* on 6 December 2000.

**State and regional development: Office of Rural Communities descriptive leaflet**

**2640. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What was the total cost of producing and distributing the Office of Rural Communities descriptive leaflet.
- (b) To whom was the leaflet distributed.

**ANSWER:**

I am informed that:

The descriptive leaflet on the Office of Rural Communities was produced in February 2001 at a production cost of \$1,809.50 (including GST). The leaflet was printed in the Latrobe Valley.

The leaflet was distributed to local Councils and a wide range of community organisations, such as resident groups, health service providers, educators and environmental groups. Generally leaflets were distributed directly by Office of Rural Communities staff members at meetings and events. Postage involved additional costs, estimated to be \$150.

**State and regional development: Latrobe Valley ministerial task force**

**2641. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): What was the total cost of the promotional and marketing activities of the Latrobe Valley Ministerial Taskforce launched on 25 January 2001.

**ANSWER:**

I am informed that the investment in promotional and marketing activities for the Latrobe Valley Ministerial Taskforce was less than 0.05% of the total package of \$105.8 million.

The following activities may be considered as promotional and/or marketing functions:

- Summary DL and A4 brochures highlighting the key components of the Taskforce package
- An A4 letter delivered to all residents of the Latrobe Valley signed by the Premier
- Printing of the Cabinet report “Framework for the Future”

These initiatives were seen as an important part of informing the community directly of the outcomes of the Taskforce planning.

**State and regional development: Victorian industry participation policy — promotional activities**

**2642. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): What was the total cost of the promotional and marketing activities of the Victorian Industry Participation Policy launched in April 2001.

**ANSWER:**

I am informed as follows:

The total cost of the promotional and marketing activities for the VIPP was \$135,554. These activities included the April 24 launch, a print media campaign, information sessions and printing of VIPP brochures.

In addition to these activities, DSRD has conducted numerous VIPP information presentations to agencies, Government Departments and industry. These presentations have contributed significantly to a broader awareness of the VIPP and have been conducted within existing budgetary resources.

There has also been targeted promotion of the VIPP in regional areas such as Ballarat, Bendigo and Traralgon undertaken in conjunction with Ministerial visits to these areas.

The one-off promotion campaign for the VIPP is viewed as a cost effective endeavour to promote awareness of the substantial increase in opportunities for local suppliers the VIPP creates. In the first eight months alone, the ISO reported that the value of projects with VIPP obligations stood at \$14.9 billion, generating an additional \$82.7 million of potential contracts for local industry.

**Housing: King Street estate refurbishment**

**2674. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): How many tenants have been temporarily relocated in the refurbished King St Estate since the 'bed-sit' conversions began.

**ANSWER:**

The upgrade and conversion program for bed sit accommodation at the King Street Estate in Prahran commenced in 1996. The current program was initiated in 2000.

Since January 2000, 16 temporary relocations have been undertaken. All movement of tenants is undertaken in accordance with the Office of Housing's Relocation Policy and at no cost to the tenants.

**Housing: King Street estate refurbishment**

**2675. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the refurbishment of the King St Estate:

- (a) What are the details of the structural refurbishment undertaken of each bed sit pair, including the building and utilities.
- (b) What is the cost of each structural refurbishment.

**ANSWER:**

The structural work involved in the refurbishment of each bed sit pair is as follows;

The existing internal walls, kitchen and bathroom fittings and trims are removed from an adjoining pair of units. The windows onto the walkways are removed and replaced with new windows. One of the entry doors is refitted with a new door and the other door opening is bricked up and rendered to match the existing concrete walls.

A door opening is cut in the common concrete wall between the units to form a link between the two bed sit units. Steel reinforcement is placed at the head of this opening and rendered to strengthen the wall.

The external walls are insulated and relined.

The cost of these structural changes, at current prices which include GST, is approximately \$7,500 per conversion and varies slightly depending on the location of the conversion in the building.

Changes are also made to the unit's utilities.

The units are fitted with new plumbing to accommodate the new kitchen and bathroom/laundry arrangements and fitted with fire sprinklers.

The units are fitted with new electrical wiring including new sub-mains, fuse board, Residual Current Cut off device (RCD) and smoke detectors.

The cost of changes to these utilities, at current prices which include GST, is approximately \$4,000 and varies slightly depending on the location of the unit in the building.

### **Housing: King Street estate refurbishment**

**2676. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the refurbishment of the King St Estate:

- (a) What are the details of the interior refurbishment undertaken in each bed sit pair.
- (b) What is the cost of each interior refurbishment.

#### **ANSWER:**

- (a) A complete new kitchen fitout with new kitchen joinery, hot plate, wall oven, ducted rangehood, single bowl sink and tap ware.

The kitchen floor is finished in new sheet vinyl.

A new laundry and bathroom fitout with walk in shower recess, shower seat, handheld shower and grab rails. New vanity/laundry cabinets with separate insert wash basin, troughs, washing machine taps and exhaust fan. A new toilet pan, with dual flush cistern and grab rails.

The bathroom and laundry floor is finished in new sheet vinyl.

The living room and bedroom are fitted with new interior doors, hardware, pelmets and trims, new wardrobes in bedrooms and Holland blinds to all windows.

The living room and bedroom floors are finished in loop pile carpet.

The new units are repainted throughout and provided with wall-mounted fire extinguishers.

- (b) The cost of the internal refurbishment, at current prices which include GST, is approximately \$32,950 per conversion and varies slightly depending on the location of the unit in the building.

### **Education: technical school definition**

**2679. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): What is the definition of a Technical School and Technical Education, respectively.

**ANSWER:**

I am informed as follows:

Definitions of “technical education” and “technical school” are contained in the Education Act 1958.

**Transport: air pollution**

**2682. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What is the Government doing to reducing air pollution in the metropolitan area of Melbourne as described in the Infrastructure Planning Council Interim Report.

**ANSWER:**

The Infrastructure Planning Council released its Interim Report in October 2001, to give Victorians an opportunity to take part in a public discussion about the State’s long term infrastructure needs.

The Interim Report builds on the Government’s \$3 billion of infrastructure projects already underway or in the pipeline. It highlights some common themes in each of the four areas of infrastructure, transport, water, energy and telecommunications, and presents the Council’s preliminary findings and proposals for public feedback.

The Council will provide its final report for consideration by the Government during 2002. The Government will then provide its response taking into account the views expressed as part of the community consultation process.

The Government is committed to pursuing a holistic and integrated decision-making process for the development and management of the State’s infrastructure. The Growing Victoria Together Policy provides the framework to balance economic, social and environmental (“Triple Bottom Line”) goals and actions.

The State Planning Agenda highlights the need to implement the principles underlying sustainable urban and rural environments. Establishing high levels of livability, safety and sustainability is regarded as a priority for Victoria’s towns and cities. There is a recognised need to reduce greenhouse gas emissions, conserving energy and protecting ecosystems and habitats.

There are a range of Government actions and commitments supporting the Government’s “Triple Bottom Line” objectives. These include:

- Upgrading public transport to deliver environmentally sustainable outcomes and reduce car dependency by providing attractive alternative travel choices to the car, with the aim of increasing travel in Melbourne taken on public transport from its current share of 9 per cent to 20 per cent by the year 2020.
- Upgrading Victoria’s economic infrastructure – to provide efficient freight links for industry to Victoria’s ports, the interstate road and rail system, and the national and global economies. This outcome will make a major contribution towards achieving an aim of increasing the level of rail traffic into and from our ports from the current average of 10 percent mode share to as much as 30 percent.
- Integrating land use planning, transport infrastructure and the delivery of high-quality, local government services, thereby reducing the need to travel by car to jobs, services and other opportunities.
- The Metropolitan Strategy, when completed, will provide the guiding framework for the management and development of the urban form and transport systems. It will provide policies, action plans, and management tools to support a sustainable modern city.
- The Victorian Travelsmart program is aimed at reducing the negative impacts of car travel through a reduction in vehicle trips and kilometres travelled, achieved through voluntary changes by individuals, households and organisations towards more sustainable travel choices. More sustainable travel can be achieved through: smarter use of the car; lessening the need for travel by encouraging use of local activities, shops, and services, and doing more things in the one location; and encouraging walking, cycling, use of public transport and ride-sharing.



- The Victorian Government is developing a Victorian Greenhouse Strategy which will provide the framework across government to develop strategies and actions that will reduce greenhouse gas emissions, encourage renewable energy, and better manage existing energy use.
- The Environmental Protection Authority of Victoria is developing an Air Quality Improvement Plan for the Port Phillip Region. This Plan is based on using integrated transport planning; better public transport; industry control; vehicle performance, testing and monitoring improvements; and community education mechanisms to achieve cleaner air.

**Transport: Blackburn–Mitcham track**

**2683. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What is the progress of the third track between Blackburn and Mitcham.
- (b) How much has been allocated to this project and when is the project expected to be completed.

**ANSWER:**

- (a) A study into the operational and engineering aspects of upgrading the Ringwood line including the proposal to provide a third track between Blackburn and Mitcham for flier trains is nearing completion. The study reported on various options for upgrading the line to enable the operation of “flier” trains to Belgrave and Lilydale.
- (b) The State budget of 2000/01 allocated \$70 million dollars as a contribution towards seven rail projects including the provision of flier trains on the Ringwood line. Timing for the project will be clear as soon as scope and funding issues are finalised.

**Transport: Dingley freeway**

**2684. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): In relation to the Dingley Freeway project:

- (a) What is the status of the project.
- (b) What funds have been allocated to this project.
- (c) When will construction commence.

**ANSWER:**

A planning assessment report for the Warrigal Road to Springvale Bypass section of the Dingley Route is being finalised.

The Government has committed \$30 million to the development of the Dingley Route.

A construction timetable would be determined following completion of the project planning and development phase.

**Transport: integrated transport**

**2687. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What is the Government doing to introduce ‘integrated transport’ measures to Victorian and Melbourne transport systems as described in the Infrastructure Planning Council Interim Report.

(b) Will the Minister explain these measures and how the Government will implement these proposals.

**ANSWER:**

(a) The Bracks Government established the Infrastructure Planning Council as an independent body, in May 2000, to advise the Government on Victoria's future infrastructure needs over the next 20 years. The Council brings together a diverse range of experiences and expertise covering engineering, business and finance, and rural, regional and urban issues.

The work of the Council is focused on four areas of infrastructure: transport, water, energy, and telecommunications. Its Interim Report, released in October 2001, gives Victorians an opportunity to take part in a public discussion about the State's long term infrastructure needs.

The Interim Report builds on the Government's \$3.5 billion of infrastructure projects already underway or in the pipeline. It highlights some common themes in each of the four areas of infrastructure and presents the Council's preliminary findings and proposals for public feedback.

The Council will provide its final report for consideration by the Government during 2002. The Government will then provide its response taking into account the views expressed as part of the community consultation process.

(b) Integrated measures the Government is pursuing include:

- Integration of transport facilities with adjacent land use to improve accessibility to jobs, services and other opportunities.
- Development of intelligent transport systems, which integrate transport tasks and information systems to increase service levels and efficiencies through real time information for public transport and travel routes.
- Development of integrated transport strategies comprising an optimum mix of passenger and freight transport modes.
- Intermodal interchange facilities, for example bus interchanges at rail stations.

The Government is taking an integrated planning approach to improving the State's transport infrastructure. Its "*Linking Victoria*" strategy provides a forward program to upgrade and enhance the State's rail, road and ports system in partnership with the private sector. The Government has continued its commitment to improving the efficiency, accessibility and safety of Victoria's transport network with more than \$1 billion allocated over five years for transport initiatives in the 2001-2002 Budget. A key focus of this Budget is to:

- Upgrade public transport to deliver environmentally sustainable outcomes and reduce car dependency. The Government's Transit Cities Program will design and develop urban precincts around key transport nodes to improve the interaction between land use and transport.
- Upgrade Victoria's economic infrastructure – to provide efficient freight links for industry to Victoria's ports, the interstate road and rail system, and the national and global economies. Improving rail freight access to Victorian ports and container terminals through rail gauge standardisation will significantly improve the freight and logistics system between modes of transport and the production chain.

Other initiatives being undertaken by the Department of Infrastructure that pursue integrated transport outcomes include:

- An integrated public transport strategy (train, tram and buses).
- A Freight and Logistics Strategy: improving intermodal rail/road facilities and increased rail freight access to ports.
- The Victorian TravelSMART Program which aims to reduce the negative impacts of car travel through a reduction in vehicle trips and kilometres travelled, achieved through voluntary changes by individuals,

households and organisations towards more sustainable travel choices. More sustainable travel can be achieved through: smarter use of the car; *lessening the need for travel by* encouraging use of local activities, shops, and services, and doing more things in the one location; and encouraging walk, cycle, use of public transport and ride-sharing.

Complementary programs include, Travel Smart – Better Ways to Work, Travel-On, Every Trip Counts, Walking Bus. All these initiatives are aimed at promoting better ways to travel through promotion, education and experience.

- Implementing the new residential development code (ResCode) which includes changing the subdivision development component to make it more public transport, walking and cycling focused in line with the neighbourhood character.

### **Transport: Melbourne City Link Authority — concession fee write down**

**2688. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the reasons for the write down of \$63 million in concession fees receivable by the Melbourne City Link Authority in 2000–01, as described in the 2001–02 Financial Report for the State of Victoria.

#### **ANSWER:**

This change was fully described in the Authority's 2000/2001 Annual Report, at page 9 and in Note 12 to the Financial Statements, page 59.

In summary, in 1999/2000, the Authority in preparing its statements, assumed that Transurban would be successful in its dispute with the Australian Taxation Office (ATO) about the deductibility of Concession Fees.

However, during 2000/2001, the ATO rejected Transurban's formal objection and little progress was made on the matter through the courts. It is very likely that the dispute will be drawn out. Given the uncertainty of the outcome along with now certain delay involved, the Authority has now adopted a more conservative approach to the valuation of the Concession Fees and has assumed that Transurban will not be successful in its court action.

The change in policy adopted by the Authority manifests itself as a write down of the present value of the notes at the 30 June 2000 from \$103.3 million to \$40.6 million.

Under the arrangement negotiated by the former Kennett Government, the State carries a risk that the value of the Concession Fees will be impacted by Transurban's financial performance.

### **Transport: City Link — outstanding issues**

**2689. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What outstanding issues remain on the City Link project, and what are the details of the compensation which may be payable as described in the 2001–02 Financial Report for the State of Victoria, including — (i) details of the actions being taken by the State in the resolution of the outstanding issues; (ii) why these issues have not been resolved at various stages of the negotiation process, such as the \$10 million release from a single purpose entity; and (iii) the mechanisms in place to prevent significant losses to the State.

#### **ANSWER:**

In a project of the size and complexity such as the City Link, there are always a range of matters under discussion for resolution. In construction terms, the major issues to be resolved include:

- the resolution of remaining minor defects and omissions identified by the Office of the Independent Reviewer (OIR) at Completion. The OIR was of the opinion that these works did not impact on the full and safe operation

of the Link. Most of these matters have now been resolved under the defects correction provision of the Concession Deed;

- additional enhancements to the Burnley Tunnel that have been identified by Transurban’s contractor following the failure in a panel of an arch in the tunnel in February 2001. These works are being undertaken from December 2001 at the cost to the contractor; and
- finalisation of a ground water strategy to manage the impact on surface assets due to accelerated settlement. The strategy can only be determined when the ground water recharge has reached equilibrium.

These matters are outlined in the 2000/2001 Annual Report of the Melbourne City Link Authority (pages 6-17). In addition, the Authority lists a number of work fronts that will need to be addressed over the coming year (Chief Executive’s Report, page 7).

Compensation matters referred to in the 2000/2001 Financial Report for the State of Victoria concern land and a Material Adverse Effect (MAE) claim by Transurban of \$35.8 million received by the State in February 2001. This claim relates to the decision of the Kennett Government to construct the North-South Road and make other changes to the road network in the Docklands area. The Bracks Government is now endeavouring to minimise any exposure to taxpayers this has created.

Land compensation details are outlined in the Authority’s Annual Report (page 27) and relate to the acquisition of land for the project. As stated in the Report, during the year, 11 claims for compensation were settled by negotiation, 14 claims remain outstanding and two cases were suspended due to expiry of time. The outstanding claims with private landowners will be dealt with through negotiation and some may be resolved through the Victorian Civil and Administrative Tribunal (VCAT) or through the courts. These matters are unrelated to the State’s recent agreement with Transurban concerning Transurban’s release from single purpose entity.

As you would be aware, the agreement between the Bracks Government and Transurban concerning Transurban’s release from single purpose entity was the outcome of discussions between the two parties. The agreement enables the company to take part in other projects and at the same time benefits the Victorian community through the development of new export industries and the promotion of Melbourne as an international centre of tolling and Intelligent Transport Systems (ITS) technology.

As you would be aware, amendments to Transurban’s Concession Deed to release it from single purpose entity were tabled last October in both Houses of the Victorian Parliament and were passed in both Houses of Parliament without opposition.

State management of the Concession Deed has been carefully considered by the Bracks Government in the period before the wind-up of the Melbourne City Link Authority. The Board of the Authority finished its appointment on 31 December 2001.

In recognition of the importance of the management of the Concession Deed, the Government has established the Director, Melbourne City Link as an appropriate long-term administrative structure to oversee the project.

As you would be aware, legislation was introduced in November into Parliament to establish the statutory position of Director, Melbourne City Link, to be employed under part 3 of the Public Sector Management and Employment Act 1998, within the Department of Infrastructure. This legislation took effect from 1 January 2002.

The Director, Melbourne City Link, is responsible for the State management of the Concession and to ensure that public safety, operational and commercial issues are addressed.

By establishing a statutory function to the Director, Melbourne City Link, the Government has ensured a clear accountability for the State’s interests in the project.

### **Transport: demand management**

**2691. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What is the Government doing to introduce 'demand management' measures to Victorian and Melbourne transport systems as described in the Infrastructure Planning Council Interim Report.
- (b) Will the Minister explain these measures and how the Government will implement these proposals.

**ANSWER:**

- (a) The Infrastructure Planning Council released its Interim Report in October 2001, to give Victorians an opportunity to take part in a public discussion about the State's long term infrastructure needs.

The Interim Report builds on the Government's \$3 billion of infrastructure projects already underway or in the pipeline. It highlights some common themes in each of the four areas of infrastructure, transport, water, energy and telecommunications, and presents the Council's preliminary findings and proposals for public feedback.

The Council will provide its final report for consideration by the Government during 2002. The Government will then provide its response taking into account the views expressed as part of the community consultation process.

- (b) The Metropolitan Strategy has considered a range of travel demand management techniques in Australia and overseas, directed at: optimal use of infrastructure, reduction in the total transport resources, reduction in emissions arising from the transport task, and progress towards more sustainable communities.

The TravelSmart (Victorian travel behaviour change program) is in its first stage of implementation.

- Travel behaviour change programs have had considerable success in Australia and overseas and move beyond awareness raising to delivery of sustainable change in an individual's travel behaviour.
- Through the provision of information and advice, participants gain an increased understanding about, and experience of, sustainable transport alternatives, as well as advice on how to use their car smarter in a manner that does not compromise their mobility needs.
- Change in behaviour is achieved in the short term, and sustained over time, through working with the participants over an extended period and focusing on specific benefits, and through providing practical and realistic help and using feedback to raise awareness of current travel behaviour and its impacts (greenhouse gases, cost, time, etc).
- More sustainable travel can be achieved through smarter use of the car and better trip planning: through encouraging use of local activities, shops, and services, and doing more things at the one location; and increased use of sustainable modes (walking, cycling, public transport and ride-sharing).
- The Metropolitan Strategy (underpinned by sustainability principles) will provide the guiding framework for the management and development for the urban form and transport systems. It will provide policies, action plans, and management tools to support a sustainable modern city.

The above actions demonstrated a range of aspects forming part of or complementing a package of travel demand management measures.

**Transport: Department of Infrastructure — outcomes**

**2692. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What processes have been established at the Department of Infrastructure in relation to shifting the focus from systems to outcomes as described in the Department's 2000–01 Annual Report.
- (b) What restructuring has been done to accommodate these changes.
- (c) What measures have been developed to assess these outcomes.

(d) What arrangements are in place to reward the desired outcomes.

**ANSWER:**

(a) The Department of Infrastructure (DoI) outcomes framework provides the basis for delivery of DoI's outputs and services to meet the Government's policy objectives.

DoI's outcomes are:

- Public safety
- Regional development
- Seamless freight and logistic system
- Travel, mobility and access
- Livable communities
- Local governance
- Infrastructure delivery and management

These outcomes enable the Department and its agencies to maintain and communicate a shared focus within a changing environment. They provide an integrating framework for the activities of different parts of the Department and between the Department and portfolio agencies. Management by outcomes also helps the Department to aim for innovative solutions, rather than improving output delivery through incremental change.

The Department has developed a Corporate Governance approach. This provides a matrix structure for efficient decision making, appropriate resource allocation and strategic planning for desired government outcomes.

The eight Executive Directors are each responsible for a) a division, b) region c) outcome and d) corporate accountabilities.

Outcome teams have been established for each of the outcomes groups.

(b) There has been no formal restructuring of Divisions within the DoI in response to these changes, but the Department has undertaken significant reorganisation of administrative and procural practices to effectively implement its outcomes focus. As mentioned above, DoI's eight Executive Directors each have a range of matrix responsibilities (ie. Divisional, regional, outcome and corporate accountabilities), and an Outcome Secretary has been appointed to each of the seven outcome groups to monitor and report on progress against targets.

DoI's business planning processes are structured around the outcome groups, and the Department's performance planning and management processes are closely linked to its business and corporate planning.

(c) Performance indicators and targets have been published in the Corporate Plan (copy attached). The Corporate Plan which was released in April 2001 sets out the vision, mission, values, corporate planning framework, outcomes approach, corporate objectives, indicators and strategies under each outcome, the strategies to enhance organisational capability and the corporate governance framework.

(d) The Department of Infrastructure (DoI) has developed a Performance Management system which aims to recognise the contributions of staff to the Department's performance and to enhance individual performance and career potential. It also provides a framework for the planning and monitoring of work and for the communication needed for ongoing individual and team performance improvement. The Performance management system links individual performance with the Department's Corporate and Business Plans and therefore links to the Departments Outcomes and Objectives. It also:

- Facilitates the planning of work by individuals and teams.
- Facilitates improved performance through better communication between managers and staff.
- Enables staff to develop the competencies to meet current and future work requirements.



- Recognises staff achievements and reward these appropriately.

**Transport: Collins and Spring streets — tram right hand turn**

**2694. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): In relation to the construction of the tram right hand turn from Collins Street into Spring Street:

- (a) When was Yarra Trams given approval to start construction of the intersection.
- (b) What process was put in place for community consultation.
- (c) What process was established for consultation with Melbourne City Council.
- (d) What was the outcome of these processes.
- (e) Who gave approval for this “superstop”.
- (f) What or were the objections to the project raised.
- (g) What is the total cost of this project.
- (h) What is the source of funding for the project.

**ANSWER:**

It is not planned to construct a tram right hand turn from Collins Street into Spring Street, however, Yarra Trams is constructing tram Superstops at this location which require the banning of traffic right turns from Collins Street into Spring Street.

Collins Street through the Melbourne Central Business District is an unclassified road under the care and management of Melbourne City Council.

The Government is working with Yarra Trams and Melbourne City Council on the implementation of the Superstop at the Collins Street/Spring Street intersection as part of Yarra Trams’ franchise commitment for tram ‘Superstops’ and tram stop enhancements.

- (a) The Director of Public Transport approved Yarra Trams’ Tram Stop Enhancement and Superstop strategy on 9 August 2000 which included the Collins Street/Spring Street Superstops. Melbourne City Council gave conditional approval to construction of the Superstops on 26 June 2001. Following further discussion with Yarra Trams and Vicroads, Council at its meeting on 6 December 2001 approved banning right turns into Spring Street and gave approval to Yarra Trams to construct the eastbound Superstop.
- (b) Yarra Trams is required under its franchise agreement to undertake consultation and obtain all necessary approvals for the construction of the Superstops. Yarra Trams and Melbourne City Council held a formal consultation meeting on 6 August 2001. In addition, Yarra Trams has undertaken extensive consultation with traders, heritage and interest groups to resolve issues.
- (c) Yarra Trams has held extensive consultation with the Melbourne City Council for the construction of the Superstops.
- (d) All issues of Council, public and community concern have been addressed by Yarra Trams through the consultation process. The outcome has been that there has been positive support for the tram Superstops.
- (e) Melbourne City Council as planning authority for the City of Melbourne gave approval for the tram Superstops.

- (f) Melbourne City Council raised issues concerning changes to car parking in Collins Street and the impact on the right turn from Collins Street into Spring Street. These issues are within Melbourne City Council jurisdiction and were considered by Council prior to approval being given.
- (g) The Superstops are part of Yarra Trams \$4.8M franchise commitment to construct 15 Superstops and enhance 200 tram stops across the network. The actual cost to construct the individual Superstops is a commercial matter for Yarra Trams.
- (h) The Collins Street/Spring Street Superstop is in part funded by the Government's contribution to Yarra Trams totalling \$4.8M for its franchise commitment to construct 15 Superstops and enhance 200 tram stops across the network. Any additional costs to Yarra Trams in excess of the \$4.8M to construct the Superstops and enhance tram stops, is a commercial issue for Yarra Trams.

**Transport: consultants**

**2695. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details of the total cost of consultants employed by Vicroads and the Department of Infrastructure over the past two years.

**ANSWER:**

Year	Value
2000-01	\$ 4,823,407.00
1999-00	\$13,833,877.00

**Notes:**

1. Source: Department of Infrastructure Annual Reports
2. The value of the consultancies represents the total approved project value for consultancies in the relevant year
3. The number of consultancies represents the number of consultancies engaged in the year.
4. Value of consultancy information presented for the 2000-01 year is inclusive of GST.

**VICROADS**

With respect to Vicroads' consultancies, the details of the total cost of consultants employed by the Roads Corporation, as reported in the Vicroads annual report for each of the previous two years are:

Year	Value
2000-01	\$2,516,000.00
1999-00	\$4,684,000.00

**Transport: Department of Infrastructure — liabilities**

**2697. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Why have the Department of Infrastructure's total liabilities risen from \$31.7 million in 1999 to \$139.4 million in 2001, and what are the details of the outstandings.

**ANSWER:**

The audited financial statements of the Department of Infrastructure show total liabilities in 1998/1999 of \$61.7 million (not \$31.7 million as stated in the Question) which has increased to \$139.4 million in 2000/2001.

This increase reflects the activities of the 'Director of Public Transport' established under the Transport Act by the former Government, and which was effective for the first time in the 1999/2000 financial year. The Director's powers and functions include responsibility for the general administration of the tram and train service contracts

which transferred to private operators from the State owned rail corporations in August 1999. This is summarised in the audited financial statements under Note 1(b)(ii) of the 1999/2000 Annual Report.

Essentially, the increase in liabilities relates to the creditors and accruals relating to the activities of the Director of Public Transport which did not exist in 1999. Prior to the franchising of the public transport services, the creditors and accruals relating to these services were essentially reflected in the four Met (train and tram) entities and the Public Transport Corporation.

However, under the revised public transport arrangements these creditors and accruals now appear in the accounts of the Department of Infrastructure.

The nature of the goods and services provided but not yet paid reflects mainly payments due to the tram, train and bus operators for metropolitan and country public transport rail and bus services (including school bus) and also the impact of GST payable for the first time at year end. Goods and services also include payments for rail infrastructure capital works, concession payments, special events, and the operational performance regime system costs.

*[Attachment referred to in answer has been supplied to honourable member and a copy tabled in the Parliamentary Library]*

### **Transport: transport users — environmental cost**

**2698. 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 an ‘environmental cost’ to Victorian and Melbourne transport users as described in the Infrastructure Planning Council Interim Report.

#### **ANSWER:**

The Infrastructure Planning Council released its Interim Report in October 2001, to give Victorians an opportunity to take part in a public discussion about the State’s long term infrastructure needs.

The Interim Report builds on the Government’s \$3 billion of infrastructure projects already underway or in the pipeline. It highlights some common themes in each of the four areas of infrastructure, transport, water, energy and telecommunications, and presents the Council’s preliminary findings and proposals for public feedback.

The Council will provide its final report for consideration by the Government during 2002. The Government will then provide its response taking into account the views expressed as part of the community consultation process.

The Government is committed to pursuing a holistic and integrated decision-making process for the development and management of the State’s infrastructure. The Growing Victoria Together Policy provides the framework to balance economic, social and environmental (“Triple Bottom Line”) goals and actions.

The State Planning Agenda highlights the need to implement the principles underlying sustainable urban and rural environments. Establishing high levels of livability, safety and sustainability is regarded as a priority for Victoria’s towns and cities. There is a recognised need to reduce greenhouse gas emissions, conserving energy and protecting ecosystems and habitats.

There are a range of Government actions and commitments supporting the Government’s “Triple Bottom Line” objectives. These include:

- Upgrading public transport to deliver environmentally sustainable outcomes and reduce car dependency by providing attractive alternative travel choices to the car, with the aim of increasing travel in Melbourne taken on public transport from its current share of 9 per cent to 20 per cent by the year 2020.
- Upgrading Victoria’s economic infrastructure – to provide efficient freight links for industry to Victoria’s ports, the interstate road and rail system, and the national and global economies. This outcome will make a major

contribution towards achieving an aim of increasing the level of rail traffic into and from our ports from the current average of 10 percent mode share to as much as 30 percent.

- Integrating land use planning, transport infrastructure and the delivery of high-quality, local government services, thereby reducing the need to travel by car to jobs, services and other opportunities.
- The Metropolitan Strategy, when completed, will provide the guiding framework for the management and development of the urban form and transport systems. It will provide policies, action plans, and management tools to support a sustainable modern city.
- The Victorian TravelSmart Program is aimed at reducing the negative impacts of car travel through a reduction in vehicle trips and kilometres travelled, achieved through voluntary changes by individuals, households and organisations towards more sustainable travel choices. More sustainable travel can be achieved through: smarter use of the car; lessening the need for travel by encouraging use of local activities, shops, and services, and doing more things in the one location; and encouraging walking, cycling, use of public transport and ride-sharing.
- The Victorian Government is developing a Victorian Greenhouse Strategy which will provide the framework across government to develop strategies and actions that will reduce greenhouse gas emissions, encourage renewable energy, and better manage existing energy use.
- The Environmental Protection Authority of Victoria is developing an Air Quality Improvement Plan for the Port Phillip Region. This Plan is based on using integrated transport planning; better public transport; industry control; vehicle performance, testing and monitoring improvements; and community education mechanisms to achieve cleaner air.

### **Transport: Epping–South Morang train line extension**

**2700. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What is the status of the proposed Epping to South Morang train line extension.
- (b) How much has been allocated to this project and when will construction commence.
- (c) Where will this train line stop and have arrangements been put in place to facilitate adequate public transport integration with the surrounding areas.

#### **ANSWER:**

- (a) The project is being scoped and costed and staging identified.
- (b) The State Budget of 2000/2001 allocated \$70 million as a contribution towards seven rail projects, including this one. The funding is to be distributed over four years. Operator and developer contributions are being explored. Timing for the project will be dependent on the findings of the feasibility study.
- (c) Planning is proceeding on the basis that electrified services will initially extend to Civic Drive South Morang so that the Plenty Valley Town Centre and Whittlesea Municipal Offices are well served.

The scoping is being conducted in conjunction with the Council. The Council and the Department of Infrastructure are finalising a Whittlesea Transport Strategy that provides a context for the South Morang rail extension.

### **Transport: metropolitan Melbourne — parking problems**

**2701. 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 reduce parking problems in metropolitan Melbourne as described in the Infrastructure Planning Council Interim Report.

**ANSWER:**

The Bracks Government established the Infrastructure Planning Council as an independent body, in May 2000, to advise the Government on Victoria's future infrastructure needs over the next 20 years. The Council brings together a diverse range of experiences and expertise covering engineering, business and finance, and rural, regional and urban issues.

The work of the Council is focused on four areas of infrastructure: transport, water, energy, and telecommunications. Its Interim Report, released in October 2001, gives Victorians an opportunity to take part in a public discussion about the State's long term infrastructure needs.

The Interim Report builds on the Government's \$3 billion of infrastructure projects already underway or in the pipeline. It highlights some common themes in each of the four areas of infrastructure and presents the Council's preliminary findings and proposals for public feedback.

The Council will provide its final report for consideration by the Government during 2002. The Government will then provide its response taking into account the views expressed as part of the community consultation process.

The Government has set a high priority to improve the accessibility, effectiveness and efficiency of the public transport system. Improvements to the public transport system will provide a range of benefits including providing greater travel choice, reducing car dependency, and associated traffic congestion, road injuries, and air pollution.

Parking provisions are the responsibility of Local Government implemented through local planning schemes. The issue of parking will be investigated and evaluated by the Department of Infrastructure together with other demand management measures. The objective will be to deliver a package of measures that will meet the needs of the community and businesses. This package will involve integrated land use/development and transport (road, rail, cycling and walking) measures (eg improved public transport provision and accessibility, transit cities initiatives, improved walking and cycling networks and facilities, and metropolitan park and ride facilities).

**Transport: public transport patronage**

**2703. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the monthly public transport patronage figures for each of the years 1999, 2000 and 2001.

**ANSWER:**

Patronage data from Franchise Operators is only received at the end of each financial year and therefore monthly data is not available. Detailed below are the annual patronage boardings from 1998/99 to 2000/01 on all Government subsidised public transport services.

	1998/99 Millions	1999/00 Millions	2000/01 Millions
Metro	329.9	343.1	351.9
Country	48.4	48.5	48.9
Total	378.3	391.6	400.8

**Transport: public transport — industrial action**

**2704. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Will the Minister provide annual data for public transport industrial action for each of the years from 1995 to 2001, including — (i) days lost; and (ii) hours lost.

**ANSWER:**

- (i) Actual days lost have not been recorded on the PTC payroll system, nor recorded by the franchisees.
- (ii) The following table presents the number of labour hours lost due to industrial action, according to payroll data held by the PTC since 1985 on a financial year basis.

Year (ending June 30)	Hours
1995	69761
1996	12132
1997	51798
1998	54170
1999	362
2000	755

Since the commencement of privatisation, ie. August 1999 to 30 November 2001, 1539 labour hours have been lost due to industrial action.

**Transport: public transport revenues**

**2705. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details of public transport revenues itemised month by month (or quarter by quarter) for the past five financial years.

**ANSWER:**

The data available to the Department has been tabulated and is included in the attached schedule.

**Metropolitan Public Transport Revenues**

**Summary Data by Financial Year (1)**

Financial Year	Month												Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m
1993/94	20.7	22.1	20.1	19.9	19.2	17.7	18.5	24.3	22.5	19.7	22.0	20.4	247.1
1994/95	20.2	21.5	19.5	19.7	18.8	17.8	18.5	25.4	24.0	19.7	21.4	20.3	246.8
1995/96	20.9	21.8	20.2	20.3	19.3	17.2	18.6	26.4	25.4	20.4	22.2	20.6	253.3
1996/97	22.6	22.1	21.0	21.6	19.4	19.0	18.8	24.0	25.0	22.6	23.1	20.8	260.0
1997/98	22.0	21.0	21.5	21.0	19.2	18.2	19.2	24.6	27.8	20.6	21.6	19.6	256.3
1998/99	21.8	21.4	21.0	19.8	19.3	17.9	20.6	27.5	34.1	22.7	24.3	22.4	273.0
1999/00	23.5	21.8	25.2	20.4	19.4	20.5	19.0	26.4	34.0	20.3	22.9	29.4	282.9
2000/01 (2)	21.2	27.3	20.7	21.0	25.5	19.3	18.9	28.1	36.4	23.0	30.8	23.2	295.5

**Details by Financial Year (3)**

Ticket Type	Month												Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m
2 Hour	3.65	3.23	4.06	3.22	3.23	3.87	2.90	3.20	4.66	3.24	3.37	3.93	42.58
Daily	4.14	3.64	4.65	3.56	3.76	4.31	3.58	3.67	5.73	4.13	4.11	4.90	50.17



QUESTIONS ON NOTICE

Details by Financial Year (3)

Weekly	3.36	3.07	3.82	2.96	2.79	3.07	2.49	3.04	3.95	2.54	3.22	4.07	38.38
Monthly	2.35	2.16	2.47	2.07	1.97	1.04	1.88	2.19	2.88	1.93	2.47	4.19	27.60
Yearly	.69	.86	.54	.87	.46	.44	.46	1.29	.92	.55	.61	1.25	8.92
2 Hour (5 Pack)	.02	.01	.02	.02	.02	.01	.01	.01	.02	.01	.02	.03	.21
2 Hour * 10	.92	.88	1.09	.87	.89	.97	.85	1.03	1.42	.98	1.27	2.17	13.34
Other	.98	.86	1.07	.84	.84	.97	.78	.86	1.18	.82	.89	1.10	11.20
Full Fare Total	16.12	14.71	17.73	14.41	13.96	14.67	12.95	15.30	20.77	14.19	15.96	21.63	192.40

2 Hour	2.05	1.87	2.29	1.85	1.80	2.09	1.61	1.85	2.36	1.69	1.83	2.15	23.45
Daily	2.08	1.98	2.52	1.85	1.74	1.88	1.51	1.83	2.72	1.89	2.05	2.31	24.36
Weekly	.61	.69	.74	.63	.49	.40	.32	.61	.90	.50	.69	.74	7.33
Monthly	.64	.56	.39	.49	.25	.12	.22	.41	.94	.44	.66	.62	5.74
2 Hour (5 Pack)	.01	.00	.00	.00	.00	.00	.00	.00	.00	.00	.01	.01	.05
2 Hour * 10	.14	.14	.16	.14	.12	.10	.09	.16	.22	.13	.21	.36	1.98
Other	1.62	1.60	1.23	.98	.97	1.10	1.98	4.38	4.48	1.17	1.30	1.47	22.27
Concession Total	7.14	6.85	7.33	5.96	5.39	5.71	5.72	9.24	11.63	5.82	6.73	7.65	85.18

Regulated Fares	23.25	21.56	25.06	20.37	19.35	20.38	18.68	24.54	32.40	20.02	22.69	29.28	277.58
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Non Regulated	.25	.20	.18	.08	.07	.12	.36	1.90	1.57	.27	.18	.15	5.33
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Total Fare Income	23.50	21.75	25.24	20.45	19.45	20.50	19.04	26.44	33.97	20.29	22.87	29.43	282.91
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2000/01

Ticket Type	Month												Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m	\$m
2 Hour	3.33	4.12	3.17	3.16	4.09	3.21	2.98	3.40	4.52	3.40	4.35	3.28	43.02
Daily	3.66	4.81	3.79	3.52	5.02	3.91	3.71	4.02	5.67	4.65	5.36	4.07	52.19
Weekly	2.91	4.01	3.16	3.23	3.88	2.85	2.59	3.54	4.41	2.67	4.46	3.29	41.00
Monthly	1.93	2.65	2.08	2.33	2.61	1.51	2.09	2.51	3.31	2.52	3.47	2.50	29.53
Yearly	.74	.47	.72	.49	.40	.46	.45	1.36	.96	.55	.63	1.08	8.31
2 Hour (5 Pack)	.01	.01	.01	.02	.01	.01	.01	.02	.01	.01	.02	.01	.14
2 Hour * 10	1.03	1.35	1.09	1.16	1.44	1.25	1.06	1.33	1.82	1.42	2.04	1.55	16.52
Other	.83	1.05	.78	.81	1.00	.81	.79	.89	1.14	.88	1.19	.90	11.07
Full Fare Total	14.44	18.47	14.79	14.71	18.45	14.02	13.67	17.08	21.83	16.10	21.53	16.68	201.79

2 Hour	1.81	2.26	1.77	1.79	2.21	1.69	1.58	1.97	2.48	1.84	2.48	1.92	23.82
Daily	1.87	2.47	2.00	1.90	2.26	1.67	1.51	1.99	2.85	2.08	2.74	2.00	25.33
Weekly	.53	.84	.53	.64	.65	.39	.33	.63	.98	.56	1.01	.63	7.73
Monthly	.59	.64	.29	.52	.31	.18	.20	.48	.96	.64	.79	.31	5.92
2 Hour (5 Pack)	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.00	.04
2 Hour * 10	.15	.20	.13	.17	.18	.16	.12	.20	.28	.19	.32	.22	2.32
Other	1.51	2.11	1.02	1.15	1.34	1.06	1.20	4.49	5.55	1.31	1.71	1.25	23.69

**Details by Financial Year (3)**

Concession Total	6.46	8.53	5.75	6.17	6.95	5.14	4.93	9.76	13.10	6.62	9.07	6.34	88.84
Regulated Fares	20.91	27.00	20.54	20.88	25.40	19.17	18.61	26.83	34.94	22.72	30.60	23.03	290.63
Non Regulated	.28	.28	.19	.12	.13	.13	.30	1.30	1.48	.29	.23	.15	4.88
Total Fare Income	21.19	27.29	20.73	21.00	25.53	19.30	18.91	28.13	36.42	23.01	30.83	23.18	295.51

- Notes
- (1) Annual data derived from PTC via RCH No detailed breakdown by ticket type available
  - (2) Includes GST as from 1/7/2000
  - (3) Detailed data Ex RCH Summary data

**Transport: rail infrastructure projects — resourcing costs**

**2707. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details of the \$14.2 million spent resourcing major rail infrastructure projects in 2000-01, as described in the 2001-02 Financial Report for the State of Victoria indicating — (i) where the money has been spent; and (ii) whether defined objectives have been achieved.

**ANSWER:**

As part of the Department of infrastructure, the Rail Projects Group was formed in September 2000 “to manage the delivery of three major rail projects within the State Government’s Linking Victoria program. These three major projects are:

- Regional Fast Rail Project
- Melbourne Airport Transit Link
- Spencer Street Station Redevelopment

Initial funding was provided by Government during the 2000-2001 year to undertake the initial stages of these projects.

The seed funding was used for:

	<b>\$M</b>
Salary and salary related costs	3.0
Contractors (Financial, commercial, engineering and legal advisers)	7.3
Legal and audit	0.6
Marketing / communications	0.3
Systems / procedures development	0.2
General administration	1.0
Office Fitout	1.8
<b>TOTAL</b>	<b>14.2</b>

Objectives for each of the three projects were met, as follows:

**Regional Fast Rail Project**

Planning and other work during the year culminated in the invitation on 31 May 2001 for expressions of interest from the private sector to develop and deliver the projects.

**Melbourne Airport Transit link**

Two heavy rail operations in the Broadmeadows and Albion rail corridors were reviewed over the past year. Detailed studies on environmental and social effects were completed, and the proposals exhibited for public comment. An independent planning panel was established to consider public submissions on the route for the link. The panel reported to Government in November 2001.

**Spencer Street Station Redevelopment**

The business case for the project was approved during the year, leading to the invitation by the Premier for expressions of interest from the private sector in July 2001.

**Transport: city loop**

**2708. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What is the frequency of service on the city loop system in peak periods.
- (b) What capacity exists to expand city loop services.

**ANSWER:**

- (a) Based on a 180 second headway (which includes 130 seconds signal headway plus 50 seconds for dwell times to load and unload passengers) the capacity of each of the four tracks in the City Loop is approximately 20 services per hour.

Currently each of the tracks through the City Loop carries between 16 and 18 services per hour during the AM peak period. The total number of services operating through the City Loop is 4,608 per week.

- (b) There is limited capacity to expand the City Loop service using current technology.

**Transport: public transport — maintenance**

**2709. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What are the details (month by month) of the levels of maintenance on stations, rolling stock and infrastructure for the five Victorian public transport operators (V/Line, M Tram, M Train, Connex and Yarra Trams) since the franchising of the system in 1998.

**ANSWER:**

The Franchise Leases commenced on 29 August 1999.

Under the terms of the Franchisees Infrastructure Leases with the Government, the franchisees are obliged to provide an annual Asset Management Report. This report must include Actual annual expenditure on maintenance works. However, this information is not required on a monthly basis. Therefore, the Department on Infrastructure does not record the Franchisees maintenance expenditure by month.

The following summarises the franchisees annual expenditure on maintenance of core infrastructure by asset class. National Express Group Australia (M-Train and M-Tram) reports on a calendar year and therefore information is only available to 31 December 2000.

- (a) **V/Line Passenger** planned maintenance expenditure on station buildings in year 2000 was \$170,000. Information for reactive maintenance is being sought.

**(b) M-Tram Maintenance Expenditure from Aug 99 to 31 December 00**

Track	\$3.5m
Buildings and Structures	\$1.1m
Power	\$2.6m
Signalling	\$0.2m
Communications	\$0.5m
<b>Total</b>	<b>\$7.9m</b>

**(c) M-Train Maintenance Expenditure from Aug 99 to 31 December 00**

Track	\$12.4m
Buildings and Structures	\$11.4m
Power	\$3.8m
Signalling	\$10.5m
Communications	\$2.0m
<b>Total</b>	<b>\$40.2m</b>

**(d) Connex Maintenance Expenditure from Aug 99 to 30 June 01.**

Track	\$7.4m
Buildings and Structures	\$5.5m
Power	\$12.8m
Signalling and Communications	\$15.5m
<b>Total</b>	<b>\$41.2m</b>

**(e) Yarra Trams Maintenance Expenditure from Aug 99 to 30 June 01**

Track	\$4.7m
Buildings and Structures	\$0.8m
Power	\$5.6m
<b>Total</b>	<b>\$11.1m</b>

**Transport: office of the public transport ombudsman**

**2710. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): What action has the Minister taken to establish the Office of the Public Transport Ombudsman.

**ANSWER:**

I am informed that:

The options for establishing a Public Transport Ombudsman are being considered at this stage.

**Transport: Nicholson Street, Essendon**

**2711. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Are there any proposals under consideration for the closure of Nicholson Street in Essendon; if so, what consultative process has been established to allow the local residents to express their concerns prior to the final assessment.

**ANSWER:**

The matters raised in the question do not fall within the Minister for Transport’s portfolio responsibilities as Nicholson Street, Essendon is a local road and the responsibility of the Moonee Valley City Council.

**Transport: Department of Infrastructure — operating expenses**

**2712. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Will the Minister provide a breakdown of the expenditure and explain why the Department of Infrastructure operating expenses have risen from \$838 million in 1998 to \$2.377 billion in 2001.

**ANSWER:**

The basis for the significant increase in expenditures relates to ‘changes in accounting policies’ which took place effective from the 1998/99 year and were summarised in the audited financial statements under Note 1(c) and Note 7 of the 1998/1999 Annual Report.

The changes were as a result of the implementation of Accrual Output Based Management (AOM) which was introduced by the former Government under changes to the Financial Management Act 1994 during the 1998/1999 year. Three information booklets with regard to the AOM changes were released by the Department of Treasury and Finance to coincide with the new reporting requirements (see attached copies).

In 1997/1998 and prior years, funding and budgeting were based on cash costs only. In 1998/1999 and onwards output costs were higher due to the inclusion – for the first time – of non-cash items. Depreciation expense which is a significant non-cash item, therefore impacts on both the revenue (funding) and expenditure (purchase of outputs) sides of the Statement of Financial Performance.

Activities which were previously classified as ‘administered’ in 1997/98 are now treated as ‘controlled’ activities in the provision of outputs and other activities which were previously classified as ‘controlled’ in 1997/98 are now treated as ‘administered’. These changes are reflected for the first time in 1998/99 and onwards in the Statement of Financial Performance. As such there was also a transfer of expenditures between ‘administered’ and ‘controlled’ disclosure within the audited financial statements.

Note 1(c) of the audited financial statements for the 1998/1999 year clearly itemises the major impacts of the expenditure changes on the audited financial statements in the first year following the introduction of Accrual Output Based Management. This reflects the basis for the significant increase to the 2001 year. These changes became effective from the 1998/1999 year for State Budgets and annual financial reporting of departmental operations under the Financial Management Act.

The major impacts as a result of the changes (as itemised in Note 1(c) of the 1998/1999 financial statements) are:

- Expenditure for the purchase of road, rail, bus and marine services (reflecting the impact of the inclusion of non-cash items, eg. depreciation and items previously treated as ‘administered’, now ‘controlled’) - \$1.6 billion - as follows:

Extract from Note 7 – 1998/99 financial statements  
 “7. Expenditure on Road, Rail, Bus and Marine Services

	1999 (\$’000)	1998 (\$’000)	Difference (\$’000)
Government rail services	828,160	6,480	
Government road services	739,345	-	
Private bus and rail services	222,071	205,540	
School bus contracts	101,402	96,070	

	1999 (\$'000)	1998 (\$'000)	Difference (\$'000)
Multipurpose taxi	32,668	29,341	
Non-electrified track services	40,220	29,764	
Other	3,789	785	
	<u>1,967,655</u>	<u>367,980</u>	<u>1.6 billion (approx)</u>

Activities which were previously classified as 'administered' in 1998 are now treated as 'controlled' activities in the provision of outputs (see also Note 1(c) and 1(d)."

- Commonwealth funding on-passed to Local Councils (previously treated as 'controlled', now 'administered') - \$289 million.

*[Attachment referred to in answer has been supplied to honourable member and a copy tabled in the Parliamentary Library]*

**Transport: metropolitan flyer trains**

**2714. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Have any metropolitan flyer trains been introduced since September 1999; if not, when will flyer trains be in operation.

**ANSWER:**

No. Flier trains proposed for the Frankston, Dandenong and Ringwood rail lines are being scoped and costed. Implementation decisions will be made after scoping and costing work is completed.

**Environment and conservation: alpine resorts coordinating council — member benefits**

**2716. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What benefits, including full or subsidised accommodation, ski lift or access passes, did Mr Bill Shorten receive during his service as a member of the alpine resorts coordinating council.

**ANSWER:**

I am informed that:

Mr Bill Shorten attended one Alpine Resorts Coordinating Council (ARCC) meeting on 8<sup>th</sup> May 2001 and received the standard sitting fee of \$320. Mr Shorten has received no other benefits acting as an ARCC member.





**QUESTIONS ON NOTICE**

*Answers to the following questions on notice were circulated on the date shown.  
Questions have been incorporated from the notice paper of the Legislative Council.*

*Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.  
The portfolio of the minister answering the question on notice starts each heading.*

**Wednesday, 20 March 2002**

**Education: extension education program**

**2432. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): How much funding did the Extension Education Program receive in the 2001-02 Budget.

**ANSWER**

I am informed as follows:

The Department of Education, Employment and Training received an overall allocation in the State Budget 2001-02. The Extension Education Program receives a proportion of this allocation.

**Health: commonwealth–state disability agreement**

**2460. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): Further to the answer to question no. 2120, given in this House on 18 September 2001, how much of the funds made available by the Commonwealth to assist Victoria under the Commonwealth/State Disability Agreement was allocated to Psychiatric Disability Support Services in 1996–97, 1997–98, 1998–99, 1999–2000, 2000–01, respectively, and what is the estimate for 2001–02.

**ANSWER:**

Under the Commonwealth/State Disability Agreement, 'Part 8 – Financial Arrangements', details that both the Commonwealth and the State have responsibilities for making funds available for the provision of services to people with disabilities, which are set out in Schedule A to the Agreement.

In Victoria the specialist disability services includes clients associated with Early Intervention Services, Psychiatric Disability Support Services and Disability Services.

Commonwealth revenue as a Departmental administrative function has always been allocated in the Disability Services Program because the program was the major/lead provider of services.

Funding for the Early Intervention Services and the Psychiatric Disability Support Services form part of the Victorian funds made available for specialist disability services set out in Schedule A of the Agreement. Therefore, no Commonwealth revenue is allocated to Psychiatric Disability Support Services.

**Health: commonwealth–state disability agreement**

**2461. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): Further to the answer to question no. 2121, given in this House on 18 September 2001, how much of the funds Victoria made available to meet its responsibilities under the Commonwealth/State Disability Agreement was allocated to Psychiatric Disability Support Services in 1996–97, 1997–98, 1998–99, 1999–2000 and 2000–01, respectively, and what is the estimate for 2001–02.

**ANSWER:**

- (a) Funding Victoria made available to meet its responsibilities under the CSDA for Psychiatric Disability Support Services is:

1996-97	\$10.428M
1997-98	\$13.573M
1998-99	\$14.170M
1999-00	\$14.528M
2000-01	\$14.988M

- (b) Budgeted Victorian funding to be meet its responsibilities for Psychiatric Disability Support Services for 2001-02 is \$16.026M

**Police and emergency services: Victoria Police — Workcover premiums**

**2481. THE HON. B. C. BOARDMAN** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services):

- (a) What was Victoria Police's Workcover premiums in actual dollar terms in 1999-2000 and 2000-2001, respectively.
- (b) What was the percentage change in its Workcover premiums in 1999-2000 and 2000-2001, respectively, compared to budget.

**ANSWER:**

I am informed that the difference between the initial premiums of 1999/00 and 2000/01 are attributable to a range of factors including, the introduction of the GST, increases in industry rates and wage increases as well as differences in claims experience. With the exclusion of claims experience all other increases have been fully supplemented by government.

The Government, together with Victoria Police, the Police Association and the CPSU/SPSF are working on a strategy to reduce claims. However, anecdotal evidence suggests that stress related claims increased following the deliberate reduction of police numbers by 800 during the last 3 years of the previous Government. The Bracks Government has taken steps to address this and I am pleased to report that we have achieved over 10,300 effective full-time sworn police (including recruits in training) in Victoria Police as at 17 December 2001. This is up from 9,500 on 30 June 1999.

**Environment and conservation: Natural Resources and Environment — Workcover premiums**

**2482. THE HON. B. C. BOARDMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation):

- (a) What was the Department of Natural Resources and Environment's Workcover premiums relating to departmental employees involved in any fire fighting responsibilities, in actual dollar terms in 1999-2000 and 2000-01, respectively.
- (b) What was the percentage change in the department's Workcover premiums relating to departmental employees involved in any firefighting responsibilities in 1999-2000 and 2000-01, respectively, compared to budget.

**ANSWER:**

I am informed that:

(a) Workcover premiums in dollar terms, relating to employees involved in fire fighting were:

– **1999/2000**

Budget	\$273,000
Actual	\$296,000

– **2000/2001**

Budget	\$460,000
Actual	\$427,000

(b) Compared to budget the percentage change in the Department's Workcover premiums relating to fire fighters was:

– **1999/2000**

An 8% increase in premiums was experienced due to an increased remuneration base for fire fighters for the period.

– **2000/2001**

A decrease of 7.7% was experienced due to less hours being worked by firefighters because of seasonal conditions.

**Health: Centre of Excellence in Eating Disorders**

**2492. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): In relation to the establishment of the Centre of Excellence in Eating Disorders:

- (a) What is the commencement date for the service.
- (b) With what agencies has the government established partnerships.
- (c) Where will the centre be located.

**ANSWER:**

- (a) The Centre of Excellence was launched on 11 January 2002. The Centre is currently recruiting staff in order to commence operations.
- (b) The consortium consisting of Melbourne Health, Women's and Children's Health, the Eating Disorders Foundation of Victoria and Dousta Galla Community Health Service was selected to establish the Centre of Excellence in Eating Disorders. This consortium provides a partnership involving specialist services, primary care services and a consumer and carer community group. In addition, through the various consortium members, the Centre will have links to Primary Care Partnerships, Divisions of General Practice and the University of Melbourne Departments of Psychiatry and Paediatrics. The Centre will also work closely with other providers of specialist eating disorders services, in particular Monash Medical Centre, the Austin and Repatriation Medical Centre and rural eating disorder services at Bendigo and Geelong
- (c) The Centre is located in the Charles Connibere Building at the Royal Melbourne Hospital.

**Health: Centre of Excellence in Eating Disorders**

**2493. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): In relation to the establishment of the Centre of Excellence in Eating Disorders:

- (a) What linkages between existing services will be made.

- (b) How will rural and regional areas get access to services.
- (c) How many staff will be employed by the Centre.

**ANSWER:**

- (a) The Centre will work in collaboration with existing primary care providers and specialist eating disorder services. Linkages with existing services will be achieved in a number of ways, but in particular through the Centre's proposed Advisory Group. The Advisory Group will include representatives from consumer and carer groups, primary care services, specialist service providers and rural eating disorder services, as well as private eating disorders services. The Advisory Group will therefore ensure that all key stakeholders are involved in the Centre's work.
- (b) The major functions of the Centre will be to provide consultation to primary care and specialist service providers, deliver education and training and conduct research into effective models of service delivery. Rural services will have access to all these services through direct visits, teleconferencing, telepsychiatry and access to web based resources. Rural eating disorder services are also being piloted in Geelong and Bendigo.
- (c) The Centre will employ one full time manager with relevant clinical experience and one part time administrative assistant. In addition the Centre will employ project officers and sessional clinical/training staff as required, to work on specific activities.

**Environment and conservation: Otway Ranges — logging**

**2613. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation):

- (a) What disputes has the Minister or her Department endeavoured to settle through dispute mediation in relation to logging in the Otway Ranges since coming to office.
- (b) Who were the mediators appointed.
- (c) What has been the cost to the department of each mediation.
- (d) What has been the outcome of each of the mediations.

**ANSWER:**

I am informed that:

- (a) One mediation in relation to logging in the Otway Ranges has been held. This involved discussions with the Otway Mediation Group, which comprises industry and environment groups, to seek a way to prevent confrontation in the Otway area over logging.
- (b) Mr Ian Petty and Heather Leslie were appointed to conduct the above mediation through the Victorian Dispute Mediation Centre.
- (c) The cost of the above mediation was \$24,420.
- (d) As a result of the discussions, the Department of Natural Resources and Environment scheduled logging in non-contentious coupes for most of the harvesting season and most of the season was protest free. The Minister has since appointed an Otway Regional Forest Reference Group. This group comprises representatives from a broad range of interests, including environment, industry, local government, water authorities. The Reference Group is a forum for discussing issues relating to forest management in the Otways.

**Industrial relations: industrial relations task force**

**2626. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Industrial Relations:

- (a) On what dates has the Industrial Relations Taskforce (IRT) met since 1 July 2001.
- (b) Which Taskforce members attended each meeting.
- (c) What topics were discussed at each meeting.
- (d) Has the Taskforce discussed the current Feltex dispute; if so, on what dates.
- (e) What effect, if any, does the Taskforce believe that this dispute will have on investor confidence in Victoria.
- (f) Has the Minister, her advisers or staff attended any of these meetings; if so, who and on what date(s).

**ANSWER:**

I am informed that:

- (a) The Industrial Relations Taskforce has not met since September 2000, when it presented its final report.
- (b) NA.
- (c) NA.
- (d) To the best of my knowledge, the Industrial Relations Taskforce did not discuss any industrial disputes.
- (e) NA.
- (f) NA.

**Industrial relations: 'Voices from the workplace'**

**2629. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations:

- (a) What was the total cost of producing and distributing the Voices from the Workplace publication.
- (b) To whom was this publication distributed.

**ANSWER:**

I am informed that:

- (a) The total cost of producing and administering the Voices from the Workplace publication was \$6,506.86.
- (b) The publication was distributed to employers, unions, members of the public and Members of Parliament.

**Industrial relations: Jobwatch poster**

**2630. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations:

- (a) What was the total cost of producing and distributing the Jobwatch promotional poster.
- (b) To whom was this poster distributed.



**ANSWER:**

I am informed that:

- (a) The cost of producing the poster was \$5,810.50. Each Member of Parliament was sent a poster, and the cost of distribution has been included as part of the Department's normal administrative expenses.
- (b) In addition to providing each Member of Parliament with a poster, posters were given to members of the public. Job Watch was also given posters for distribution to its clients and to other community organisations.

**Industrial relations: Fair Employment Bill education/information campaign**

**2631. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations:

- (a) What was the total cost of the Fair Employment Bill education/information campaign, including the information kits produced.
- (b) To whom were the kits distributed.

**ANSWER:**

I am informed that:

- (a) The total cost of the Fair Employment Bill education/information campaign, including the information kits produced, was \$22,748.
- (b) Kits were available on the Industrial Relations Victoria Web site. On request, kits were printed out and sent to members of the public. The kits were also provided to persons who attended Fair Employment Bill seminars.

**Industrial relations: 'Partners at work' brochure**

**2632. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations:

- (a) What was the total cost of producing and distributing the Industrial Relations Victoria – Partners at Work information folders and brochures.
- (b) To whom was this publication distributed.

**ANSWER:**

I am informed that:

- (a) The cost of printing the Industrial Relations Victoria – Partners at Work information folders was \$5,179.90.
- (b) The folders and brochures were distributed by various means, and to various groups. They have been given to participants at seminars conducted by Industrial Relations Victoria and at the Child Employment forums. Recipients have included Members of Parliament, businesses, unions, local Councils, community organisations, industry groups and libraries. The folders and brochures have also been placed in Victorian Business Centres, where they are accessible to members of the public.

**Industrial relations: 'A guide to long service leave' brochure**

**2633. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations:

- (a) What was the total cost of the producing and distributing the A Guide to Long Service Leave brochure.
- (b) To whom was this publication distributed.

**ANSWER:**

I am informed that:

- (a) The cost of producing the brochure was \$3,025. There were no costs associated with distribution as the brochure is supplied to members of the public on request, collected from Government offices, or included in general industrial relations information packages.
- (b) The brochure is available to employers, employees and interested members of the public. It is distributed primarily by the Industrial Relations Victoria Information Unit and Victorian Business Centres. The brochure is also provided to other organisations on request, who may then pass them on to their clients. The brochure is available electronically through the Industrial Relations Victoria web site.

**Industrial relations: child employment brochure**

**2634. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations:

- (a) What was the total cost of producing and distributing the Child Employment brochure.
- (b) To whom was this publication distributed.

**ANSWER:**

I am informed that:

- (a) The total cost of producing and distributing the Child Employment brochure was \$4,099.70.
- (b) The brochure is distributed to members of the public who inquire about child employment.

**Industrial relations: child labour review issues paper**

**2635. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations: What consultancies and research were commissioned by Industrial Relations Victoria for the purposes of the Child Labor Review Issues Paper.

**ANSWER:**

I am informed that:

Two pieces of work were commissioned by Industrial Relations Victoria for the purposes of the Child Labor Review Issues Paper. These were:

1. A household survey conducted by Roy Morgan Research to examine community attitudes to child employment; and
2. A research paper prepared by academics from the Faculty of Law at the University of Melbourne examining independent contracting of minors under the age of 15. The paper explored issues relating to the capacity of an individual or organisation to form a contractual relationship with a Minor and duty of care obligations on persons or organisations contracting with Minors.

**Environment and conservation: Ovens River**

**2681. THE HON. E. G. STONEY** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): In relation to the proposal to increase minimum environmental flows to the Ovens River, and with reference to the historical records of flows at

the gauging station at Myrtleford, when the minimum flow at the gauging station at Myrtleford is set at 200 megalitres per day in the future:

- (a) Since records have been kept, for how many years would restrictions have been placed on pumping from the river above that gauge.
- (b) For how many days in those years that restrictions would have been placed would restrictions have been imposed on pumping above the gauging station.
- (c) For how many years in 100 would pumping have been banned (even for one day) above the gauging station.
- (d) For how many days in those years when a ban would have been applied would pumping be banned above the gauging station.

**ANSWER:**

I am informed that:

A report on hydrology and reliability of supply is yet to be finalised and considered by the Upper Ovens Streamflow Management Plan Consultative Committee. Neither has any recommendation been made or accepted that the minimum flow should be set at 150 megalitres per day in the future.

**Transport: Cranbourne–East Cranbourne train line extension**

**2690. THE HON. G. B. ASHMAN** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport):

- (a) What is the status of the proposed Cranbourne to East Cranbourne train line extension.
- (b) How much has been allocated to this project.
- (c) When will the construction commence.
- (d) Where will the train line stop.
- (e) Have arrangements been put in place to facilitate adequate transport integration with the surrounding areas.

**ANSWER:**

- (a) The project is being scoped and costed and staging identified. A comprehensive feasibility study is underway to investigate a range of options being developed in conjunction with local government and public transport operators.
- (b) The Government has committed \$70 million towards seven metropolitan public transport projects, of which the extension of the Cranbourne to East Cranbourne train line is one.
- (c) A decision on construction timing will be made after scope and funding issues are finalised.
- (d) Planning is proceeding on the basis that electrified services will extend to the Cranbourne East complex. This means the train station would serve the Chisholm Institute of TAFE, Cranbourne Campus.
- (e) The scoping of each project is being conducted in conjunction with the councils. Roading issues at Cranbourne East are also being addressed.

Public transport operators in the area are being involved in the development of project options and will be fully aware of the potential to integrate their existing services with the extension.

**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, 21 March 2002**

**Premier: Macedonian Teachers Association**

**2472. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Why hasn't the agreement that was reached between the Macedonian Teachers Association and the Government in 1997 been adhered to.

**ANSWER:**

I am informed that:

When this Government took Office, a legal action by the Macedonian Teachers' Association of Victoria (MTAV) against the State of Victoria was unresolved. The Government undertook to have the matter resolved via the legal process. As part of this process various suggestions were made about how the issue might be resolved. No agreement for an apology or a contribution towards the MTAV costs of proceedings was made.

The State of Victoria sought leave to appeal to the High Court. The High Court dismissed this application in May 2000. As is usual, it also made an order about costs. In this case, the costs order was made against the State in favour of the MTAV. Those costs were paid.

On 8 September 2000, the Human Rights and Equal Opportunity Commission (HREOC) determined that the language directive was indeed unlawful. Following the HREOC decision, the Secretary of the Department of Premier and Cabinet wrote to all Departments advising that the Premier's directive dated 21 July 1994 was withdrawn. Subsequently, legal costs of the MTAV on these proceedings were settled. There was no agreement made otherwise with the Macedonian Teacher's Association of Victoria during the term of this Government.

