

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Thursday, 21 July 2005  
(extract from Book 8)**

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**FIFTY-FIFTH PARLIAMENT — FIRST SESSION**

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## Thursday, 21 July 2005

The **PRESIDENT (Hon. M. M. Gould)** took the chair at 9.33 a.m. and read the prayer.

### CLASSIFICATION GUIDELINES

#### Publications, films and computer games

**Hon. J. M. MADDEN (Minister for Sport and Recreation)**, by leave, presented guidelines for the classification of films and computer games, and guidelines for the classification of publications 2005.

Laid on table.

### BUSINESS OF THE HOUSE

#### Adjournment

**Mr LENDERS (Minister for Finance)** — I move:

That the Council, at its rising, adjourn until Tuesday, 9 August.

Motion agreed to.

### MEMBERS STATEMENTS

#### Melbourne Victory Football Club

**Hon. B. N. ATKINSON (Koonung)** — Last night I attended the launch of Melbourne Victory Football Club, a new soccer club in the A-league, which is the national league, which will establish soccer as one of Australia's strong sports. There is no doubt that there is a great following for soccer. In fact, soccer has a very large participation base in Australia. However, unfortunately administration at the elite level of soccer has tended to hold back the progress of the sport in Australia, which has had an impact on our opportunities internationally, particularly in major events such as the World Cup.

This new base for soccer at the elite level is a very exciting development. Without a doubt it will take Australian soccer forward. It gives us a real opportunity as we look towards the prospect of moving into the Asia division of the World Cup, and it will present tremendous opportunities for many outstanding young soccer players to move forward and have opportunities to play in one of the national franchises of the A-league.

The roster that has been assembled by Melbourne Victory is an impressive one. I notice that Kevin

Muscat, who is a well-credentialed player, has come back. Indeed most of the players associated with the Melbourne Victory team have had international experience and are well credentialed. I am sure the house wishes them well.

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

#### Industrial relations: federal legislation

**Hon. J. H. EREN (Geelong)** — Over the past three weeks we have seen a whirlwind of opposition to the federal government's proposed draconian industrial relations laws. In my electorate around 10 000 people marched through the streets of Geelong, saying no to the Prime Minister's unfair industrial relations scheme.

*Honourable members interjecting.*

**Hon. J. H. EREN** — I advise Mr Drum that part of this scheme is to take us back to the Dark Ages by removing unfair dismissal protection from more than 3.6 million Australian workers employed in companies with less than 100 staff.

*Honourable members interjecting.*

**The PRESIDENT** — Order! There has been enough badgering across the chamber. I ask all members on both sides to stop interjecting.

**Hon. J. H. EREN** — The Prime Minister, Mr Howard, would allow employers to put workers onto individual contracts that have only five minimum conditions and remove entitlements like overtime pay, penalty rates, shift allowances, redundancy pay and family-friendly arrangements without compensation.

Australians have worked to build this country from the ground up. They are not going to sit idly by while a power-hungry Prime Minister strips away their conditions. These intended changes, as expressed by John Howard, will do nothing but harm Australian workers and damage Australia's credibility. For many years Australia has enjoyed industrial harmony between unions and employers. For the sake of this great country, we should not ruin the good working relationship that workers have with their employers.

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

#### Kew Residential Services: site development

**Hon. D. McL. DAVIS (East Yarra)** — I compliment the Boroondara City Council on its

launching of an appeal against the state government's controversial plans regarding the Kew cottages. As people in this chamber will know, the Bracks government's Melbourne 2030 plan was to see the erection of towers and high-intensity, high-density development on 27 hectares of prime land contiguous with Studley Park, land that ought to have been protected. Under this government's recently announced plan the open space requirement would be reduced to 27 per cent, despite the Premier promising me and other local members that it would be held at 50 per cent.

The council has the courage of its convictions and is prepared to launch a legal action to seek an injunction to halt this plan, which may see up to 1100 dwellings erected on this site — an outrageous and monstrous overrunning of the site that is completely out of character with the area and with the will and concerns of people in that area. The people of Boroondara made their views clear at the last council election: they voted against the overrun of the 27 hectares, and I believe the council has done the right thing by standing up to the Bracks government.

### Refugees: government assistance

**Hon. KAYE DARVENIZA** (Melbourne West) — I wish to inform the house that over the past month I have been involved in a series of forums across the state, both in metropolitan Melbourne and in rural and regional areas, with the Victorian Multicultural Commission and the Office of Women's Policy. We have been conducting forums to talk to migrant and refugee women about their circumstances and the sorts of policies, programs and services that the government funds and provides, and how they are meeting their needs and what sort of changes might be necessary to improve access to the services as well as ensuring that the services and programs are sensitive to and appropriate for the needs of women from culturally and linguistically diverse backgrounds.

We want to ensure that people know where services are and how to access services. We want to ensure that when people have successfully accessed a service or a program, it meets any particular cultural or religious needs they might have. The services that we fund and provide are for all Victorians, and it is particularly important that women who have migrated here and are refugees are able to access these services.

### Banyule: council elections

**Hon. BILL FORWOOD** (Templestowe) — Anthony Carbines, a close family member of one of our colleagues and also currently senior adviser to the

Minister for Health in the other place, has recently written to members of the Labor Party in Heidelberg under the letterhead of 'Anthony Carbines. Member of the Australian Labor Party. Candidate for Olympia ward'.

**Mr Smith** — Good man!

**Hon. BILL FORWOOD** — Good man? Thank you! He joins a number of people standing for council out there who have close Labor Party connections including Scott Crawford, who works for Craig Langdon, the member for Ivanhoe in the other place, and Amal Ayoub, who works for Jacinta Allen. They join Colin Brooks, who works for Sherryl Garbutt, the Minister for Community Services in the other place, and of course Sherriff, Peters and Rawson, who have also worked for Haermeyer or Craig Langdon.

At least Mr Carbines gets it partly right in his letter where he says:

I look forward to working with you to restore the community's respect for the ALP at Banyule City Council.

There is no respect for the ALP in Banyule because this is such an awful council. He also says in his letter:

... I have worked with many of you to advance Labor values in our community at a local ... level by working with candidates who can best represent the ALP.

I thought local government was about representing constituents, about representing ratepayers but no, it is about representing the Labor Party! So what we know is Banyule council — —

**The PRESIDENT** — Order! The member's time has expired. I remind honourable members — as I know was done by the Acting President and me yesterday — that when members refer to members of this place or another place they will use their correct titles. Mr Forwood referred to Minister Haermeyer in the other place just by his surname. I ask him and other members to be mindful of the fact that they will use members' correct titles and correct names.

**Hon. Bill Forwood** — Sorry, President.

### Immigration: Palmer report

**Hon. H. E. BUCKINGHAM** (Koonung) — Last week the report by Mick Palmer, instigated at the request of the federal government to investigate the wrongful detention of Cornelia Rau, was released. It has 34 main findings which hopefully, if addressed by the federal government, may prevent a tragic case like Cornelia Rau's incorrect incarceration happening again.

In his report Mr Palmer stated that there was a serious cultural problem within the compliance and detention areas of the Department of Immigration and Multicultural and Indigenous Affairs and that urgent reform was necessary. Mr Palmer found that DIMIA officers have extraordinary powers that they are permitted to use without adequate training, proper management and oversight; poor information systems and no genuine quality assurance and constraints on the exercise of these powers. He went on to say that the problem stemmed from deep-seated cultural and attitudinal problems within DIMIA and a failure of executive leadership in the immigration compliance and detention areas. Mr Palmer said that reform will need to come from the top and external professional assistance would be necessary.

Who headed this department? William John Farmer, who two days before the release of this report was announced as the new Australian ambassador to Indonesia, one of our most important diplomatic postings. Given the Palmer report findings and recommendations, his appointment must stand as one of the most outstandingly cynical political appointments by this federal government — unless, of course, anyone does not believe that ultimately the secretary of a department is responsible and accountable for the efficient running of their department.

### **Commonwealth Games: economic impact**

**Hon. G. K. RICH-PHILLIPS** (Eumemmerring) — Last week the government released extracts from a KPMG report into the estimated economic impact of the Commonwealth Games. These extracts variously reported figures of up to \$3 billion in spending on the games and a contribution to gross state product (GSP) of up to \$1.5 billion.

Prior to the release of this report the government had trotted out widely varying figures. The Minister for Tourism in the other place estimated the impact at \$800 million, while the Minister for Commonwealth Games initially quoted a net impact to Victoria of \$2 billion, before later claiming that figure was a national figure. The government has not released the full KPMG report, citing commercial-in-confidence considerations.

In the absence of the full report the headline figures are meaningless. Victorians must know what assumptions were made and what methodology was used. The government claims to be open, transparent and accountable and therefore it must release the full KPMG report. Victorians are entitled to know the true

benefits of the Commonwealth Games, not merely the government's sanitised version.

### **Industrial relations: federal legislation**

**Mr SCHEFFER** (Monash) — On Thursday, 30 June I joined 100 000 other Victorians who marched in support of the Australian Council of Trade Unions Fair for All rally. I congratulate the ACTU on the rally and on the high-impact campaign it is leading to inform the Australian public about the threat to working conditions contained in the Howard government's proposed rewriting of Australian workplace laws.

The abolition of protections from unfair dismissal for 99 per cent of workers, the compulsion, in effect, upon workers to sign individual contracts, the downward pressure on minimum wages, the replacement of existing and comprehensive minimum employment conditions with just five conditions, keeping unions out of workplaces and reducing the capacity of workers to bargain collectively all represent an attack on working people right across this country.

The opposition to the Howard government's proposals is coming from people from every walk of life, and the federal Minister for Employment and Workplace Relations, Kevin Andrews, knows he is in trouble. The churches, including Catholic leader Cardinal George Pell, and the new Anglican Primate Archbishop Phillip Aspinall, have voiced their deep concern over the weakening of human rights entailed in the workplace proposals. Experts in industrial relations, employment policy and economists have cautioned the Howard government against this ideologically driven folly.

People in Monash Province want to see workplaces where employees negotiate their working conditions in a fair and balanced industrial environment. The federal minister Kevin Andrews is looking increasingly beleaguered as opposition to his reforms grows.

### **Rail: Bendigo service**

**Hon. D. K. DRUM** (North Western) — I would like to talk about how people in central Victoria are well aware that this government is ripping up the second train line between Kyneton and Bendigo as part of what it calls the fast rail project. We know that only half the services are going to be faster, while half the services are actually going to be slower. This has prompted some people in Bendigo to name the project the 'half fast rail project'. It is now planned to build waiting times into the timetables to enable trains to make up time lost at stations and on passing loops. If trains are running late, as per the new timetable, these built-in

waiting times will enable them to catch up. This means these waiting times are going to be built into the timetables forever. Train journeys in that region will always take longer than would have been needed had this government done this project properly in the first place.

This government has learnt of this negative publicity, but what has done about it? It has taken out advertising. There are double-page ads in the daily papers nearly every day. They do not tell the people anything about the project; they just tell them how good it is going to be. Big, glossy pamphlets are being delivered to households, with the government again spending tens of thousands of dollars. I had no idea about the millions of dollars that this government is spending on advertising to try to win back people's confidence in this project. It had an opportunity to do the project properly, but it has elected to do the job half right.

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

### **Barwon Heads: multipurpose facility**

**Ms CARBINES** (Geelong) — Last month I was delighted to accompany the Minister for Sport and Recreation and the Deputy Premier in the other place, who is also the Minister for the Environment, to the official opening of the new multipurpose facility in the Barwon Heads Caravan Park.

This state-of-the-art facility will be jointly used by Barwon Coast and the Barwon Heads Football and Netball Club. Its completion is the culmination of five years of commitment by the Bracks government in partnership with Barwon Coast, the Barwon Heads Football and Netball Club, the City of Greater Geelong, the Wathaurong people and the wider Barwon Heads community to both determine the location of a long-term home for the club and construct an appropriate multipurpose facility.

The construction of this new facility also fulfils a 2002 election commitment by the Bracks government, with \$1 million worth of funding allocated. As chair of the two separate consultative committees which have achieved this outstanding result for the Barwon Heads community, I would like to place on record my thanks to all those who have participated, particularly Danny Keating of the Barwon Heads Football and Netball Club and Doug Miller from the Department of Sustainability and Environment.

This outcome is once again a demonstration of the Bracks government's commitment to the people of regional Victoria. I know it is greatly appreciated by

both the Barwon Heads Football and Netball Club and the wider Barwon Heads community.

### **Won Wron prison: residential diversion program**

**Hon. PHILIP DAVIS** (Gippsland) — I draw the attention of the house to a real issue for the community of the Yarram district — the future of what was formerly the Won Wron prison. The prison was closed by the Bracks government earlier this year. Subsequently an announcement was made by the Minister for Corrections in the other place that there would be new indigenous residential diversion program located at the former prison site. The community was not consulted and feel that it has been left in the dark on the issue ever since.

The residents who live adjacent to the prison, particularly the farmers who live directly next door to it, have had a strong view that after nearly 40 years they would finally not have prisoners living next door to them, but now in effect they are about to have prisoners relocated to the prison they were looking forward to seeing closed. They are a little distressed about this change in government policy. There is a real concern about the arrangements for this diversion program because, unlike in a conventional corrections facility, the rules for the inmates are not clear and, therefore, the community is feeling intimidated about the nature of the access and egress to the — —

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

### **Mornington Peninsula: aged care facility**

**Hon. J. G. HILTON** (Western Port) — During the break I was pleased to accompany the Minister for Aged Care, Gavin Jennings, when he inspected the site of the new aged care facility at Mornington, which will eventually provide 180 beds for the Mornington Peninsula's rapidly ageing population. The Mornington centre will replace and expand on the outdated aged care facilities at the Mount Eliza Centre and provide general community health care. The staff at the Mount Eliza Centre are extremely dedicated, but the facilities are totally inadequate. The new complex will be built on a greenfield site on the Nepean Highway and operated by Peninsula Health, which provides a range of health and aged care facilities for the region.

The May state budget allocated \$20 million for the construction of the first stage of the building, which will house the centre's first 60 geriatric evaluation and management beds. The project will provide new aged

care and subacute facilities for the Mornington Peninsula. The new centre will provide specialised care and rehabilitation programs for the peninsula's growing population, which includes an increasing number of older Victorians. The \$20 million allocated in the state budget will fund the centres first 60 geriatric evaluation and management beds, and when completed the total development will have 90 geriatric evaluation and management beds, 60 beds for aged persons, mental health residential care, 30 residential aged care beds for clients with complex needs, a community rehabilitation centre and hydrotherapy pool and community services. This is an excellent project for the Mornington Peninsula, and I am pleased to have played my part in getting the project delivered.

### **Hepburn: management**

**Ms HADDEN** (Ballarat) — Today I grieve for the ratepayers of Hepburn shire who continue to suffer under their lacklustre council. Not only was the council shamed by the Phillips Fox probity investigation report handed down last October, which supposedly was to clear the air of allegations of improper handling in the reassignment of the Hepburn spa bathhouse lease, but then the council reported at an ordinary meeting that such debacle had actually cost more than \$600 000 in architects' fees and over \$40 000 in legal costs and other unidentified costs. Then the council had the audacity to pass a resolution that it write to the Treasurer, the Honourable John Brumby, seeking full reimbursement of council's costs.

Now, to add further to the insult to its undeserving ratepayers, Hepburn Shire Council in its recently passed annual budget committed to spending a mere \$40 000 on footpath maintenance across the entire shire. The council also budgeted to spend \$25 000 for one new footpath on the eastern side of Main Road, Hepburn Springs that will run past vacant land and end outside Mooltan Guest House. Many ratepayers have been raising their concerns that this particular guesthouse appears to be benefiting from a very generous sum of ratepayers money, indeed even special treatment, given that this budgeted new footpath does not serve the local primary school, which is off to the other side of Main Road, and neither will it service any residents, tourists or visitors walking to the Hepburn Mineral Springs reserve.

Mooltan Guest House is owned by Jennifer and Eddie Beacham, who are Daylesford Australian Labor Party branch members and associates of Cr Warren Maloney, who is another Daylesford ALP branch member, the immediate past mayor of Daylesford and a past mayor

of Brunswick. The ratepayers have been continually conned and duded by this scandalous action — —

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

### **Terrorism: London bombings**

**Hon. S. M. NGUYEN** (Melbourne West) — The recent bombings in London are a stark reminder that terrorism can occur anywhere and at any time. These bombs were set at busy locations at a time when they would do the most harm. This was a cynical and heartless action by people who neither respect the rights of others nor answer to their own consciences. I wish to extend my most sincere sympathy to the families of the people who died in the bombings, and I would like to wish the casualties a speedy recovery. A number of Australians suffered injuries. I wish them and their families all the best in overcoming the injuries and the trauma they are going through right now. One Australian, Sam Ly, a 28-year old former refugee from Vietnam who lived in Richmond, was killed in the explosion on bus no. 30. I offer my deepest condolences to Sam Ly's friends and family.

In Australia, we have so far been spared the agony and anguish of terrorist attacks like the people in Madrid and London have suffered. We should, however, continue to keep up our guard against the thugs who want to drag us down to their level, where killing innocent people is supposed to solve their problems. I send this clear message to these terrorists: these actions in London and Madrid will only make us more determined to eliminate terrorism from communities across the world.

## **STATEMENTS ON REPORTS AND PAPERS**

### **Auditor-General: East Gippsland — Lakes Entrance property sale**

**Hon. PHILIP DAVIS** (Gippsland) — I would like to make a statement on the Auditor-General's report on the East Gippsland Shire Council's proposed sale of a Lakes Entrance property. This is an interesting report, and I congratulate the Auditor-General on the thorough and comprehensive investigation which was undertaken at the instigation of the East Gippsland shire and, I have to say, quite clearly driven by the interests associated with the East Gippsland Ratepayers Association. It is interesting to note that the proposed sale of the Palmers Road office at Lakes Entrance goes back now some seven years. It is clear that this has been a difficult issue

for the shire, and there has been a great cost to ratepayers.

It is evident to me that the Auditor-General has found that no councillor or officer of the East Gippsland shire stood to gain from any action on their part in relation to the transactions which have been investigated. It is important to note, however, that the Auditor-General also found that there was a significant failure in process and probity and that the integrity of the sale process was significantly undermined by the failures of process. The sale in relation to this property is important because there have been a lot of costs accrued to the ratepayers in East Gippsland not only as a result of the settlement of the court action but also the delinquent costs incurred from the commissioning of a real estate agent to sell the property, the marketing costs therefore associated with that and, of course, the extraordinary amount of officer time that was invested over a number of years into the sale process.

I take issue with one particular comment of the Auditor-General, and I quote from page 12 of the report, which states:

In January 1998, the council resolved 'that the East Gippsland shire head office be based in Bairnsdale'. We saw no evidence of any community consultation prior to that decision being made.

It is important for the Parliament to know that, while the Auditor-General has investigated issues raised by the East Gippsland ratepayers and the shire council, clearly the sale of the property was a policy decision made by council reflecting two things. The first is a strong community view that the head office of the East Gippsland shire should be based at Bairnsdale rather than at Lakes Entrance where the commissioners had located it initially. The commissioners, I understood, did that quite deliberately so as to change the culture within the amalgamated shire and to ensure a better transition of the five previous former rural municipalities into the one amalgamated shire. It was quite strongly felt in the community, and as a member of Parliament I received representations and strong views were put to me consistently, that the headquarters should be in Bairnsdale. Secondly, it is important to note that there was in fact an investigation of the financial performance of the shire commencing in August 1997 when a municipal administration inspector was appointed by the then Office of Local Government to undertake a financial review.

The recommendation of the review was that there be a consolidation of the two centres, Lakes Entrance and Bairnsdale, to one site to save costs. I do not think there was any policy doubt about the need for the sale of the

property. What is at issue here is the process, and I concur with the Auditor-General that the process failed, obviously at great expense to the ratepayers of East Gippsland.

### **Drugs and Crime Prevention Committee: violence associated with motor vehicle use**

**Hon. KAYE DARVENIZA** (Melbourne West) — I am pleased to have the opportunity to make a statement on the Drugs and Crime Prevention Committee's recent report into the inquiry into violence associated with motor vehicle use. I know that all members of the chamber would be interested in this topic. It is a very substantial and comprehensive report, and it is well worth members taking some time out to have a look at it. The amount of road rage or road violence that occurs every day on our roads is a concern within the community, as it would be a concern for everybody in this chamber. We have all come up against it. We have witnessed it as a matter occurring between other vehicles and other drivers; we may have been a recipient of other drivers making rude gestures, tooting at us or cutting across us as we drove; or some of us may have even been perpetrators after losing our tempers or becoming frustrated and perhaps behaving in ways we would not normally behave.

That situation is well recognised by all members of this chamber and is certainly well recognised out in the community. We only have to look at some of the extremes of road rage which have been reported in the media, where an incident on the road has led to a frustrated driver or a very angry and violent person to follow somebody home and attack them, or to stop at the lights and stab or assault them in other ways. These are dreadful incidents.

This is a very worthwhile report and as I said before, it is quite a weighty and extensive report put together by the committee. I congratulate the members of the Drug and Crime Prevention Committee for this comprehensive report — they are Mr Scheffer, who chairs the committee, the member for Mornington in the other place, Robin Cooper, who was the deputy chair; also, the members for Forest Hill, Narracan, Benalla and Scoresby in the other place — Kirstie Marshall, Ian Maxfield, Bill Sykes and Kim Wells respectively; and the Honourable Sang Nguyen.

This report has attempted to break down the elements of road rage that occur more frequently and take a look at and investigate the incidents as well as the prevalence, severity, cost and the impact of violence that is associated with motor vehicle use and to report

on some effective strategies and initiatives that would relate to this type of violence.

The inquiry has identified vast international research literature on road violence and associated behaviour, including examination of violence and aggressive driving behaviour, human violence, driving psychology, masculinity and gender driving culture, alcohol and drug behaviour modification, stress and anger management, road safety strategies and campaigns, driving laws and sentencing as well as media and advertising.

The committee also investigated road infrastructure, speed, traffic management, road congestion, licensing and motor vehicle design. It is indeed a very comprehensive report. It contains some excellent recommendations, and I urge all members to take the time to read this report and take on board the analysis that has been done, and to take note of the careful work done in looking at this important incidence.

### **Office of Police Integrity: witness protection program**

**Hon. RICHARD DALLA-RIVA** (East Yarra) — I rise to talk on two reports. One is the review of the Victoria Police witness protection program, and the second is the Department of Justice report into asset confiscation operations.

I turn to the report into the witness protection program. Whilst I commend any organisation that makes an attempt to deal with protection of witnesses, I have some concern about how this document has been prepared. If anything, it is a good piece of literature which would go well in a library; but in terms of delivering a real outcome, I am disappointed that the director, police integrity, has not seen fit to produce any evidence.

The director, police integrity, talks about issues relating to the 1995 window shutters issue — this is mentioned in today's *Age* and *Herald Sun* — where he talks about the large-scale corruption within the police force. The director, police integrity, said in respect of the matters before him that 35 police are being investigated. However, he also said he receives 15 000 complaints a year. I did a brief calculation to see exactly what the percentage of allegedly corrupt police is against complaints received. It is 0.2 per cent, so it is not widespread as the director, police integrity, reports.

The director, police integrity, was at the Melbourne Press Club yesterday. That is always a good place to talk about police corruption — let us go to the

Melbourne Press Club and talk about police corruption and use the media as part of that because that is about solving the problem. He said all the police have been helpful and he has not had to use his coercive powers.

I find the references in this document in front of us amazing. The director, police integrity, has used 35 references from Australian publications but he has also used 21 references from the US and 14 from UK or European publications. Of those 35 Australian references, probably about 10 are from the newspapers. In my view this is not about demonstrating concerns about the witness protection program. This document lends no more weight in terms of providing additional information to the broader public about the merits or otherwise of the witness protection program in Victoria. In my view this document is very light on. It relies on evidence from the *Herald Sun* and the *Age* to justify whether the witness protection program is working or failing. It relies on evidence from the United States and the United Kingdom to demonstrate that the witness program in Victoria may or may not be operating effectively.

I am sadly disappointed in this report. I am particularly disappointed with the reference to a 1991 article by T. J. English titled 'The wise guy next door — the witness protection program has a remarkable purpose: to hide hardened criminals among the general public'. This article appeared in *Playboy* volume 38(4). The director, police integrity, is referencing *Playboy* as the doctrine of the problems in our witness protection program. The director, police integrity, should get out of the Melbourne Press Club and start dealing with corruption as he sees fit.

In my view, 35 cases from 15 000 complaints fails to demonstrate a problem. It is no use the director, police integrity, talking about all the problems. He is charged with the responsibility of investigating corruption. If he cannot do it, get him out of it and, as we have always supported, get in a royal commission and use the other opportunities.

### **Justice: asset confiscation operations — activities summary 2003–04**

The second report I would like to comment on very briefly is the asset confiscation report. I am very thankful for the opportunity to comment on this report. Those who read *Hansard* or know my background would know that I was part of the first team in the asset confiscation office, or section as it was then known. I am very pleased that the funding has gone up. However, on page 5 the report shows that the office received \$4.286 — I assume that is millions — —

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

**Economic Development Committee: labour hire**

**Mr PULLEN** (Higinbotham) — I would like to comment on the final report of the Economic Development Committee's inquiry into labour hire employment in Victoria. I am a member of the Economic Development Committee along with the Honourables Bruce Atkinson and Ron Bowden from this chamber. The members of the committee from the other place are the chair, Tony Robinson, the member for Mitcham; Brendan Jenkins, the member for Morwell; and Maxine Morand, the member for Mount Waverley. I want to particularly thank the staff because they did a tremendous job with this difficult report: Dr Russell Solomon, the executive officer; Kirsten Newitt, the research officer; Frances Essaber, the editor; and our wonderful office manager, Andrea Agosta.

This was an inquiry into labour hire and it could have been a divisive report because, let us be realistic, we have four Labor members, two Liberals and one from The Nationals — I left out Hugh Delahunty, the member for Lowan in the other place, but he is also a member of the committee.

It was great that the committee could come together to produce a bipartisan report, which could have been quite divisive because of its political line-up. In the short time I have I will make a couple of comments on the report. The interim report included 16 recommendations, many of which focused on occupational health and safety. This report broadens the interim report and considers further implications of the growth of the labour hire industry in Victoria. The final report contains 11 recommendations, and I want to touch on a couple of them:

The committee recommends that the Victorian government, directly and in conjunction with the federal government, encourage the finance industry to develop improved opportunities for non-standard workers, such as labour hire workers and casual employees, to obtain finance for loans, especially home loans.

We even had some groups come along to us and say that it was not a problem. As someone who came from the finance industry I straightened them out and told them that people who are casual workers or labour hire workers have greater difficulty in obtaining finance. The finance industry has to have a good look at its ability to help these people. Sometimes people lose their jobs and they get casual work, and they can be on casual work in the same job for about four years, but

they are given tougher restrictions in relation to obtaining loans from finance institutions.

The committee also recommended that:

... the Victorian government make representations to the federal government to conduct an inquiry into casual employment, with particular reference to the terms and conditions of casual employment.

I feel there are far too many workers going into casual employment when they could easily be employed in full-time employment. I trust that the federal government will take up that recommendation if it is put forward to it by the Victorian government. The committee also recommended that:

... the Victorian WorkCover Authority's guidance material for labour hire agencies should include reference to the agency's obligation to ensure that workers:

do not work for inappropriately long hours each day; and

take appropriate daily breaks as well as periods of annual recreational leave.

It goes on to say in another recommendation that:

... the Victorian government, together with the labour hire industry, examine models that make it easier for non-standard workers to budget for unpaid leave.

Leave is a big issue at the moment with the federal government looking at changing conditions for employment and so on. However, in my opinion it is important that workers have the opportunity to always have four weeks leave. Even if people are casual workers and receive a little bit more money, as is also the case with labour hire workers, they miss out on a lot of conditions. It is most important that people have their recreational leave, as the committee emphasised that:

... where group training companies carry out labour hire activities, these activities should be regulated ...

I stress the word 'regulated'. We are not looking at a licensing scheme but a regulations scheme, in the same way that labour hire agencies are regulated. The recommendation continues:

However, any government response should recognise the important contribution that group training makes to vocational education and training and should aim to avoid any detrimental impact on the group training system.

Group training companies do a tremendous job, and I know a lot of young people who have gone ahead and found very good jobs from working with group training companies.

### **Auditor-General: managing intellectual property in government agencies**

**Hon. G. K. RICH-PHILLIPS** (Eumemmerring) — I wish to make a statement on the Auditor-General's report on managing intellectual property in government agencies. I say at the outset that I welcome this report by the Auditor-General. This is the first significant review of the issue of intellectual property management in the state of Victoria. It is a field which has not received a great deal of attention from government, as the Auditor-General's report demonstrates, and to that extent the work he has undertaken is pioneering and sets a framework that the government can pursue in developing a coherent whole-of-government policy on the management of intellectual property. The Auditor-General has undertaken a fairly extensive review of the issue and nature of intellectual property and it is worth looking at exactly what he has concluded in terms of the framework for intellectual property.

The Auditor-General has identified seven separate forms of intellectual property (IP), some of which come within the scope of state government and some of which are outside that. In his chapter on the nature of intellectual property the Auditor-General has identified: copyright, which is a fairly conventional recognised form of IP; trademarks; patents; plant breeder's rights, which is not ordinarily considered within the scope of IP; confidential information; registered designs; and circuit layout rights, for example, integrated circuit designs.

He has examined the reasons why the protection and management of IP is important. He has identified five key benefits arising from its management including: the revenue or royalties from commercialisation; expansion of business opportunities arising to the holders of IP; improved competitiveness; economic growth and job creation in the jurisdiction where the IP is held; and social and environmental benefits from the broader uptake of IP. Some of those benefits clearly arise when the IP is held and exploited by a single IP holder, and some of them arise where the IP is made available to a broader group of the community beyond the IP holder.

The Auditor-General has also identified the legislative framework for IP management in Australia noting that it operates as far as Victoria is concerned on four separate levels. The first is the individual agency level. Some government agencies do have IP policies to varying extents. There is the whole-of-government IP policy level, which the Auditor-General has found to be fairly limited. There is a legislative level put in place by the commonwealth, which consists of no less than

seven separate acts of the commonwealth Parliament as well as standards issued by the Australian Accounting Standards Board. There are a number of international conventions on the fourth level arising through Australia's international treaty obligations. So there are four distinct levels on which IP policy impacts on the operation of Victorian agencies.

The Auditor-General has outlined a plan for the government to move forward in the development of a whole-of-government IP policy. One of the areas that was not explicitly touched upon in this report relates to IP arising through the giving of state government grants, and this is a matter that the Public Accounts and Estimates Committee touched on briefly in its latest budget estimates report, where it noted that the Department of Innovation, Industry and Regional Development provides industry grants to companies for various research development and business development activities. However, there is no policy as to the ownership and exploitation of IP arising from those grants. That is something that is not explicitly picked up in this report, but it is something that the government can address in its whole-of-government IP policy.

**The ACTING PRESIDENT (Hon. Andrew Brideson)** — Order! The honourable member's time has expired.

### **Auditor-General: managing stormwater flooding risks**

**Hon. J. G. HILTON** (Western Port) — I would like to make a brief comment on the Auditor-General's report *Managing Stormwater Flooding Risks in Melbourne*.

Members would be aware that how we treat stormwater is becoming a very interesting issue, because we are increasingly recognising that water is a finite and precious resource that we have to conserve and manage sensibly.

Stormwater is water that comes from roofs, roads and buildings and is then carried by gutters, drains and channels, then through rivers and creeks to eventually end up in Western Port and Port Phillip bays.

There is some debate at the present time whether we should have a new dam to enable us to conserve more stormwater. Personally I doubt whether the \$1 billion it would cost to build a new dam would be an effective way of managing our water resources, and it may be that the \$1 billion could be spent in other ways.

The government's approach is to encourage people to install rainwater tanks and to use the water saved on their gardens. My family and I have lived on a property where our sole source of water is tank water, and as far as I am concerned we have not suffered any negative consequences. Indeed, a health study was done some years ago which suggested that children brought up on properties where the source of water is tank water have a greater resistance and better general health than children raised in the city. I am not sure whether that conclusion is based on the fact that they are using stormwater rather than just enjoying a healthier lifestyle, but certainly there are no negative health effects if you rely on stormwater for your drinking water.

The Auditor-General's report essentially addressed two key questions: had the stormwater flood investigation strategies adopted by the agencies charged with managing the Melbourne metropolitan drainage system — that is, Melbourne Water and the local councils — diminished exposure to flood damage; and were the drainage infrastructure asset management practices adopted by Melbourne Water and the councils optimising the useful life and service capability of these assets. I quote directly from the report:

The capacity of drainage systems across metropolitan Melbourne to cope with stormwater varies, generally according to the age of the system. Before the late 1970s, most drainage systems were designed to contain stormwater from a five-year storm event.

Properties developed where no provision was made for the overland flow of stormwater are subject to flooding when the capacity of the underground drainage system is exceeded.

After major flooding in 1973, 1974 and 1975, the Victorian government introduced the Drainage of Land Act in 1975, which enabled authorities to control development on flood-prone land by the end of that decade. Subdivisions developed after that date under the new standards incorporated drainage systems that could safely accommodate overland flows from a 100-year storm event.

Today, the 100-year storm event is still the basis for identifying land subject to flooding and determining appropriate controls under the Water Act 1989 and for setting minimum building requirements under the Building Act 1993.

The conclusions of the report were essentially that a lot of work still needs to be done to ensure that Melbourne is able to deal with the standard 1-in-100-year event. I again quote from the executive summary of the report, which says:

Melbourne Water demonstrated some progress, but its aims were very limited. Over the four years to 2003–04 it had undertaken work to prevent 323 properties from being flooded above floor level from a 100-year storm event. Over the next 10 years it plans to mitigate the risks for only 500 of

the remaining 37 000 most vulnerable properties at a cost of approximately \$2 million per year. A further 2500 properties are expected to be protected by conforming to more stringent planning requirements when these properties are redeveloped.

Obviously what the report is saying is that far more work needs to be done to protect properties, but obviously this work comes at a cost. To make sure that all properties could withstand a 1-in-100-year event would be very expensive. However, I believe the Auditor-General has, in his usual, competent way, issued a very useful report highlighting a very important issue. I commend it to the house.

### **Victorian WorkCover Authority: report 2003–04**

**Hon. W. R. BAXTER** (North Eastern) — I wish to make a statement on the Victorian WorkCover Authority 2003–04 annual report. Pages 17 to 34 of the report deal with the issue of occupational health and safety, a matter which is gaining considerable currency with the coming into operation of the Occupational Health and Safety Act 2004, which commenced on the first of this month. I am sure that the forthcoming report from the WorkCover authority will deal at some length with the preparations the authority is making for the implementation of the provisions of the new act. I note in passing how pleasing it was to hear at the presentation from WorkCover at the Victorian Farmers Federation conference that there have been no farm fatalities in the first six months of 2005. That is very encouraging and well worthy of note.

This morning I want to particularly go to the issue of what the act means for owners of properties that are leased out. It has come to my notice that some managing agents are sending letters to their clients, those who are landlords. I quote from a particular letter:

The new legislation now transfers the 'duty of care' from the occupiers of a workplace to 'persons who manage or control workplaces', to include property owners.

I think that is a misinterpretation of what the act actually does. If one has regard to part 3 of the act entitled 'General duties relating to health and safety', and particularly to sections 21 on, it makes it very clear that the duty of maintaining a safe workplace will remain primarily with the employer. If it is a rented out property, the employer will not be the landlord but the occupant of the property. Subsection (1) of section 26 of the act entitled 'Duties of persons who manage or control workplaces', says:

A person who (whether an owner or otherwise) has, to any extent, the management or control of a workplace must ensure so far as is reasonably possible that the workplace and the means of entering and leaving it are safe and without risks to health.

Subsection (2) says:

The duties of a person under sub-section (1) apply only in relation to matters over which the person has management or control.

Clearly the owner of the building would have management or control if asbestos had been used in its construction, for example, but it is hard to see how the owner of a property that is occupied by a tenant has day-to-day control or management over any other aspects. Yet this particular firm of management agents has suggested to its landlords that they need to get an occupational health and safety audit done. The initial audit would cost \$1350 plus GST. It would cost a further \$390 plus GST for an annual inspection, and a charge of \$150 plus GST would be incurred for the managing agents to take the responsibility of organising the inspection. I am not sure whether this particular firm or managing agent is misinterpreting the act, whether it is playing absolutely safe or whether it sees here an opportunity to generate a large volume of fees beyond what is reasonable.

I have had regard to the information sheets put out by WorkSafe. One is headed 'Information for occupiers and those who manage or control workplaces'. It is the first edition dated May 2005. There is nothing in this information sheet which suggests for one moment the sort of charges I have just outlined or the inspections it is suggesting are required of the owners of workplaces generally across the board. I think some clarification is certainly needed out there. Many of these landlords are widows or self-funded retirees. If they are getting this sort of letter from their managing agents they are likely to believe that these are charges they are up for, and that they cannot do anything about it. I say they can.

I invite the minister and also WorkCover to clarify exactly what responsibilities the new act does impose on landlords, particularly those who own relatively new buildings that have been constructed in recent years according to modern technology.

#### **Drugs and Crime Prevention Committee: violence associated with motor vehicle use**

**Hon. S. M. NGUYEN** (Melbourne West) — I would like to make a statement on the Drugs and Crime Prevention Committee's inquiry into violence associated with motor vehicle use. The report was completed sometime this year. As a member of this committee, together with the other members, I was very committed to completing the report. It contains very many important recommendations and a lot of the information provided by people we met. We had open public meetings and invited people to make

submissions. The committee received about 31 written submissions from individuals, government departments, relevant authorities, researchers, academics, professional organisations and committee organisations. Those submissions showed people's interest in taking part. We also received evidence from 17 witnesses from 10 organisations during the public hearing in Victoria. We met about 35 representatives from 16 interstate organisations and heard from 35 representatives from 12 overseas organisations. The committee also received about 86 responses from its Web survey. The hearings and discussions provided the committee with much knowledge.

The report is well documented and contains a lot of information and research, reflecting the work put in by committee members and staff. I would like to thank the executive officer, Sandy Cook; Sandy Jensen; Emma White; Chantel Churchus; Michelle Summerhill; and the senior legal officer, Peter Johnston. This report was the result of the media raising the issue of concern about road rage. A lot of people get injured or killed because of the irresponsibility of other drivers. The committee was asked by the Road Safety Committee to investigate because a lot of issues the two committees deal with are connected. We had to take responsibility for investigating road rage in Victoria. It is difficult to identify how road rage is connected to violence because sometimes people drive irresponsibly or they are bad tempered when they are driving. They are selfish drivers. We had to bring all the evidence together to make recommendations. There are many important recommendations. We would like to ask the police and VicRoads to make responsibility for implementing the report — —

**The ACTING PRESIDENT (Hon. Andrew Brideson)** — Order! The member's time has expired.

#### **Melbourne Health: report 2003–04**

**Hon. D. McL. DAVIS** (East Yarra) — I wish to make a contribution today to the debate on reports in particular dealing with the Department of Human Services annual report 2003–04 and the acute health reporting mechanism there, and secondly, the Melbourne Health report for 2003–04, which you, Acting President, put on the notice paper yesterday.

In particular I draw the house's attention to the financial issues that are developing at Melbourne Health. There have been significant but media reports about those issues. We now know that there is a just under \$20 million issue with the Melbourne Health network. It is a very important network that contains Victoria's second-largest hospital, the Royal Melbourne Hospital.

It is an important hospital because of the specialist and statewide services it provides, and it is an important lead hospital for Victoria nationally and internationally.

I place on record my concern at the issues that have developed in terms of the financial problems at Melbourne Health and I intend to go into some detail about those and their impact on both mental health services, acute services and other services provided by that important network.

I note that \$20 million of fictitious accrued revenue has appeared on the books of Melbourne Health — that is, \$20 million of overstated accrued revenue appearing on those books over a period of two years, both in the financial year just concluded and the previous year. For that reason I intend to focus on the annual report 2003–04 and to look at its genesis. I seek leave of the house to incorporate a table into *Hansard* that lays out the financial position of the Melbourne Health network. I have spoken to Hansard, the President and the Deputy Leader of the Government about its incorporation.

*Leave granted; see table page 1893.*

**Hon. D. McL. DAVIS** — This table looks particularly at that financial deterioration — and it is important to place these figures on record — with the source of the figures being the annual reports. There is a deterioration from a positive figure of \$11.983 million down to a positive figure of \$3.555 million in 2001–02 to a negative figure of \$34.521 million in 2002–03 to an accumulated deficit in 2003–04 of \$41.864 million, in line with information in the report to which I refer. I point out that that deterioration is very serious when one throws on top of that the fact that \$20 million has been spent when there is no revenue source for that money.

The annual report mentions the audit committee, the board's finance committee and their approach to these issues. At pages 76, 77 and 78 the report also looks at the identification and management of risks. I refer firstly to page 78, under 'Identification and management of risks':

Financial reporting

Monthly actual results for each division are reported against budget and monitored by management, with monthly reporting to the finance committee and to the board.

It is:

... also monitored through divisional directors and each division's financial representative under the control of the executive director, finance.

Extensive key financial performance indicators relating to all approved goal areas have been set and are reported on a balanced scorecard approach to both the finance committee and monthly to the board.

I have to say the balanced scorecard approach does not appear to be a very successful one.

At page 78, under 'Internal audit', the report also says:

The audit committee is responsible for reviewing the role and effectiveness of the internal audit function.

These monthly meetings have clearly been ineffective. At page 76 of the report we read that the finance committee is to evaluate Melbourne Health's exposure to fraud and they have clearly failed in that important role. But most importantly it is not just about the network, not just the board, not just the chief executive officer — it is also the Minister for Health in the other place and the Department of Human Services. The director of metropolitan and aged care has to take some responsibility and the minister must come clean on what she knew, when she knew it and why she ignored the monthly reports.

**The ACTING PRESIDENT (Hon. Andrew Brideson)** — Order! The honourable member's time has expired.

#### **Auditor-General: managing stormwater flooding risks**

**Ms ROMANES (Melbourne)** — I wish to make a statement on the Auditor-General's report *Managing Stormwater Flooding Risks in Melbourne*. Although some people may consider this a very dry topic, it is obviously anything but dry. My colleague Mr Hilton also spoke about this report and about a number of issues related to it.

Unlike most other cities, Melbourne has a two-tiered system for managing its major drainage system. Melbourne Water takes prime responsibility for managing the major drainage system in large stormwater catchments, but councils in this dual system are responsible for land-use planning and managing drainage systems in smaller local stormwater catchments.

Before the late 1970s most drainage systems were designed to contain stormwater from a one-in-five-year storm event. Following major flooding in 1973, 1974 and 1975 legislation was introduced to lift the standard and provide for the incorporation of drainage systems that could safely accommodate overland flows from a 1-in-100-year storm event. This lifted the bar and made the requirements more difficult. It did that not only with

respect to building requirements but also with respect to changes in the design and use of streets and open spaces to provide for the flow of water over land when there is a flood so that it does not flow into houses.

The two different standards the Auditor-General has drawn attention to have provided some challenges for Melbourne Water and the councils that have to deal with these problems. There is increasing high-density development and there has been a reduction over the years in the area of porous surfaces that soak up storm water. Some councils, such as Moreland, the one I sat on before coming into Parliament, were cognisant of the concern about the increasing reduction in permeable surfaces and we used to try and maximise permeable surfaces in planning approvals by using appropriate design features and materials.

As well as this, some urban development has occurred without full knowledge of the location of flood risk areas. Flood mitigation work such as increasing drainage capacity or constructing retarding basins is often too difficult and expensive because of the existing pattern of urban development. On top of that we have issues involving climate change, further urban consolidation and development and an ageing drainage asset base.

The Auditor-General looked at the performance of Melbourne Water and six councils in managing their drainage systems to effectively mitigate the risk of overland flooding and found that Melbourne Water was the most advanced and nearest to undertaking best practice in the way it tackled these problems through its strategies and asset management practices. The councils' performances were more mixed and have some way to go in doing more in conjunction with Melbourne Water to mitigate the vulnerability of 37 000 properties in Melbourne to stormwater penetrating the interiors of houses from a 1-in-100-year storm event.

The councils involved in the performance audit, Bayside, Boroondara, Darebin, Glen Eira and Stonnington, were very positive in responding to the Auditor-General and saw the audit as an opportunity to look further into their strategies and ways of addressing drainage issues in the future. But they drew attention to their limited powers and obligations under the Water Act and the Local Government Act.

### **Auditor-General: East Gippsland — sale of Lakes Entrance property**

**Hon. J. A. VOGELS** (Western) — This is a sad and sorry saga, which has brought into question the internal

operations of the East Gippsland Shire Council. It is interesting to note that this shire was held up as a role model when council amalgamations took place. I remember when I was elected to the Corangamite Shire Council I was told that East Gippsland was the model to follow because it sold off everything it could lay its hands on and also tendered out everything it could. It is now proved that it was not very smart in doing that. The property we are talking about is situated at 55 Palmers Road, Lakes Entrance. It is owned by the council and covers some 14.9 hectares. It is situated on a hill overlooking the Tasman Sea.

The former Shire of Tambo had purchased this land for some \$150 000 in the 1980s and built shire offices on it at a cost of \$2.5 million. Later it refurbished them at a cost of \$600 000. So the property has had about \$3 million spent on it. As the council got into financial difficulties in the late 1990s the municipal inspector had a look at its financial viability, and it was decided that it did not need two council offices and that the one at Palmers Road, Lakes Entrance, should be sold. It tried to sell it by private treaty. It got an offer of about \$1.5 million, which is only half of what had been spent on it. However, the local ratepayers association got involved because it was not very happy about private sales, and the property was called in again and put to tender. Once again the highest tender was not much more than \$1.5 million. An interested party later took Supreme Court action to prevent the sale. That is how the whole sorry saga began, and in one way it is still not over.

The council hired the Auditor-General, and, as I said, Supreme Court action was taken, so it has cost the ratepayers of East Gippsland about \$1 million in legal fees and about \$140 000 for the Auditor-General. Luckily, as I said earlier, the sale has not gone through, and I have been told that the property of about 15 hectares overlooking the Tasman Sea has now been valued as between \$4 million and \$5 million. So in one way, luckily, the ratepayers will still have this property at the end of the day. I am sure if it gets sold the next time around, they will recoup their money. If the sale had gone through a couple of years ago for \$1.5 million, it would have meant an enormous loss.

The Auditor-General has made some recommendations in section 9 of the report as to how the state should respond. We will have to wait and see what the responses will be. I hope the minister takes on board some of the recommendations. The council has already taken steps to address some of the concerns and issues raised. It appointed an internal auditor a couple of years ago, which I think is a good move. Probably one should have been appointed long before then. It has also taken

some action to identify and avoid conflicts of interest and reviewed its contract management processes. I do not think councils should sell council land by private treaty; land sales should be made by way of public tender so that all ratepayers in the community know what is happening and can understand the process.

While the rhetoric of the Local Government Act emphasises transparency, accountability and the need for open meetings except in special circumstances, there is broad scope for interpretation. With many councils the so-called briefing sessions are when most of the deliberations take place. There is a danger that with little debate occurring during the open council meetings the public will get only selective information. Codes of conduct are meaningless unless they have teeth.

I think the Auditor-General has come up with a good report, and I am sure the East Gippsland Shire Council has learnt a big lesson from all this. Hopefully, as I said before, the minister will also have a good read of this report and take up some of the recommendations in section 9 of this report so that in the next 12 months or so we might see some further updating of the Local Government Act.

#### **Justice: asset confiscation operations — activities summary 2003–04**

**Ms MIKAKOS (Jika Jika)** — It is with great pleasure that I rise to make a brief contribution this morning on the asset confiscation operations activity summary for 2003–04, which is a report to the Attorney-General pursuant to the Confiscation Act 1997. As members are aware, asset confiscation is a crucial tool in the fight against organised crime, and when used effectively forfeiture laws can undermine the profit motive that lies behind criminal activity, such as drug trafficking, robbery and extortion. Members would recall that during 2004 a package of four major crime bills were passed by this house and this Parliament.

Together these laws provide the powers required to effectively tackle organised crime and police corruption in Victoria. They send the strongest possible message to criminals and corrupt police that crime in this state does not pay.

Through the Major Crime Legislation (Seizure of Assets) Act 2004 the government made significant reforms to Victoria's automatic forfeiture scheme, which applies in situations where a person is convicted of certain serious offences. But under the new scheme forfeiture can occur even if a person is not convicted of

an offence. The act removes the previous requirement that a person be charged with an offence.

If authorities suspect on reasonable grounds that particular property such as a car, boat, house or share portfolio was derived from criminal activity or used in relevant criminal activity, they will be able to apply to the Supreme Court to restrain the property. Any person claiming an interest in the property will be given an opportunity to explain the source of the property and to argue why it should not be forfeited. If the person is not successful in excluding the property, it will be forfeited.

The new scheme will apply to a much wider range of offences than the current civil forfeiture scheme. While data from this new forfeiture scheme is not yet published, I am sure that when it is those results will in fact be very surprising.

However, I want to highlight this morning the details of revenue realised under the operation of the confiscation scheme that applied for 2003–04. In 2003–04 the scheme realised a total of \$4.286 million derived from selling two pieces of real estate, a penalty payment order receipts and interest, selling approximately 11 000 items of forfeited property and sale catalogues, interest on restrained funds, and cash seized totalling \$1.785 million.

I want to highlight that it is not always cash that is forfeited. In many instances it is actually goods or tools used for the commission of criminal offences that are forfeited. A few years ago I had the great privilege of handing over to the local Northcote state emergency service (SES) a grinder which was seized when some criminals were using it to cut through a steel roller door in a factory, and I am pleased that that grinder is now being put to good use by the local SES to save people's lives.

We have seen a significant increase in revenue since the Bracks government came to office. Revenue has increased from \$0.768 million 1988–89 to \$4.286 million in 2003–04. The total realised under this government has now risen to more than \$13 million. We are seeing very good asset confiscation put to very good use, taking out the profit incentive from criminals, and ensuring that the community does derive those proceeds of crime. I commend the report to the house.

**NATIONAL PARKS (POINT NEPEAN) BILL***Second reading***Ordered that second-reading speech be incorporated on motion of Ms BROAD (Minister for Local Government).**

**Ms BROAD** (Minister for Local Government) — I move:

That the bill be now read a second time.

**Incorporated speech as follows:**

The National Parks (Point Nepean) Bill will protect significant parts of Victoria's natural and cultural heritage and implements one of the government's key environment policy commitments — to protect Point Nepean in an integrated national park.

More specifically the bill will establish a new Point Nepean National Park incorporating former Department of Defence land to be transferred from the commonwealth as well as parts of the existing Mornington Peninsula National Park. It will also add areas of coastal land to Mornington Peninsula National Park.

**A new Point Nepean National Park**

Point Nepean National Park will be an outstanding new addition to Victoria's parks system. Point Nepean is renowned for its long history of quarantine and military use. Its defence fortifications, which were strategically located at the entrance to Port Phillip Bay, were first constructed in 1882 and were enlarged and updated over the two world wars.

Part of Point Nepean is contained in the existing Mornington Peninsula National Park and is visited by more than 180 000 people annually. The historic defence installations at the tip of the point, the panoramic coastal views of The Rip, Port Phillip Bay and Bass Strait and its significant natural values are the special features of this area that the public has come to treasure.

Two significant areas of commonwealth land at Point Nepean are to be transferred to the state for addition to the national park estate, in two separate stages.

In recognition of the outstanding natural and cultural heritage values of these areas as well as the area protected in the existing park, the government has decided to create a new Point Nepean National Park.

The new national park will initially incorporate the former defence weapons range site of 205 hectares, existing parts of Mornington Peninsula National Park at Point Nepean and South Channel Fort within Port Phillip Bay. The new park will be complemented by the surrounding Port Phillip Heads Marine National Park.

I have mentioned that the commonwealth land will be transferred to Victoria in two stages. The government has recently reached agreement with the commonwealth for the transfer of the weapons range.

This land will become part of Point Nepean National Park when it is transferred within the next few months. The government is pleased that the commonwealth has agreed to transfer this land, as it fills a major gap in the park estate on the Nepean Peninsula, being situated between the former quarantine station and Bass Strait.

Nonetheless, a major gap will remain in this park. Point Nepean National Park will not be complete until the remaining area of commonwealth land containing the former quarantine station is transferred to Victoria. This area is of great historical significance, being the first permanent quarantine station in Victoria and one of the earliest and most intact in Australia. Its heritage buildings date back to the 1860s and include former hospitals, accommodation, disinfecting precinct, bathhouse and kitchens, many constructed from stone quarried on the site. There are also extensive areas of native coastal vegetation, and there are high landscape and scenic values.

While this bill adds significantly to the national park estate on the Nepean Peninsula, the park will not be complete until the quarantine station land is incorporated.

The government has secured agreement from the commonwealth that this gap in the park will be filled and that the remaining 90 hectares will be transferred to Victoria by 2009 at the latest. The government calls on the commonwealth to fill this gap in the park and hand over the remaining 90 hectares now. As soon as it is transferred it will be protected in Point Nepean National Park.

In the meantime the Point Nepean Community Trust is undertaking the planning for this land and its heritage buildings on behalf of the commonwealth. The Victorian government will maintain a watchful eye on the uses proposed for the land and buildings and will seek to ensure that any proposals are compatible with the principles of the National Parks Act 1975.

The Victorian government's Point Nepean Advisory Committee (consisting of community and government representatives), Parks Victoria and the Point Nepean Community Trust are undertaking a joint planning exercise to prepare a management plan for an integrated national park at Point Nepean. The resulting plan will cover both the new national park and the commonwealth's quarantine station site that will become part of the national park at a later date.

**Management of the former weapons range**

The 205-hectare former defence weapons range that will form part of the new park has been used by the Australian Army from the early 1900s as a weapons range and for supporting training exercises undertaken by the Portsea Officer Cadet School. Given its history, parts of the land are contaminated with the remains of unexploded ordnance, consisting of small arms projectiles, grenades and mortars.

The commonwealth Department of Defence will undertake the clearance of unexploded ordnance on this land. This will occur progressively over a period of 10 years, as part of a program of controlled burning to be conducted by Parks Victoria.

Controlled burning will achieve a number of objectives:

it will aim to expose ground that can be then inspected for unexploded ordnance and cleared of ordnance as required;

it will enhance flora and fauna habitats; and

it will also achieve fire protection goals.

The commonwealth will provide a grant of \$2 million for controlled burning and associated land management activities.

Public safety is paramount. Access to the former weapons range will be restricted until it has established that the area is safe to enter. However, it can be expected that public access will be along well-defined walking tracks and that certain areas may be fenced to ensure public safety.

There are significant nature conservation and heritage values in the former weapons range. The area supports the coastal moonah woodland, which is a threatened community; the southern brown bandicoot, which is of national significance; and two significant bird species — the sooty oystercatcher and hooded plover. A number of Aboriginal heritage sites are found on the land.

#### **Enhancing Mornington Peninsula National Park**

As mentioned earlier, part of Mornington Peninsula National Park will be included in Point Nepean National Park. However, the bill will also add four small but important areas to Mornington Peninsula National Park.

One of these parcels includes coastal land at St Andrews Beach, which is to be added to the park following its transfer from Melbourne Water. The land is surplus to Melbourne Water's requirements and was recommended for addition to the park by the former Land Conservation Council in 1994. It includes valuable beach access.

Other small areas are to be added to the park near Cape Schanck.

I commend the bill to the house.

**Debate adjourned for Hon. PHILIP DAVIS (Gippsland) on motion of Hon. Bill Forwood.**

**Debate adjourned until next day.**

## **ENERGY SAFE VICTORIA BILL**

### *Second reading*

**Debate resumed from 20 July; motion of Hon. T. C. THEOPHANOUS (Minister for Energy Industries and Resources).**

**Hon. BILL FORWOOD** (Templestowe) — I rise to make a contribution on the Energy Safe Victoria Bill. People in their daily lives expect there to be safe electricity and safe gas. It is incumbent on all of us in our daily lives, but particularly on us as legislators, to ensure that the safety regimes put in place are robust,

efficient and effective. There is no doubt that we have been successful in these aims, particularly, I might say — although the former State Electricity Commission of Victoria (SECV) was very good — since privatisation. Despite the scares run at the time about privatisation leading to all sorts of diminution of the infrastructure and therefore an increase in accidents and deaths, quite the opposite has occurred. I will make more comment about that later in my contribution.

Let me state at the outset that the Liberal Party completely supports the legislation before the house, which simply combines the Office of Gas Safety and the Office of the Chief Electrical Inspector into an organisation called Energy Safe Victoria. The bill before the house therefore is straightforward.

Let me divert briefly to deal with the only thing in the legislation that has nothing to do with energy safety, and that, of course, is clause 59 dealing with the Electricity Industry (Wind Energy Development) Act 2004. If members go to that particular clause, they will discover that yet again in this Parliament we are repairing a piece of faulty legislation. The clause asks us to substitute proposed subsection (1A) for subsection (1), and I refer honourable members to the Electricity Industry Act 2000, section 15A, which deals with relevant augmentation in the new tariff orders. Without the 'A' this clause is completely meaningless. Again we find ourselves in the situation where we are repairing serious damage done last year, and I make the point that on this occasion, too, this clause is being backdated, in effect, to the day that the previous bill was passed. Normally, on this side of the house we do not believe that legislation should be backdated, but in these circumstances it makes a nonsense if it is not. Therefore, in the interests of being good fellows, we agree that this is an appropriate course of action for the government to take.

Let me now return to the substance of the legislation before the house. There were some interesting exchanges in this place last year between myself and the minister when it became apparent that the government had decided that it wished to replace Ian Graham as the chief electrical inspector.

At the time there were various indications of who the minister thought he might appoint to the position, but in the end the course of action that was decided on was to institute a review of safety issues in Victoria. In a media release dated 12 May last year the minister announced:

... the review, to be tendered shortly by the Department of Infrastructure, would examine the roles played by the Office of Gas Safety (OGS), the Office of the Chief Electrical

Inspector (OCEI) and the Department of Primary Industries (which regulates safety for gas transmission pipelines).

At the bottom of that press release the minister announced that Mr Graham would not be reappointed for a further five years upon the expiry of his term at the end of May and that the OCEI would continue to monitor Victoria's electricity safety as the search for a new inspector began. The minister thanked Mr Graham for his many years of service in the electrical safety sector. His contribution to the OCEI covered more than 10 years and spanned the privatisation process. The minister went on to say that Victoria had a great energy safety record. He said that the government was determined that that continue and announced that Bill Greenland would be the acting director of the Office of the Chief Electrical Inspector in the meantime. The government let a contract for the review to Impaq which Phil Perry undertook.

We on this side of the house are disappointed that the government will not make the report available to us. This is relatively non-contentious legislation, and as the minister comes into the house I reiterate that we fully support the legislation and believe the minister is on the right track in ensuring that we have the best systems available for safety in the energy sector. We are disappointed that the report has not been publicly released. We understand that it contains recommendations which have not been considered and determined by government — in other words, the pipelines bit of the Department of Primary Industries has not been added to this particular piece of legislation. We do not know why that is, and we are inviting someone on behalf of the government to tell us why it has not dropped the DPI gas transmission stuff into the legislation now, so it is being done in two bits rather than one. No explanation has been given to the opposition as to why that would be the case, but we believe that bringing all three organisations together is a sensible approach. We look forward to receiving the additional legislation that will enable all three to be put together at some time in the future.

I want to briefly touch on issues of safety. I do so by referring to the Office of the Chief Electoral Inspector's annual report which contains some salutary information. In particular I refer to the graph on page two which shows that electrical fatalities in Victoria per million population from 1995 to 2003–04 fell from a high in 1996 of 2 per million down to none in 2001–02, and in 2002–03 — I understand there was one death in 2002–03 — to just above 0.0 per cent. By any measure that is a very good record. The annual report says that:

Serious accidents dropped by 78 per cent from 1999–2000 to 2002–03 while electrocutions decreased from eight to nil. It was disappointing... that there was one... in 2003–04.

The report gives credit to the safety conscious people in the industry, including electrical contractors, electricians and inspectors. We can be very satisfied with the work that has been done by these agencies recently. Also, of course, there have been the public advertising campaigns, such as 'Safety Switches Save Lives' — and of course there is a program of safety switch installations — 'Look up and Live', and 'Always Demand a Certificate of Electrical Safety'. The annual report for the year 2003–04 is signed by the chief electrical inspector, Ken Gardner.

In passing I make the statement that for 11 months of the 12-month period that this report covers, the office was in the charge of Ian Graham. Mr Gardner, who had very successfully run the Office of Gas Safety prior to being appointed the chief electrical inspector, did not start his role with the OCEI until 1 September, some three months after the end of the financial period for which the report reports, so for the whole year the OCEI was run either by Ian Graham for 11 months or Bill Greenland for one month. I am disappointed that the only reference in this whole document, despite the good electrical safety record, that I can find regarding Mr Graham is at page 31 in note 18 under the heading 'Ministers and accountable officers', which says that Ian Graham was the chief electrical inspector from 1 July 2003 to 31 May 2004. I would have thought that it would have been possible for some acknowledgment to be made that he had done, as the minister said in his press release, a good job. Despite that, under note 21 under the heading 'Events subsequent to balance date', it shows that Ken Gardner was appointed as the chief electrical inspector effective 1 September 2004.

It is grossly misleading for Ken Gardner to sign the annual report, on page three, without any mention of the fact that he started work three months after the period for which he was signing. The chief executive's report on the year is the subject of the annual report, and he was not at any stage the chief executive officer for the organisation.

**Hon. T. C. Theophanous** — He has a statutory requirement to sign it off.

**Hon. BILL FORWOOD** — That is not my point, Minister. My point is that somewhere here it should have said, 'We thank Mr Graham for his work in the organisation for the 11 months that covers most of the period under which we report'. I note that the first sentence of the report does not say, 'I am pleased to report', it says, 'The Office of the Chief Electrical

Inspector is pleased to report'. That is appropriate because he was not running it for any of the time for which the report is relevant.

I turn now to some comments about the legislation itself. Mr Perry conducted his inquiry into whether there should be a merging of the Office of Gas Safety, the Office of the Chief Electrical Inspector and the pipelines division of the DPI. He sought comments from various people. The Australian Gas Association, said by letter to him signed by Dr Fong that it supported the formation of an energy regulator. I spoke to the National Electrical Contractors Association, which also supported the legislation, and I know from speaking with many members of both the Office of Gas Safety and the OCEI that they believe this is an appropriate step to take forward.

Let me make a few comments about the legislation itself. It basically picks up the requirements that currently exist in the Electrical Safety Act and the Gas Safety Act, and I think that is logical and sensible. There are a few things I wish to comment on, even though they exist in existing acts. For example, the committee situation is important, and the bill says that Energy Safe Victoria may establish such committees as it determines. The committees that I know the electricity industry has are the electric line clearance consultative committee, electrical fire review committee, electrical licensing and registration advisory committee, electrical safety committee, emergency incident response committee, line worker inspection standards committee, line worker registration committee, rural advisory committee, safe working electrical installations committee, urban reference group committee. They were all established under section 10 of the existing act, which becomes section 8 in the new act. Others which have also been established and which I understand will continue are the electric line clearance consultative committee, the equipment advisory committee and the Victorian electrolysis committee. There are a number of committees that contribute to the safety of electricity and energy in this state through using stakeholders who have a detailed technical knowledge together with regulators and others who understand the importance of getting this situation completely right in the interests of safety for all.

In the Legislative Assembly my colleague Mr Clark asked a number of questions about sections 9 and 10 concerning powers to delegate — in section 9 it was in relation to a power to appoint persons — and I am very grateful to the minister for providing the Liberal Party with the answers to the various questions that Mr Clark raised in the other place while the bill was between houses. It is a pleasure to do business with a minister,

who takes his responsibilities to the Parliament seriously and provides the information when requested by the opposition. I know that this is not standard among ministers in the Bracks government, but I have had nothing but cooperation in my dealings with Mr Theophanous and his staff, one of whom leaves his staff tomorrow. Mr Gibbons is leaving Mr Theophanous's staff to head up the Energy Retailers Association of Australia. I am not sure whether that is a case of the gamekeeper becoming the poacher or the other way around. Either way, I look forward to the retailers association having a very close in with the minister. One would expect that if the retailers want to speak to the minister all they need to do is pick up the telephone. We need to make sure that when they do the minister at least listens. I wish Mr Gibbons all the best, and I thank him for his contribution to the easy flow of work in this place.

**Hon. T. C. Theophanous** — I will introduce the member to my new adviser at the end of this contribution.

**Hon. BILL FORWOOD** — I thank the minister, that would be good. I thank the minister for the responses that were provided to the opposition.

I remain slightly concerned that there are no reporting provisions about the corporate plan — if there is a corporate plan to be prepared, and if the minister is to give instructions about what should be in it — because under clause 19(9):

The Minister may, from time to time, by written notice to Energy Safe Victoria, direct it to include in, or omit ...

My strong view is that if the minister writes and directs an authority such as Energy Safe Victoria to do something or not to do something, that must be made public. If you take the WorkCover authority, about which I know a little, there is a specific clause that says instructions given to the authority must be in writing and must be published. My view is that this act would be greatly strengthened if the use of this clause was required to be reported to the people of Victoria, preferably through Parliament.

There is another requirement in relation to inquiries and reports. Neither the Office of the Chief Electrical Inspector nor the Office of Gas Safety currently have this capacity, but it does exist in part 3 of the Essential Services Act. It is that Energy Safe Victoria can conduct an inquiry or the minister may refer a matter for inquiry — and these of course must be public inquiries and the terms of reference must be notified. It does say in respect of the conduct of the inquiry that Energy Safe Victoria must hold at least one public

meeting, but it goes on to say it has a discretion as to whether any person may appear before Energy Safe Victoria in person or be represented by another person. This is of concern. If there is to be an inquiry and someone is to be called before that inquiry — and this would be an inquiry that would not be bound by the rules of evidence, so it could do whatever it liked — my personal view is that in those circumstances a person ought to be allowed to have legal representation.

I understand that in some cases it may be an informal inquiry, and it would not be necessary to make things too legalistic, but the discretion would apply. I have been assured in advice from the minister's staff that the intention of Energy Safe Victoria would be that if a person did ask for legal representation because they were concerned about the terms of reference of the inquiry, it is more likely than not to be granted in the interests of natural justice. We raised the issue of clause 29(4)(b), which says that Energy Safe Victoria:

... has a discretion as to whether any person may appear before Energy Safe Victoria in person or be represented by another person.

We think that on occasions there will be a requirement for lawyers to be available for people, and we wish to ensure that in the interests of natural justice if representation were required, Energy Safe Victoria would not stand in the way of someone being properly represented before any inquiry. It retains the normal protections against self-incrimination, which of course is a very important safeguard for people appearing before inquiries.

Staff currently employed by the Office of the Chief Electrical Inspector and the Office of Gas Safety are being transferred in the normal way and their terms and conditions are being protected. However, it is possible for new people to be appointed from outside. It is interesting to note in clause 10 that all powers except for the power of delegation can be delegated to employees, a member of a committee or, with the consent of the minister, another person. This is an odd provision although it does exist already. It exists because there are some cases where specific expertise rests elsewhere and on those occasions it can be appropriate that some powers of this legislation be delegated with the minister's consent.

We fully support the legislation before the house. We look forward to its speedy implementation. We look forward to a director of Energy Safe Victoria being chosen, as I know he or she will be, on merit. If I was to make a prediction, I would reckon any bloke who had some form in heading up the Office of Gas Safety and the Office of the Chief Electrical Inspector should have

a good opportunity to put his name forward. I would encourage Mr Gardner to do so; I have high respect for his abilities. Of course it is a matter for the government to choose who will take the job.

Let me put on the record that we have strong safety regimes in both gas and electricity in Victoria. My belief is this step will enhance that capacity. We look forward to the bill's speedy implementation. I congratulate the Minister for Energy Industries and Resources for bringing this piece of legislation before the house.

**Hon. P. R. HALL** (Gippsland) — I am pleased to indicate to the house this morning that The Nationals will also be supporting this legislation — I think that makes the support across the chamber unanimous, which is a pleasing thing. The bill essentially provides for the merger of the Office of the Chief Electrical Inspector and the Office of Gas Safety. They will come together to form a new body called Energy Safe Victoria.

I want to start by saying that throughout my time of representing the good people of Gippsland I have had very little occasion to refer matters to the chief electrical inspector or the director of gas safety. I cannot recall an incident where I have had to refer matters directly to those people. I say that is a good thing because whether or not you have to refer matters to it is usually a barometer of how effective an organisation is. The fact that I have had occasion to refer very few, if any, matters to those two positions is a sign that things are working pretty well. I am pleased that I have not had occasion to refer matters to them.

As the Honourable Bill Forwood said, Victoria's safety record in gas and electricity is one we can be pretty proud of. Some of the innovations undertaken by the Office of the Chief Electrical Inspector and the Office of Gas Safety over the years have been very effective and worthwhile. I particularly note the issue of compliance certificates in those industries. That has been a very effective measure. I know that consumers are now well aware that when work is done by certified electricians or plumbers there is a need for that particular tradesperson to provide a compliance certificate. I think that has been very helpful in terms of the issue of safety. I commend both of these bodies for their initiatives in educating the community on the importance of safety. Electricity and gas can be very dangerous commodities but some of the education programs that have been undertaken have eliminated the risks associated with their use.

I want to make this observation, and again agree with comments made by the Honourable Bill Forwood, in respect of the predictions made by the then opposition about the privatisation of electricity and gas: those doomsday predictions have not materialised. If anything, the record has been improved and strengthened given the safety programs associated with electricity and gas. We should commend the previous and current governments for advances in terms of safety in those industries. As I said, I think our record in Victoria is one we can be proud of, and I hope the measures contained in this bill will enable a further strengthening of those safety measures.

I want to make some comments about the structure of the bill. Part 2 of the bill provides a legislative framework which establishes Energy Safe Victoria. I particular refer the house to clause 5 of the bill which talks about the objectives of Energy Safe Victoria. It is important to comment on the way these have been expressed in this legislation. The objectives of Energy Safe Victoria are to perform its functions and exercise its powers as already stated in the Electricity Safety Act and the Gas Safety Act. It is important for us to understand that we are not abolishing those acts — we are simply making some changes to them to reflect the new Energy Safe Victoria body which will have jurisdictional power over the functions and purposes of those acts. If you want to look at the objectives of Energy Safe Victoria, you need to refer to clause 45 of the bill. Clause 45 sets out the objectives and functions of Energy Safe Victoria under the Electricity Safety Act. In clause 50 a similar process is repeated for the Gas Safety Act. This new legislation, the Energy Safe Victoria Bill, needs to be read in conjunction with the Electricity Safety Act and the Gas Safety Act.

Part 3 of this bill talks about inquiries and reports. I am pleased to note that clauses 26 and 27 provide the ability for the new director of Energy Safe Victoria and the minister in charge of the legislation to initiate inquiries into certain matters. I think it is important that the director of Energy Safe Victoria has the ability to initiate an inquiry if he or she deems it necessary. I note that there is a requirement to table the report resulting from any such inquiry in the Parliament of Victoria. That is provided for in clause 31, and is a positive measure. I note that commercial or confidential information can be deleted from a report to be tabled in the Parliament but reference to any such deletion is required in that report.

Part 5 of the bill provides for transitional provisions. The Nationals have had a look through those transitional provisions and believe them to be quite adequate in the circumstances. Part 6 of the bill relates

to amendments to the Electricity Safety Act and the Gas Safety Act. As I said a couple of minutes ago, those amendments are essentially reflected in the new purposes, functions and objectives of Energy Safe Victoria so those acts need to be read in conjunction with this legislation.

I want to make a general comment before finishing. I believe combining the functions of the Office of the Chief Electrical Inspector and the Office of Gas Safety into one new organisation called Energy Safe Victoria is a sensible step. While each of those energy sectors is quite technically different in its nature, we have been given some assurances by the minister that the expertise required to deal with the separate technicalities involved with electricity and gas will be retained. We are pleased by that. Nevertheless, overall those energy sectors have some common elements about at least the administration of safety programs, so the concept of merging the administration of safety functions into this new body called Energy Safe Victoria is a sensible one.

There are some commonalities between the two energy sectors also because some retailers now deal in both of those energy commodities. We are seeing organisations like Origin Energy, for example, which are both electricity and gas retailers now, and the former TXU, now called TRUenergy, also deals in the supply of both electricity and gas. What we are seeing is very sensible and helpful for consumers with some retailers dealing in both of those commodities, and that is another reason for putting both the safety regimes under the control of the director of Energy Safe Victoria; it is a sensible measure.

I do not need to comment further. This is a piece of legislation which makes good sense and which I am sure will be a further step in terms of maintaining the excellent safety record we have in Victoria with respect to electricity and gas. From The Nationals point of view, we wish it well in the future as the new body, Energy Safe Victoria.

**Ms ROMANES** (Melbourne) — It is with great pleasure that I rise to speak on the Energy Safe Victoria Bill. As previous speakers have said, it is a sensible bill and a sensible reform which streamlines the functions of the Office of the Chief Electrical Inspector and the Office of Gas Safety into one body — Energy Safe Victoria. It reflects the changing directions of a maturing energy industry in this state. I want to say that I was very glad to hear the opposition — Mr Hall from The Nationals and Mr Forwood from the Liberal Party — strongly supporting the legislation before the house today. In fact I note that Mr Forwood went further and drew attention to clause 59 and the

retrospective amendment of the Electrical Industry (Wind Energy Development) Act and also gave his support for that retrospective amendment. I am not sure whether that stems from his magnanimity or from his expressed strong admiration for the very good job done by the Minister for Energy Industries and Resources, the Honourable Theo Theophanous.

The bill to establish Energy Safe Victoria is the outcome of a review which was instigated by the government of Victoria's energy safety regulators last year. Following consultation through stakeholder forums, formal submissions and extensive discussions across the state, the review considered the organisational effectiveness and efficiency of Victoria's existing energy safety regulators and options to move towards amalgamating those functions and establishing one single streamlined regulator — Energy Safe Victoria.

This merger of the Office of the Chief Electrical Inspector and Officer of Gas Safety will improve economies of scale with some forecast savings of up to \$1.5 million per annum. It will support the implementation of common system procedures and standards. Whilst retaining specialist technical expertise it will at the same time provide for harmonisation of the operational and regulatory aspects of the work of the previous two regulatory bodies, and Energy Safe Victoria is likely to be structured along strategic functional lines common to both fuels and include foci around infrastructure safety, installation safety, appliance safety, investigations and prosecutions, licensing and professional development. It will be these strong, strategic and management competencies which will drive the new organisation.

The merger and the new Energy Safe Victoria will also increase integration with government planning, management and reporting requirements and establish a more prominent platform for regulatory compliance initiatives and education campaigns. The good work done by the two previous regulators has already drawn attention and comment from previous speakers.

This consolidation of the two energy regulators into one is consistent with the maturing industry and prevailing trends, both nationally and in other state jurisdictions. As a result of legislation passed by this Parliament and all the other state and territory and commonwealth parliaments, we have a new national Australian energy regulator which is based in Melbourne, and it will regulate both electricity and gas. We have industry bodies now representing electricity and gas that have also merged — for example, the Energy Supply Association of Australia — and we have the emergence

of dual-fuel energy companies which are retailers or distributors across both the gas and electricity sectors.

It is appropriate that the bill establishes the single streamlined regulator recommended by the review — that is Energy Safe Victoria — and provides the new regulator with all the current objectives, functions, powers and funding arrangements of the Office of Chief Electrical Inspector and Office of Gas Safety, and provides similar corporate planning obligations and appointments processes. As well it provides an extra power, and that is the power to conduct inquiries either at the initiation of Energy Safe Victoria or by ministerial direction, and this power will be consistent with the current powers of inquiry of the Essential Services Commission. The question has of course been raised, 'Why not merge the two and have a further amalgamation of the Essential Services Commission with the new Energy Safe Victoria?'

However, it is the government's preference to keep these economic and safety functions separate and to not compromise any safety in the areas of electricity and gas and these vital utilities through considerations of economic efficiencies and to therefore make sure that the safety of the operation and the regulation of energy use — of electricity and gas — in this state is pre-eminent.

As Mr Forwood said, there will be a new director of energy safety to head up the new organisation, and there will be a provision for the transfer of all employees of the previous two regulators to Energy Safe Victoria on the same terms and conditions of employment while not obviating the opportunities for taking on board new employees who may have the sort of expertise required to take this new organisation forward.

The bill is about organisational change, but it does not change the safety obligations of gas and electricity industry participants. It is important that we understand that what we are dealing with here today is setting up the new organisation and its functions and structure to do and carry on the good work that has been done by the previous regulators.

I note that Mr Forwood was very glowing, as I said earlier, in his praise of the minister. He made it very clear that he supported the bill and saw that the minister is on track to not only continue the excellent safety systems in the energy sector that we have in Victoria but to enhance them through the provisions of the bill. With those few words, I commend the bill to the house.

**Hon. J. H. EREN** (Geelong) — I am pleased to speak on the Energy Safe Victoria Bill. This is a commonsense piece of legislation, which streamlines into one body the functions currently carried out by the Office of the Chief Electrical Inspector and the Office of Gas Safety. This reflects the direction the industry is taking.

The government is glad that the opposition has decided to support the bill. It must go against the grain to support government initiatives because oppositions usually oppose anything that governments propose. However, this piece of legislation makes sense, so I am glad to see that commonsense has prevailed; this is the right thing to do.

But the government is not surprised. The opposition's energy spokesperson is the Honourable Bill Forwood, and he is the smart one on that bench. He should be the leader. I say, 'Bring back Bill; don't retire, Bill; come back!'

This legislation is yet another piece of sensible reform initiated by the Minister for Energy Industries and Resources, Theo Theophanous. Obviously all the ministers of the government are very capable and very good, but the Minister for Energy Industries and Resources has done a great job, and I want to highlight some of the things that have happened.

Over the last two and a half years we have seen a number of important and sensible reforms introduced by the minister, including the groundbreaking four-year price path agreement with energy retailers that will see Victorian energy bills reduced by up to 5.6 per cent in real terms — that is a fall in energy prices. The \$106 million Victorian emissions technology innovation strategy will ensure a long-term future for the Latrobe Valley based on clean coal, yet all the opposition can do is talk about nuclear power. The \$110 million network tariff rebate means that regional and outer urban energy consumers will pay no more on average than comparable consumers in the city, and that is a good sign for particularly my electorate in regional Victoria, and it is a good initiative introduced by this good minister.

The Bracks government has spent over \$320 million fixing up the mess left by the previous government when it privatised the electricity system in a way that meant country consumers would always pay more. That is how it ended up. There was a monopoly of certain companies having control of certain sections which meant that consumers could not go to another provider because they belonged to the block controlled by that company; consumers could not apply to be serviced by

a company that controlled an adjoining section and provided cheaper electricity.

The \$5 million wind energy support package will contribute to the development of this clean energy source in regional Victoria and will lead to investment and jobs in country Victoria. The groundbreaking energy consumer reforms include \$250 compensation for illegal disconnection, bans on late-payment fees, regulated early exit fees, continuation of the safety net and the establishment of a landmark inquiry into energy consumer hardship.

Lastly, but not least, the \$70 million natural gas extension program — —

**Hon. Bill Forwood** interjected.

**Hon. J. H. EREN** — Mr Forwood may laugh, but the government already has 29 towns — —

**Hon. Bill Forwood** — We're looking for just one to be connected — and any one will do!

**Hon. J. H. EREN** — They will. The government has a proven track record of coming good with its commitments to regional and country Victoria. Twenty-nine towns have already been approved for connection, and that represents thousands of consumers in regional Victoria who will enjoy cuts to their energy bills of up to \$1200 per year. And doesn't the opposition hate that!

This government has a proud track record of sensible reform to the energy sector. Under this minister, Victoria has led the nation in terms of protecting consumers while delivering full retail competition that provides low-cost energy. At the same time the government has been working with industry to ensure that environmental concerns are dealt with in a balanced way. This is an impressive record, and I congratulate the minister. The Energy Safe Victoria Bill continues that work, therefore I support the bill.

**Hon. T. C. THEOPHANOUS** (Minister for Energy Industries and Resources) — I thank all members for their contributions to this important debate. The government believes this legislation will ultimately make a difference to an important value that we all share in this house — that is, the value of ensuring, as far as humanly possible, that we maintain safety as the number 1 priority in this state. There are inherent aspects of using energy which can mean that people are put in danger. This bill is designed to improve that situation.

When I considered this issue upon becoming minister it became clear to me as a result of the reforms that were taking place at the national level — and members will recall that Victoria played a significant role in pushing forward those national reforms — in terms of national regulation, the establishment of the Australian Energy Regulator and the Australian Energy Market Commission, that at a national level the one regulator would regulate both electricity and gas. It therefore made a great deal of sense to also line up the safety regulators we have in this state.

I pay tribute to all the men and women who have worked in those safety regulators — both at the Office of the Chief Electrical Inspector and at the Office of Gas Safety — for the work they have done to keep Victorians safe in their use of energy. But we thought, and I thought, that it was appropriate to line them up, given the move to national regulation in the one body of both gas and electricity— a project that is not complete, but has certainly gone a long way down the track in the approximately two years that I have been minister.

I am pleased to say I have received a great deal of support from the industry regarding this initiative. There were obviously going to be some people whose job descriptions would change, and other factors would come into play, but I want to thank all the people at both organisations who have cooperated with the government in ensuring a smooth transition into the one body, which we believe will be better able to use and coordinate its resources to ensure that safety is maintained in both those areas.

I do not want to go into specific examples, but obviously if you have an inspector who is able to deal with both electricity and gas, in many instances they will be able to pick up things that might be a problem in gas as well as electricity, and vice versa. We believe this is a positive initiative.

I am also pleased with the support I have received from the opposition, and in particular the opposition spokesperson, the Honourable Bill Forwood, in relation to this matter. He has worked with my office, and he understood that this was an important initiative or reform. I am pleased to have the support of the opposition. I do not know whether this is the appropriate time, as I am sure I will have another opportunity to comment on Mr Forwood's contribution to this house, but I do want to say something in relation to Mr Forwood's contribution on the energy sector. Although, as I expect from a competent person on the opposition side, he makes vigorous criticisms of me and the government when he does not believe that we

are on the right track, he is also prepared to say when he thinks that we are doing a good job. In this instance he has said so, and I thank him for it.

I want to address the two issues that Mr Forwood raised just to clarify the reasons behind them. One was in relation to not putting the Department of Primary Industries (DPI) functions into this particular legislation, which was part of the recommendation of the Perry report. These responsibilities will be a part of the Pipelines Act and will be transferred to Energy Safe Victoria through that act. There are some technical reasons why we could not do it and because of some other changes that are required in the Pipelines Act that are also required. I am happy to make that information available to the member if he is further interested.

The pipelines bill has been released as an exposure draft and it will replace the Pipelines Act 1967. It is really a complete rewrite of the Pipelines Act. Given the replacement, it was considered appropriate that the relevant functions be transferred from DPI. That will occur following the commencement of that act. I might add it is a relatively small function within the overall Office of Chief Electrical Inspector and the Office of Gas Safety. It does not involve a lot of people, but it is an important function and one which will be transferred over.

The other issue the member raised was about appearance before an inquiry. Clause 29(4)(b) provides that ESV will have the discretion to allow a person appearing before an inquiry to be represented. That mirrors the current discretion granted to the Essential Services Commission in its inquiry powers. It is not a blanket right of people to have representation. Experience tells us that if you give a blanket right of that sort everyone turns up, virtually in all cases, with lawyers. That is not what we want in an inquiry of this sort. We want to avoid that, but we could see that in certain circumstances it would be appropriate to have legal representation. In those circumstances the persons who want legal representation would have to convince the inquiry chair that it was a good idea. In those circumstances that would be granted. That is a measured and appropriate way for us to proceed.

I thank The Nationals for their support of this legislation. I am pleased to have that support and to have the support of all members in this house. I thank the members who have spoken and supported this bill. I am confident that it will allow us to have a safer Victoria.

**Motion agreed to.**

**Read second time.***Remaining stages***Passed remaining stages.****HEALTH LEGISLATION  
(MISCELLANEOUS AMENDMENTS) BILL***Second reading***Debate resumed from 19 July; motion of  
Mr GAVIN JENNINGS (Minister for Aged Care).**

**Hon. D. McL. DAVIS** (East Yarra) — I am pleased to make a contribution to the Health Legislation (Miscellaneous Amendments) Bill. The opposition will not oppose this bill but thinks that significant sections are deeply flawed. We certainly support aspects of the bill — for example, we are very supportive of some changes the government proposes to make to issues around mental health. But we recoil strongly from other aspects of the bill. I guess that is the nature of these sorts of omnibus bills where a series of changes to different acts are cobbled together in no apparent logical manner. It is almost certain that you will have to deal with changes, some of which may be to your liking and others which may not.

I make the point that the bill amends not just the Mental Health Act 1986, the Health Services Act 1988, the Cemeteries and Crematoria Act 2003, part C of the Building Act 1993, but it also amends 10 health practitioner acts and indeed the Veterinary Practice Act 1997.

I note the changes listed with respect to cemeteries and crematoria. The opposition does not oppose these changes, although I have to say the government has not handled much in the Cemeteries and Crematoria Act very well, and I am increasingly concerned about the implementation of the set of regulations with the 2003 act that came into force on 1 July this year. The consultation process the government went through was flawed in a number of ways, and I do not believe there has been sufficient input from many of the smaller cemeteries. Although the government did have a road show on this set of regulations, it has not consulted deeply enough. I know that groups like the stonemasons and others feel they have not been listened to.

I sought to obtain copies of the regulations ahead of the 1 July date, and that was a very difficult task. They were published in the *Government Gazette* only days before they came into operation. It is very hard for an

opposition to undertake its legitimate role of scrutiny and holding the government accountable when it is unable to get information on which it can consult. In the very short period we had access to those regulations we were unable to undertake the broad consultation I would have preferred. The government has a deep obligation to undertake that sort of consultation process, and it has not done so.

The opposition has no concern with the interment fee or approvals, the orders about deceased poor persons, the application for exhumation licence and the new procedures related to making false statements. But I must say I am curious as to what evidence there is that false statements are made on exhumation applications. I am not sure if Mr Bowden is aware of any such false statements, but I have certainly never heard of it happening. If it did occur it would be a bad thing and quite wrong.

I want to make a point about the changes to fees relating to cemetery trusts. This is the first sign of the government getting itself into trouble with issues surrounding its omnibus approach to fees and charges. There is a regular and incremental ratcheting up of charges going on under the government's general sweep legislation that enables the Treasurer to push them up across the board in line with the Victorian consumer price index (CPI). That process, which was instituted by the current Treasurer and which applies to all fees and charges levied by this government, is flawed. The opposition thinks it is very unfair, and this bill seems to be the first step in a retreat by the government from a whacky policy that was bad in application and bad in principle.

The Minister for Energy Industries and Resources, Mr Theophanous, is erudite and responsible enough to understand the Westminster principle that when taxes are proposed to be increased those changes should come before the Parliament, the people's representatives. The Treasurer, Mr Brumby, has sought to remove that nexus between taxation increases and an opportunity — —

**Hon. E. G. Stoney** — Acting President, I direct your attention to the state of the house.

**Quorum formed.**

**Hon. D. McL. DAVIS** — Before the quorum was called I was explaining to the chamber the important Westminster principle that taxation should not be increased without recourse to Parliament. It is a very important principle, and I am pleased that there are plenty of members in the house to hear it.

I point out that the Treasurer, John Brumby, has chosen to break that nexus in principle, and that is a very bad step. The amendments relating to cemeteries and crematoria included in this bill represent the government's first retreat. You can well imagine why the government might want to retreat from a system that ratchets up cemetery charges every quarter or half year in line with the CPI. When you think about it, it would be quite ridiculous to have small rural cemeteries that might only undertake one or two burials a year — a very modest amount of activity — forced to ratchet up their charges by a CPI-linked escalator every regular period, given of course that there is no necessary nexus between the charges and costs incurred by small rural cemeteries and the Victorian CPI.

If you think about it, you realise there is a small number of inputs into the costs that small rural cemeteries might need to take account of in setting fair and reasonable charges for burials. Why that should be linked to a broad sweep of regular escalation put in place by the Treasurer for his own revenue-type purposes elsewhere in government is beyond me, so I am pleased that the government has retreated, has backed down, on this ridiculous impost on people across Victoria. It is an impost that would have struck hard at poorer people in the first instance. These sorts of charges are of their nature regressive, because they hit those people who often have the least capacity to pay. I am very pleased that the government has backed down on this outrageous escalator. It was going to strike in the first instance at rural people, in the second instance at poor people and in the third instance at almost everyone else who would have had to bury a loved one.

I also want to talk about the changes that have occurred. There has been significant press discussion on the changes to the Health Services Act which the government has instituted here. It is not too late at this point for government members in this chamber to thoughtfully reflect on whether they want to make some of the changes that will be made particularly by clauses 8, 10 and 12 in part 3 at pages 6 and 7 of the bill. The opposition will seek to amend those clauses. I will explain to the house what is actually going on here.

I will deal with clauses 10 and 12 first. There is an extension to the time in which hospitals and health services must present their annual general meeting reports to their local communities to 31 December. I understand why the government has done that, and I understand its track record, but we need to think about the practical implications of what is occurring here. For a significant period — I cannot tell you exactly how long; the minister might give me a date shortly — health services have reported to their communities and

to the Parliament by the end of October. That is perfectly in order and proper. The date of 31 October gives those health services four months to finalise their accounts, advise the government, seek the Auditor-General's input and do whatever is necessary to get their annual reports into order for tabling in Parliament and putting before their local communities. I cannot see that there is any justification for this.

I note that there have been a series of justifications provided by the government for these changes. We heard about how hard it was for the health services to get their reports in order in that four-month period. We also heard the nonsensical complaint that it was an affront to the Parliament for health services to report to their communities before the Parliament had received its report. That is utter bunkum. How can it be an affront to the Parliament for a health service to follow the letter of the law and communicate its annual report to its community in accordance with the law laid down by the Parliament? How can it be an affront to the Parliament in any respect for a health service to undertake its full and proper reporting process in accordance with the law laid down by Parliament? I believe the Parliament should expect community health services to obey the laws laid down in this place. The concept that there would be any affront to Parliament is utter nonsense.

The concept that the Auditor-General could not in some way cope is also nonsense. It is true that there are mendicant health services which are slow in tabling their annual reports in Parliament or in reporting to the community. And it is true that the Auditor-General over the last few years has sought to sharpen their footwork. I encourage him in that process; they ought to comply with the law. Of course there will be the occasional instance when a health service or hospital has a legitimate explanation for why it is unable to comply with the law, but that will be an extreme rarity. The Auditor-General has been vigilant in ensuring that health services undertake their annual reporting to Parliament and indeed to their communities in the proper cycle as required. I compliment him on the steps he has taken, and there has been an improvement.

I will rewind history a little bit and look back at the period in the lead-up to the last state election to give the house some understanding as to what is really going on here. In the lead-up to the last election the Bracks government refused to table a series of annual reports — it is my recollection that the number was 102 — in the health portfolio. I wrote to the Premier on 25 September 2002 providing him with a list of all the outstanding annual reports that were required by law to be tabled in this Parliament by 31 October. I indicated

to him that because the statutory date after which an election could be called was approaching I wanted to be sure that the Parliament and the people of Victoria had the full information to enable them to make such judgments as they would be able to make at an election if it were called at the earliest statutory opportunity.

The Premier ignored that correspondence. In fact his government, a government elected on a promise of openness, transparency and accountability, hid these reports ahead of the election. Key health reports for big swathes of Victoria, hospital reports that revealed massive deficits and massive mismanagement in that period — —

**Mr Viney** interjected.

**Hon. D. McL. DAVIS** — Mr Viney's health service in Frankston, Peninsula Health, was one of them. It had a big deficit. Southern Health, which is also down his way, also had a massive deficit in that period, but that deficit was covered up and hidden from Victorians, particularly the voters in the southern electorates of Melbourne. It is an absolute disgrace that his government hid those reports and deliberately obfuscated to prevent the community from understanding the mismanagement and financial incompetence with which it had managed those health services. Why was the government not prepared to submit those reports to the people and the Parliament ahead of the state election?

This is the sort of behaviour that in the end will get this government into a lot of trouble. I was very disappointed by the behaviour of the Premier and his ministry at that time, yet it appears that this step — clauses 10 and 12 of this bill — is an attempt to institutionalise that process. Changing the date for reporting to the community from 31 October to 31 December will mean that if the Parliament does not sit in the last week of October, the government will legitimately be able to claim that it is complying with the law by not providing those reports. That is what this is about, pure and simple.

In Ms Lovell's area, the Goulburn Valley Health report should be available to the people of Shepparton and the surrounding districts to enable them to make decisions. In Mr Koch's electorate, the reports for Portland, Horsham, Hamilton, Warrnambool, Geelong, Ballarat, Stawell and Ararat ought to be available to the community ahead of time.

**Hon. T. C. Theophanous** — What about Mr Stoney — —

**Hon. D. McL. DAVIS** — I intend to talk about Mr Stoney's electorate, although he has indicated that he will not be running in the next election. I compliment him on the enormous work he has done in his time in this Parliament. I make the point that the health services in Mr Stoney's electorate, such as the Seymour hospital, should provide their annual reports to the Parliament and to the people before the next state election, as should the Mansfield hospital. I have a strong view that many hospitals would seek to do so. Country hospitals in particular see holding annual general meetings as a very important means of communicating with their communities and invite key stakeholders and the rest of the community. They invite all who want to attend, including the local journalists. Annual general meetings provide opportunities for the boards of the hospitals and health services to be accountable to their communities and bring their communities with them in the aim of developing and strengthening their health services. I compliment many of those country hospitals, and I note the comments by a number of country health services to me, both in writing and verbally, about the importance of that process.

The government has badly misjudged what country communities want and seek from their health services. They want openness and accountability, a partnership in ensuring that health services are available, and that those that are available are reported on properly and in time. The government could back down from this unfortunate change even at this late point. It could accept the amendment that the opposition proposes to move in the committee stage. We will seek the government's support there. I cannot understand why it would not want to seek early and proper reporting, and why its local members would not legitimately want to see that level of reporting.

I know that some members of this chamber would, in their heart of hearts, believe that this change is wrong. I do not believe that the members representing Ballarat and Geelong would in any way believe this is satisfactory. I believe Mr Hilton, who has just moved across the chamber, would think that his health services should report in a proper and timely way.

**Mr Viney** interjected.

**Hon. D. McL. DAVIS** — They have not in certain points in the past, but many of them are now much better at it, although in this bill the Minister for Energy Industries and Resources seeks to extend the reporting date to 31 December. That is a disgrace. Members like Mr Hilton would believe, in their heart of hearts, that — —

**Hon. T. C. Theophanous** interjected.

**Hon. D. McL. DAVIS** — In actual fact I did worry about annual reports when I was in government, and I did encourage governments to undertake these open and transparent processes. Unless I am mistaken, I was the first member to speak on a statement on reports in this chamber whilst we were in government. I am trying to remember the date, and perhaps the member can help me with that. It was about the Murray-Darling Basin Commission. I was the first to speak on the new form of debate in this chamber where annual reports are tabled and members have the opportunity to reflect on them.

So I reject the point that this is some newfound concern with annual reports; and as I laid out earlier, in the last period of this government, up to 2002, I was very active in attempting to hold the government accountable for its failure to properly report in time.

Let us be clear what will occur here: the government will hide as many of the unfavourable annual reports as it can. It is unlikely that Parliament will sit in the last couple of days of October. That will thereby give the government the excuse that it has not broken any tabling rules in Parliament.

The shifting out of 31 October to 31 December for the date of reporting to the community will mean the government can hold on to those unfavourable annual reports ahead of the state election. The reports will either be tabled and released to the community in December, or perhaps like last time they will be tabled in February. It was in February that all those whopping deficits came in one after another as the reports were tabled. The government had carefully hidden them from the electorate in the lead-up to the 2002 state election.

Clause 8 seeks to remove the health service agreement from its centrepiece as the agreement approach between each health service and the Department of Human Services. I will read the clause for the house so that we understand precisely what we are talking about here. Proposed section 26(4A) states:

A health service agreement entered into by a denominational hospital or a public health service is not required to specify particulars of any matters that are, or are to be, specified in a statement of priorities that has been, or will be, agreed to or made in relation to the hospital or health service under this Act for the financial year that the health service agreement is made in respect of.

The government says it has introduced this new system, the so-called statement of priorities. There are some good aspects of the statement of priorities, and I place

that on record, but this is as yet an untried and untested regime of regulation in this way, and reporting. The statement of priorities comes out of the Health Services (Governance and Accountability) Act that Parliament passed in June last year.

I make the point that the governance and accountability act laid out the system of statement of priorities and did a whole series of other things. It increased the power of the Department of Human Services, the minister and the secretary vis-a-vis the health services. It pulled in the power to 555 Collins Street, and it sought to keep every health service in the state directly accountable to the minister and the department in a way that hitherto had been unusual in Victoria. We have always had a balanced system where local communities and boards have been able to act within broad and proper parameters in the interests of their communities and their health services. That governance and accountability act wound back the ability of community boards to achieve the aims that their communities sought. It increased the power of the minister to direct, it increased the power of the minister to appoint spies to the board and it increased the power of the minister to intervene in a whole series of different ways.

The statement of priorities, as I have said, contains some good ideas, and I am not prepared to indicate that we are opposed to the concept of a statement of priorities and some of the ideas contained within them as a longer-term approach, but I indicate that they are untried and untested; and at this point it would be foolhardy to remove the long-established health service agreement requirements. I do want to say, in indicating my concern at removing the health service agreement requirements in a premature way, that this is a prudent financial course for the Parliament to follow.

It is not as though this government has a good record on financial management in the health sector. Increasingly over the last six months we have seen a series of governance and financial scandals develop in the health portfolio. I almost do not need to recount these because members are aware of them, but it is important for the record to ensure that they are listed here, and that they are counter-posed against this government's attempt to weaken the importance of health service agreements and the detail that is in them, in favour of its new, untested and untried statement of priorities.

The list of governance and financial issues that have developed in the recent period is significant. We have seen the sacking of the Sale hospital board. There are, in truth, a number of questions to be answered still from that process that the minister undertook of sacking that board.

I am not here to defend the actions of every board member at Sale, and I am not here to defend expensive flights, but I make the point that the regional director in the Gippsland region, Val Callister — a former Labor member of this Parliament — is very close to the Department of Human Services; and I would have thought that there are two scenarios here: either that regional director was in touch with and had her finger on the pulse of the Sale hospital board and was aware that flights had been authorised or she was not. My information is that she knew. I do not have a document to prove that, but I have reports from people very close to the action.

**Mr Viney** — Your evidence is hearsay!

**Hon. D. McL. DAVIS** — My evidence is more than hearsay. My evidence is actual reports — —

**Mr Viney** interjected.

**Hon. D. McL. DAVIS** — I do not have a document; hearsay is different from that. I could explain some laws of evidence to Mr Viney if he would like, but I think that is probably straying a little bit. What I will explain is that people who were present at the hospital and were aware of significant meetings and can report first hand — as they have done to me off the record because they are worried about their careers and their future — indicate that the regional office was aware of these flights. As I said, I do not have a document to prove that but I have had reports. This is important. The regional director either knew or did not know. If she did not know that the expenditure of tens of thousands of dollars was being authorised in her region for flights from the Middle East to Victoria, then she should have known. If she knew, then she is complicit — and the information I have is that there was a wink and a nod — but either way she should be held to account.

**Mr Viney** — On a point of order, Acting President, I am reasonably across the bill before the house. I frankly fail to see how these completely unsubstantiated allegations being made by Mr Davis, using parliamentary privilege to smear a public servant's reputation, have any relationship whatsoever to the bill before the house. I ask you to order him to come back to the bill.

**Hon. D. McL. DAVIS** — On the point of order, Acting President, clause 8 is about health services, and proposed section 26(4A) states:

A health service agreement entered into by a denominational hospital or a public health service is not required to specify particulars of any matters that are, or are to be, specified in a statement of priorities that has been, or will be, agreed to or made in relation to the hospital or health service under this

Act for the financial year that the health service agreement is made in respect of.

My point is that this goes directly to financial accountability. I am using some recent examples in my lead speech that relate to financial governance failures in Victoria under this system.

**Mr Viney** — Further on the point of order, Acting President, it is an incredibly long bow to suggest that because there are provisions about annual reports in this legislation this relates to quite specific and, as I said, unsubstantiated allegations intended to smear a public servant. If the member wants to raise it, then there are other ways he can raise those matters in this chamber. It is not appropriate for him to be raising those matters — I do not think you should raise them at all if they are unsubstantiated — in the context of the legislation before the house.

#### **The ACTING PRESIDENT**

**(Hon. H. E. Buckingham)** — Order! The lead speaker normally has an amount of latitude as the lead speaker, but I ask him to come back to the legislation.

**Hon. D. McL. DAVIS** — I thank you for your ruling, Acting President. I intend to lay out other examples where this issue of the health service agreement and the new statement of priorities by hospitals and health services have not been up to scratch. I need to make it clear that the minister and the department have not managed this well. My concern is that the deleting of the central role of the health service agreement will put in place a weakened system, a system that is untried and untested.

I make the point that there have been other examples of financial governance failures. I draw another example to the attention of the house — Peninsula Health. Mr Viney will be well aware of that, and he may have had close contact with a number of the people who were on that health service board who fell on their sword before the minister pushed them. Many of those people were very closely connected with the Labor Party. My point is that agreements are signed between health services and the department. Those agreements are very important; they are the major financial instruments. We are now introducing a statement of priorities which is untried and untested. That statement of priorities is, in my view, not yet at a point where we can rely on it as the primary, or indeed the only, instrument of accountability by these health services.

For that reason I believe the house should not delete the health service agreement from that central role as this clause seeks to do. At Peninsula Health a certain employee of that health service appears to have been

involved with issues around theft. I do not want to go into great detail because this is a matter before the courts. I believe the case needs to go forward in a proper way without an input from this chamber, but I make the point that in that case the financial controls were not satisfactory.

**Mr Viney** — On a point of order, Acting President, I do not know that it is technically before the courts, but I am certainly aware —

**Hon. D. McL. DAVIS** — I believe it is.

**Mr Viney** — You may be across it a little more than me, Mr Davis, but I believe there are very clear processes in this chamber where issues that pertain to matters that will come before the courts are not appropriate to be raised in this chamber. There is plenty of precedent in the standing orders, and I cannot recall a specific ruling, but Mr Davis is now going down a path that could well relate to the evidence that might go before a court. It is absolutely inappropriate that it should be raised in the context of this legislation.

**Hon. D. McL. DAVIS** — On the point of order, Acting President, I am well aware of the conventions of the house and the sensible conventions that apply to discussion of cases before the courts. Those conventions in no way mean that you cannot mention established public facts about those cases. It is a fact that the money was stolen, it is a fact that the board resigned and it is a fact that money disappeared. They are facts. It is a matter for the court to establish responsibility for those.

**Hon. T. C. Theophanous** — On the point of order, Acting President, it is absolutely appropriate for you to rule in favour of this point of order because my understanding of this particular case is that charges have been laid, and in the context that charges have been laid it is absolutely inappropriate for this matter to be canvassed in any way whatsoever in this house. It is contrary to the custom and practice of this house. Indeed, if Mr Davis was charged with an offence, he would find it absolutely offensive if somebody came into this house and sought to canvass issues surrounding him being charged in any way, shape or form. I urge you, Acting President, to ask Mr Davis to refrain from making comment about a matter that is likely to come before the courts.

**Hon. D. McL. DAVIS** — Further on the point of order, Acting President, it is important to understand that I am well aware of these conventions and that I have restricted my comments to those matters of public and press record, so there is no question about anything

further than that. I have been very careful on that matter.

**Hon. T. C. Theophanous** — Further on the point of order, Acting President, it does not matter whether comments have been made in public. That does not make any difference whatsoever. A member cannot come in here and canvass those issues when the matter is before the court without breaking the custom and practice of this house.

**Hon. D. McL. DAVIS** — On the point of order, President, I want to make the point that one can put on the record basic statements that are out there in the public and one can indeed draw general points from the facts of the matter that are established publicly.

**The PRESIDENT** — Order! I have been listening to the points being raised, both in my office and at the chamber door. According to *May*, 22nd edition, at pages 383 and 384, during a debate or in raising a question it is not in order for a member to raise matters which are sub judice. In Parliament matters relating to criminal charges cannot be raised if a charge has actually been laid.

My understanding in this particular case is that a charge has been laid, therefore the matter is sub judice. I direct the honourable member not to comment in this house about the matter that is before the courts.

**Hon. D. McL. DAVIS** — Thank you, President, I plan to continue my discussion of this clause which relates to health service agreements. I make the point that a key aspect of these health service agreements is their ability to guarantee that public money which is spent on important health services in this state is indeed spent appropriately and is spent with the highest standards of probity and appropriateness.

I want to point out that there have been other cases in Victoria in recent periods where public standards have not been maintained with respect to the moneys that the Department of Human Services has direct or indirect responsibility for, and I point to the Cheltenham and district cemetery trust where again the annual reporting process is a very important one — not directly relating in this case to a health service agreement — but the annual reporting process is a very important process for ensuring public accountability and probity at many of our cemetery trusts around the state.

The health minister in the other place has responsibility for the issues that surround the cemetery trusts and for ensuring that public faith and confidence is retained in those facilities. The recent case of related party transactions at the Cheltenham and district cemetery

trust points again to a pattern of lack of oversight and accountability by this department and by this minister. I, for one, am very concerned that that process occurred there despite us knowing that in earlier years there were reports tabled in this Parliament about related party transactions and that the department was slow to respond to those reports swiftly enough to ensure that resources were put in place to follow up those concerns and to ensure that these matters were addressed. In my view the department did not act with the speed that the community would expect. The community very much expects high standards, but they were not met in this case.

I also want to point to the recent examples at Melbourne Health where in round figures almost \$20 million of money was brought forward as accrued revenue incorrectly. This sort of maladministration is precisely the sort of issues that need to be dealt with by the health service agreements and the statements of priorities. The statement of priorities signed between Melbourne Health and the Department of Human Services was not a sufficient instrument to prevent the loss or the spending of more than \$20 million of revenue that the health service had not received.

I turn to the Melbourne Health annual report and make some points about what I believe are matters of concern. The house will be concerned when members read the annual report at pages 76, 77 and 78, which look at the activities of the audit committee and the finance committee of Melbourne Health, and the financial reporting arrangements that relate to internal audit and management of risks and financial reporting; one can only conclude that these things have not been up to scratch.

The finance committee, according to the report, meets every month. The primary function of the finance committee is to assist the audit committee and the board in fulfilling their respective responsibilities relating to accounting and reporting practices at Melbourne Health. I note that a key task of the finance committee is to evaluate Melbourne Health's exposure to fraud. We know that a fraud was perpetrated, that a resignation has occurred, and that others at Melbourne Health are still under a cloud. I and many others are very concerned that our second-largest network and second-largest hospital would be in the position where its finances are under this sort of a cloud.

The finance committee also reviews the annual financial statements with the financial officer and the external auditors and recommend acceptance to the audit committee.

**Hon. J. G. Hilton** — On a point of order, Acting President, you have given Mr Davis fair leeway in his capacity as lead speaker but in a previous ruling you did ask him to return to the bill. I would suggest to you, Acting President, that Mr Davis has totally disregarded that instruction and is not speaking on the bill in any way.

**Hon. D. McL. DAVIS** — On the point of order, Acting President, I am speaking about the clause that relates to health service agreements. I have already read that out and explained the importance of that as a key instrument in guaranteeing the financial arrangements between the department and the individual health services. I am using an individual health service in this state, one of our major health services that has a health service agreement with the department, and I am pointing to an example of where that has gone wrong.

**The ACTING PRESIDENT (Hon. H. E. Buckingham)** — Order! The member should cease debating the point of order. I rule the point of order out of order, and I ask the member to return to the debate.

**Hon. D. McL. DAVIS** — Thank you, Acting President. Page 78 of the report looks at the identification of risks and the management of risks, and there are monthly actual results for each division recorded against budget and monitored by management, with monthly reporting to the finance committee and to the board. All of these committees — the finance committee, the audit committee, the board itself and the risk management process in the network — are directly linked to the performance of this major health network and to the \$20 million of accrued additional revenue that the board has allowed to be expended.

I have to say that those monthly figures are also reported to the department. They are reported right up the tree and you have to ask the question: given where the greater weight is sitting in terms of the statement of priorities, how has that system worked in the last 12 months at Melbourne Health? You would have to say that it has not been satisfactory. Mr Hilton is an accountant and he will understand some of these issues. The internal audit committee says it is responsible for reviewing the role and effectiveness of the internal audit function. According to Melbourne Health's annual report:

Melbourne Health appointed Deloitte Touche Tohmatsu, now in their second financial year, to assist the executive director finance in the performance of the internal audit function.

Those internal audit functions have not worked. The report states:

Extensive key financial performance indicators relating to all approved goal areas have been set and are reported on a 'balanced scorecard approach' —

whatever that means —

to both the finance committee and monthly to the board.

You would have to say that this approach has not been satisfactory. Melbourne Health's strategies include the monitoring and review of risk assessments and risk mitigation strategies. Those risk mitigation strategies have clearly totally failed given they have allowed a system to develop where a \$20 million fraud has occurred. Services have been threatened. I know from talking to people from operating theatre level up that you almost have to apply to the board to buy a scalpel at the Royal Melbourne Hospital at the moment because it is so tight after the mistakes that occurred. The financial screws have been put on to chase down and work out what went wrong at Melbourne Health.

What went wrong is serious. It is something we do not want to see again. It is something we as a community are concerned about, and people in this house should be very concerned about it. Twenty million dollars is a lot of money which could have been spent in different ways. It is a lot of money that should have gone through proper processes. I am very concerned that there will now be cuts at Melbourne Health despite the promises to the contrary of Minister Jennings in this place recently in the absence of the Minister for Health in the other place. I am concerned that there will be cuts and the winding back of services in the mental health area and elsewhere in the network. I am concerned that the government will need to deal with that.

Earlier today I put on record the declining net financial position of the network, the balance sheet position. I am concerned that there may have been misreporting to the department. That might be the explanation for the department failing to pick up on these issues — perhaps there was misreporting to the department. Nonetheless, there was clearly a failure at departmental level to marry up the amounts of money being put across the health services with the reporting coming back on the other side. I have to say that not only the board but the minister and the director of the department for metropolitan and aged care have to explain what has occurred here and why they failed to pick up the problems.

My point is it is clear that the financial arrangements under these statements of priorities are not yet sufficiently robust that we can rely on them alone. For that reason I believe the health service agreement provided for in clause 8 of the bill should be retained.

We ought to ensure that the financial strength of our networks is guaranteed. We ought to ensure that there are no unsatisfactory slip-ups as have occurred recently, that there is no mismanagement or maladministration of the type we have seen recently.

Moving to other sections of the bill in the relatively small amount of time that remains, I want to say that the opposition is supportive of the changes to the Mental Health Act 1986. We have indicated our support there. Part 5 of this act seeks to amend a series of health practitioner registration acts — 10 of the 11 such acts. These boards will now be able to appoint from a Governor in Council-approved list. I have no problem with that, although I have to say that in a sense it is putting the cart before the horse. The government has a review of health practitioner registration under way at present — a review that was meant to be finished some time in 2003 or early 2004 but has trundled on endlessly as the government has botched the process of it. To make these changes to the registration acts ahead of that review and more comprehensive decisions by the government on health practitioner registration seems to me to be going the wrong way around.

I make the point that it appears the government has backed off from its intention to introduce a health super board — an overarching regulatory point for all of the health practitioner registration boards. From my communication with health practitioners representing almost all of the different categories registered in this state I have yet to find a group that supports this overarching concept. There may be one or two individuals who do but I do not see that there is a strong argument for this super board. I am pleased that the government appears to have backed off from its proposals there.

The idea that better economies can be achieved is a fair one, but much of that can be done in any event. As I am aware and as has been put to me by a number of boards and various practitioner associations, boards have cooperated on a series of things whether they be computer courses, the purchasing of equipment or a whole range of other things where sensible cooperation between relevant boards for backroom office functions can achieve some economies. I welcome that process, I think it is sensible and a process that will be important in reducing the costs of registration and therefore costs to the community. At the same time, in my view, that is not an argument for an overarching board that would seek to impose its broader will across those practitioner groups which are able to regulate with proper arrangement under their registration acts. There is a broad range of people on those boards including

representatives of consumers and lawyers. By and large I think the health practitioner registration boards do a good job. That is not to say there is no capacity to improve that process, because there is. Most of them work closely with the health services commissioner and her office. That is a sensible process — —

**Mr Viney** — You never concede anything we do.

**Hon. D. McL. DAVIS** — No, I have indicated — —

**The ACTING PRESIDENT**

**(Hon. H. E. Buckingham)** — Order! Through the Chair, Mr Davis.

**Hon. D. McL. DAVIS** — I have been very modest. I have indicated that I support parts of this bill. I have been quite open about my support for the changes to the Mental Health Act. If members talked to the member for Benambra in the other place about the cross-border issues and the need to ensure that health services on the border are properly registered and accredited, he would indicate that this is a useful step. Indeed, I support this step. I think Mr Viney is quite wrong. However, I make the point that the government's health practitioner registration review is continuing, it has not yet reached its conclusion. I know many await with interest the government's proposals in this area; I originally thought we were going to see them 18 months or more ago. When those proposals come forward they will be assessed on their merits.

In conclusion — I note just a couple of minutes remain — I want again to indicate that in the committee stage we will move two amendments to test the points around clauses 8, 10 and 12. There is capacity for the Labor Party, The Nationals and Independents to support those amendments, and we would welcome support for those amendments. We believe they would improve the situation and prevent a loss of transparency and accountability that is inherent in the winding back of timely reporting as listed in clauses 10 and 12.

The statements of priorities are not yet tried, true and tested; they need further refinement. They have not been publicly available in the way that the government claimed. I now have copies of them but that was a slow process. I know that many people tried to get copies of the statements of priorities, but the government was very slow in providing those. We heard every excuse known to man as to why the parliamentary library or our office could not have copies of those statements of priorities. We heard, 'The man in the department who handles that is away this week' — there was a series of excuses that we began to find quite amusing. They had

the flavour of the old excuse, 'The dog ate my homework'.

**Hon. T. C. Theophanous** — Did you use that when you were at school?

**Hon. D. McL. DAVIS** — Never, but I heard it used, Mr Theophanous. I make the point that we now have copies of the statements of priorities, but they ought to be more easily available publicly, and the failure of the government to make those properly publicly available is reprehensible. I believe that will be remedied, and I would welcome that, but it is important if you are going to use these statements of priorities in this way that they be publicly available and that the government is held to account.

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

**Business interrupted pursuant to sessional orders.**

## QUESTIONS WITHOUT NOTICE

### Commonwealth Games: community participation

**Hon. PHILIP DAVIS** (Gippsland) — I direct my question without notice to the Minister for Commonwealth Games and ask: who is to be the chief citizen for the Commonwealth Games?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the question. It is a particularly interesting question, because of course members would appreciate that at the opening and closing ceremonies a number of official roles are necessary and there are a number of protocols in the arrangements for the Commonwealth Games. Whilst the opening ceremony is still being developed — there is a lot of work being undertaken, and it will no doubt be a closely kept secret — there will be an enormous amount of surprise in it for the general community.

Whilst there are a range of official protocols that there is a need to ensure are delivered as part of the formalities of the Commonwealth Games opening and closing ceremonies, I am very conscious that those ceremonies can be interpreted very traditionally or in a contemporary way. I anticipate that, given the dynamism and excitement of the opening ceremony and given that we are a young country and want to reflect that when we take Victoria and Australia to the rest of the world, it is likely to be interpreted in a very contemporary way. Whilst that has not been finalised and there is still an enormous amount of work being

undertaken, no doubt there will be plenty of surprises on the night.

*Supplementary question*

**Hon. PHILIP DAVIS** (Gippsland) — I thank the minister for his wide-ranging response, which did not tell us very much at all. I ask: since the minister will not confirm the Lord Mayor of Melbourne, John So, as the chief citizen, what role will the Lord Mayor have in the Commonwealth Games?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member's question. I understand that many, many people will be involved in the delivery of the opening and closing ceremonies — many official dignitaries — and I also appreciate there was a wide-ranging discussion before the opening of the Olympic Games about the appropriate official to open or officiate in those respective — —

**Hon. Philip Davis** — Are you avoiding the question?

**Hon. J. M. MADDEN** — No, I will get to the answer. There is an array of people who would like to be involved and who we anticipate should and will be involved. No doubt a lot of discussions are taking place and will continue to take place on those formalities. We will be eager that every level of government be reflected in the representation on the opening ceremony night.

**Home and community care: funding**

**Ms MIKAKOS** (Jika Jika) — My question is to the Minister for Aged Care, Mr Jennings. Can the minister advise the house of any recent initiatives by the Bracks government to further improve the delivery of home and community care services, an important part of making Victoria a great place to raise a family?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I thank Ms Mikakos for her question and for her concern about the wellbeing of, in particular, older members of our community who receive home and community care each and every day throughout a range of agencies and providers. Five hundred agencies, whether they be local government or non-government agencies, perform a great role every day in providing a level of care primarily but not exclusively to older members of the community — there are younger people with disabilities who are receiving home and community care services every day — and I appreciate their contribution.

The state of Victoria, through the Bracks government, has recognised the level of support required for this important sector. Members of this chamber would have previously heard me speak about our commitment to the program. Indeed in the most recent budget the government contributed \$47 million beyond our matching component. In most states around the country it is a 60-40 program, with the commonwealth contributing 60 per cent and the states 40 per cent. In Victoria it is almost a 50-50 program, because we recognise the value of investing in this important program. Adding to that effort are local councils.

**Hon. Andrea Coote** interjected.

**Mr GAVIN JENNINGS** — Indeed. Somewhere in the order of \$70 million to \$80 million worth of additional effort and resources are allocated by local government. We are singularly blessed in Australia that local government plays that important role.

To provide support for innovation within this program, earlier this year I opened the expressions of interest for agencies that are interested in trying to drive new reforms into their service delivery, and in particular those agencies which are interested in providing a more active level of service provision. Rather than encouraging people to become passive recipients of the service and perhaps disempowering them and undermining their capacities, this would focus on ways in which the service could be delivered to assist them to maintain their homes and independence and also their confidence in the way they live independently. This is an important aspect of the innovation.

How have we done this? I recently announced \$605 000 of funding for new programs designed to support that innovation. First of all it is to provide new information technology that will enable 31 agencies across Victoria, through councils, to more effectively deal with case management and referrals of the needs of their clients. So 31 councils right throughout the breadth of Victoria will be using this money to introduce that technology. Six providers — Barwon Health, West Gippsland Healthcare Group, Central Goldfields shire, Mecwa Community Care, Peninsula community health service and Central Bayside Community Health Services — will be implementing new active models of service delivery along the lines of a number of examples that I will demonstrate.

For instance, in Baw Baw shire \$50 000 has been allocated to a home maintenance program. The shire will not necessarily come in and do all the work but will provide the equipment, wherewithal and support for older members of the community to maintain their

own gardens. It an innovative approach that makes sense, because what we are talking about is trying to maintain the independence and capacities of older members of the communities. But Baw Baw is not alone, because in this first round money for projects is going to Moreland, Alpine shire and the Ovens and King Health Service, and to the Shire of Yarra Ranges for the aptly named More than just Coping program.

Through the range of these service provisions throughout Victoria we are encouraging innovation and the independent capacity of older members of the community, in particular, to live happy, independent lives.

**Commonwealth Games: compensation**

**Hon. B. N. ATKINSON** (Koonung) — I direct my question without notice to the Minister for Commonwealth Games, the Honourable Justin Madden. I advise him that Ben did very well in his place at Melbourne Victory last night, but I did not think much of Ben’s date, Brent — they are both Labor advisers, by the way!

On Tuesday the minister stated that the only entity to receive compensation for loss of access to sporting facilities due to the Commonwealth Games was the Australian Football League. I note that in reference to the Melbourne Cricket Ground redevelopment, paragraph 5.94 of the Auditor-General’s report on the finances of the state of Victoria 2001–02 states:

To date, the state’s direct and indirect financial support for the project includes:

...

provision of compensation to ... the Victorian Cricket Association/Australian Cricket Board for lost events during the periods when the temporary athletics track works are undertaken and the 2006 games are held ...

Why was the minister’s statement on Tuesday yet again at odds with the findings of the Auditor-General?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member’s question. To clarify that, if Mr Atkinson was not clear on my answer the other day and on what is printed in these documents, we have only made compensation payments to the Australian Football League (AFL). There may be allowances within the budget for compensation to other groups if need be, but we have not paid any compensation to any parties other than the AFL.

As I said, any other parties that may or may not be seeking entitlements to any compensation need to do

that with the appropriate venue managers. Whether it be the Melbourne Cricket Ground itself, the State Netball and Hockey Centre or the Melbourne Sports and Aquatic Centre through the State Sports Centre Trust, any of those organisations that rely on those venues and feel they may have been affected by the Commonwealth Games need to discuss and negotiate that with those respective venue managers.

As I said before, the agreement with the Australian Football League was significant and was for a \$150 million contribution to the Melbourne Cricket Ground redevelopment. That, with the contribution from the state government of \$77 million and a contribution from the Melbourne Cricket Club itself, has brought together a package which will deliver to the MCG a fantastic benefit and legacy beyond the games, one of the great aspects of the economic benefits of the games. The \$77 million investment by the state government in the MCG redevelopment will deliver a venue in the order of a \$430 million project. That is part of the economic benefit we are seeing right across the games delivery. A little bit of investment by the state government is generating enormous economic impact on and growth in gross state product.

But if there are any community groups — and we have articulated this to many groups — that cannot reach a resolution with any of the venue operators, whether it be cricket, basketball, badminton, table tennis, squash, hockey, netball or any other user group, then the first port of call is with the venue operators. If there is difficulty, we are happy to come to the party and help get these groups to the table to negotiate with the operators and to facilitate that. But there is no anticipated compensation payment to any group other than the one we have entered into with the AFL.

*Supplementary question*

**Hon. B. N. ATKINSON** (Koonung) — The Auditor-General’s report indicates that the Victorian Cricket Association and the Australian Cricket Board will be entitled to compensation for reduced access to the Melbourne Cricket Ground. Indeed the minister has now conceded that there may be compensation provided in the budget for other parties beyond what he has admitted for the Australian Football League. I therefore ask the minister what allowances exactly have been made in the budget and why has the government decided to limit the compensation to the VCA, ACB and the AFL, denying compensation to smaller sporting bodies?

**Hon. J. M. MADDEN** (Minister for Commonwealth Games) — I welcome the member’s

question again and his interest in this particular issue, but, as I have said on a number of occasions, the critical aspect of the compensation arrangements with the Australian Football League was to get it to the table on the \$150 million. It was not, nor was the Melbourne Cricket Club, prepared to enter into an agreement unless it had a tick in that box when it came to negotiation. At the end of the day that was probably one of the main and last sticking points to bring the AFL to the table with \$150 million. Without that tick in the box it would probably not have brought the contribution to the table — a contribution which we are particularly proud of and which will get the Melbourne Cricket Ground built for the Commonwealth Games. But, as I have said, if any of the other parties feel aggrieved in any fashion and cannot reach a resolution or negotiate an outcome with the venue operators, we are happy to come to the table and help facilitate negotiations and try to find a resolution to these matters with the venue operators.

### Consumer affairs: credit

**Ms ARGONDIZZO** (Templestowe) — My question is for the Minister for Consumer Affairs. The minister has previously advised the house that the government is undertaking a review of consumer credit. Could the minister advise the house of any current consumer credit issues that may be of concern to Victorian families?

**Hon. M. R. THOMSON** (Minister for Consumer Affairs) — I thank the honourable member for her question. As members are aware, and as I have mentioned in the house, the Bracks government is undertaking a review on consumer credit. This review comes from the social policy statement *A Fairer Victoria* and is looking at ways the government can deal with issues of credit, consumer access to credit and affordable credit. The review is looking at the sorts of practices that may be harming Victorian families such as irresponsible advertising and unethical lending practices. James Merlino, the member for Monbulk in another place, is currently undertaking consultations around Victoria, talking to people about their experiences of getting credit and ensuring that we address the policy issues that arise from that review.

There are some emerging new credit arrangements that are of some concern. New credit line products are coming onto the market all the time which consumers need to be careful of and be aware of, in areas such as credit for school fees and for medical and dental services. Victorian families need to be very careful that they understand the full effects and implications of any loans that they may undertake to finance these

arrangements, and they need to be careful in areas of credit where they are inexperienced. This type of credit can be risky for families. They can find themselves in debt that they did not expect and are unable to pay.

Only two weeks ago the largest private child-care provider in the country, ABC Learning Centres, announced a new offer to parents — the opportunity to borrow up to \$4000 for each child in child care. This could be recouped when the parents received their child-care rebate with their tax return. ABC Learning Centres calls this loan a deferred payment plan and markets it by telling families, ‘Don’t wait for the child-care rebate’. When the family takes out one of these loans, the lender — a company called DPPA Pty Ltd — pays 30 per cent of their child-care fees up to a maximum of \$4000 per child per financial year. This marketing makes the loan seem simple and just an advance on the money that the family will get back through the child-care rebate. It does not seem as if you could get into difficulties, but people do need to look more deeply. In fact, the fine print suggests that the family has only until 30 September each year to repay the loan. Often families do not even lodge their tax returns by that time so they will not have received the child-care rebate in time to repay their loans. They will get themselves into difficulties and will then have to pay the 8 per cent interest on that loan.

It is important that people be aware of the credit that is available out in the marketplace. Credit can be a very useful tool if you are aware of what you are doing and how to use it, but there are a whole lot of different offers in the credit marketplace now, and consumers need to be aware. They need to be careful not to be conned by advertising. They need to look at the fine print and make sure they can afford to repay that credit.

### Rural and regional Victoria: sports facilities

**Hon. D. K. DRUM** (North Western) — My question is to the Minister for Sport and Recreation, the Honourable Justin Madden. Last year the government announced it would spend approximately \$1.8 million on country football and netball facilities via a whole range of granting schemes throughout regional Victoria. I ask the minister whether regional councils and country football and netball leagues and clubs can be assured that a similar amount will be made available through the same means this year, and whether the \$2.3 million announced by the minister in his response to the inquiry into country football will be over and above the existing funding level.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I welcome the member’s question

because the government is very proud of what it has been able to do in regional Victoria for football and netball, as well as for all the other community sporting facilities we have been able to invest in over the term of the Bracks government.

There has been a huge growth in expectation in regional Victoria in particular — and I have mentioned this on a number of occasions — because when we came into government we changed the funding ratios to free up the funding available for smaller community groups and bring more government money to each of those areas. That is great because it means a lot of communities now know that by raising some funds and putting in an application they can not only get funds through their local council but can also get a lot more funds through the state government. Because of this we have seen an enormous growth in facilities right across regional Victoria.

As Mr Drum would know, country Victorians love their sport, and that is reflected in the enthusiasm with which they embrace participation. It is reflected not only by the fact that they love their sport so much but by the fact that it means so much more to them, because sometimes rural communities do not have a great deal of choice of recreation or entertainment and that is why things like country football and netball are so important. They are important not only because they are about participation but because they provide social functions where people of all ages come together. Often when you go to a country football or netball game of a Saturday or Sunday afternoon you will see people who may not necessarily be associated with the club as members or participants but who have gone along to watch with their local community. It is a great way to bring people together.

We have been very excited about the money we have been able to provide not only for community facilities but also the funding we have provided to assist in the upgrading of country football grounds that have deteriorated because of the conditions forced on them as a result of the drought. That funding assists them in considering ways to improve their facilities by investing in water saving or by using different sorts of grasses on their grounds. The government's most recent announcement, in conjunction with the Australian Football League, has been to bring together a pool of funds that will be injected into facilities, whether they be facilities for netball, umpires, officials or clubs themselves. That little bit of money can make a world of difference, whether it be used for showers, and I know that the Honourable Damian Drum has probably had a few cold showers at football clubs over the years; whether it be used for the umpires' changing rooms,

because sometimes they are not the first priority when it comes to facilities at a country football club; or whether it be used for the changing rooms for netballers, who are often the poor cousins when it comes to facilities.

The government is very pleased to continue funding these projects. Country Victoria is always a priority when it comes to sporting facilities in particular, but there is also a huge demand from the growth suburbs. Too much money is never enough, but we will continue to invest substantially in those facilities for communities in regional and country Victoria, whilst at the same time making a substantial investment in the suburbs of inner Melbourne.

*Supplementary question*

**Hon. D. K. DRUM** (North Western) — That is very disappointing. With respect to the minister's response that this new money is going to be used for things like shower blocks and standard facilities, I note that they are projects that are already being funded under current arrangements. Surely the will and the spirit behind the inquiry and its findings, and the purpose of the government's response, was to give us the opportunity to fund other projects. Was the minister more or less saying in the answer he has just given the house that all the government is going to do is simply bring forward projects that are already on the table and use the Australian Football League's money to pay for half of them?

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I welcome the member's question, and the passion he displayed in asking it. We do not often see that kind of passion when it comes to questions in this place.

I am very pleased to say that we will continue to invest the money we have always invested in country Victoria through our facilities funding grants. This money we are referring to that involves the Australian Football League in partnership with the state government is being provided on top of those grants, so this is a great opportunity to invest more money in more projects across country and regional Victoria. This is an added extra at a time when there is a great demand for those facilities, because we are seeing great increases in participation in country football and netball. What a great opportunity this is to invest more money in facilities for communities that need them to increase rates of participation when they are in such great demand. All of this makes Victoria a better place to raise a family.

### **Goldmining: Fosterville**

**Mr SMITH** (Chelsea) — My question is directed to the Minister for Energy Industries and Resources, the Honourable Theo Theophanous. Can the minister advise the house of any recent developments in the goldmining industry in Victoria, and in particular in the Bendigo region?

**Hon. T. C. THEOPHANOUS** (Minister for Energy Industries and Resources) — I am very pleased to answer the question from the Mr Smith, because, as I have indicated to the house previously, Victoria's goldmining industry is going ahead in leaps and bounds. I am pleased to advise the house that on 6 July the Premier officially opened the \$100 million Fosterville goldmine in the Bendigo region.

The opening of this particular mine meant that we saw a doubling of Victoria's output of gold overnight. It is another indication of how much this industry is going ahead. This mine is owned and operated by the Perseverance Corporation, and its opening will provide an enormous boost to this particular region through job creation and related economic activity.

One of the best things about the opening is that the mine will add to Bendigo's already booming economy. The Fosterville mine is just beginning to realise its potential and is appointed to the broader scope for investment in gold in Victoria. It is another massive vote of confidence in the Victorian economy by a significant investor. The Fosterville mine means more jobs and investment, not only in Bendigo but also in the surrounding areas. It will create 150 new long-term jobs in that region, with all the support that that means for the families involved as well. It is expected to inject \$35 million per year into the local economy through salaries, services and supplies. That is a huge boost in that area. All this translates to a significant economic boost to the Bendigo region.

The mine is a surface and underground gold mining operation, and it is located about 20 kilometres east of Bendigo. It is expected to produce 135 000 ounces of gold annually at a market value of approximately \$74 million at current rates, which will more than double the state's annual gold production. It is a fantastic new addition.

The Bracks government has worked very closely with the Perseverance Corporation over the past three years to get this mine going, and the Minister for State and Regional Development in another place, John Brumby, recently announced a \$250 000 grant to boost workers' skills in using new technology at this mining operation.

This gold mining operation is using some innovative new technology. It is technology that has not been used before in Victoria; it uses a bacterial-type of treatment to separate gold from the ore, which is much more environmentally appropriate than the other ways that have been used in the past to do the same thing.

This mine is a boost to the area. It creates jobs in the region, it is using the latest technology, it is developing skills for that particular region, and it is helping Bendigo to develop its economy even further. Gold production in Victoria reached its peak during the gold rush, but by the way we are going in this state we will have a second gold rush which will be every bit as big as the first one.

### **Environment: greenhouse gas emissions**

**Hon. BILL FORWOOD** (Templestowe) — My question is also to the Minister for Energy Industries and Resources, the Honourable Theo Theophanous. In June the New Zealand government admitted that it had made a huge miscalculation of the cost involved with the Kyoto protocol. The New Zealand climate change minister, Peter Hodgson, said that it was projected that New Zealand would overshoot its greenhouse targets by more than 30 million tonnes at a cost of between NZ\$500 million and NZ\$2 billion, depending on the price of carbon. Given this monumental stuff-up in New Zealand, which only last year projected a positive result of \$450 million from signing the Kyoto protocol, will the minister admit that the government's headlong drive to emissions trading is a folly of the first order which can only damage Victorian and Australian industries and consumers?

**Hon. T. C. THEOPHANOUS** (Minister for Energy Industries and Resources) — I thank the honourable member for the dorothy dixer. It is in keeping with the way he has been very supportive of the portfolio that I have been running for the energy sector. The fact of the matter is that the single most important thing that is holding back investment in the energy sector in this state is the lack of certainty about the cost of carbon and emissions trading in the future. That is what is holding back investment.

I will give examples. Origin Energy wants to build a billion dollar enterprise: a base-load gas station in the Mortlake region. It wants to do that, President, but do you know what is holding back the final decision going forward in relation to that business involving an investment of more than a billion dollars? It is because it will get absolutely no advantage whatsoever at the present moment from building a base-load power station — a power station that will produce energy with

one-third of the emissions that are produced by a brown coal power station. That is because this current federal government is not prepared to make any concession whatsoever to the need for an emissions trading scheme in this country.

The second aspect I point out is that the Prime Minister says that we are going to reach the targets under the Kyoto protocol even if we do not sign it. That is not because we are going to make any real effort to achieve those targets; it is purely and simply as a result of chance. It is partly because we got such a good deal that we have to achieve only 108 per cent, which is better than that of any other country in the world. But in addition to that deal on the Kyoto protocol which was negotiated for Australia, there is a whole lot of land clearing that is not going to take place in Queensland which will result in our being able to achieve those targets. How stupid can you be when you know you are going to achieve the targets yet you do not want to sign the protocol which would bring in additional investment and capacity to the country?

Let me advise Mr Forwood that there are companies that are going over to New Zealand from Australia and gearing off companies in New Zealand to make investments in Third World countries and other places to get the benefit that the Kyoto protocol and emissions trading gives them because they cannot do that here. What you have is a circumstance where this state and the rest of this nation is being held back by the Prime Minister in this region. The British Prime Minister, Tony Blair, made a valiant effort at the G8 conference to try to get the Americans across the line, but our Prime Minister has made it absolutely clear that the only time he will do that is if President Bush does it.

So, that's that! That's the very clear policy. It has been made clear to me at the federal level by federal ministers. The bottom line is that we will not do it unless the Americans do it. It is the same old policy. At least in New Zealand they have the courage to stand up and say, 'We will sign on to Kyoto, and we will live up to our responsibilities'. Here in Australia we have far less to lose from signing on to the Kyoto protocol, yet we are not prepared to live up to our convictions, and we should be.

*Supplementary question*

**Hon. BILL FORWOOD** (Templestowe) — I am glad the minister mentioned Tony Blair. At the recent G8 meeting Tony Blair said:

Kyoto is a failed experiment and it will not reach its targets.

Given that, does the minister still insist that Victoria would be better suited by taking on an emissions trading role when even Tony Blair admits that Kyoto is a failed experiment?

**Hon. T. C. THEOPHANOUS** (Minister for Energy Industries and Resources) — Next thing you will be asking me about the Elgin Marbles!

This is a serious subject. The fact of the matter is that the British Prime Minister, Tony Blair, wanted an emissions trading scheme; he wanted the Americans to sign on to Kyoto and to introduce emissions trading in that country; and he tried desperately for that to occur.

The Americans said, 'No, we don't care. We don't care if you are with us in Iraq; we don't care about all these other things. We will stick with the big interests in America, the big energy companies and so forth, the multinationals who don't want it; and even though you forced them to do it in Europe and in 56 per cent of the world, we will let them off scot-free in America'.

That is what took place at the G8 meeting, and we do not agree with that position. We think that America and Australia should play their role in helping to try and secure a future which is — —

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

**Information and communications technology:  
trade mission**

**Mr SCHEFFER** (Monash) — My question is to the Minister for Information and Communication Technology. Can the minister advise the house of how her recent ICT trade mission to Japan and China has helped lead the way in opening up international markets for Victorian ICT companies?

**Hon. M. R. THOMSON** (Minister for Information and Communication Technology) — I advised the house that we were in fact taking 50 individuals, representing 32 organisations, across to Japan, and I am pleased to say that it was a successful mission. I want to put on the record my thanks to the Japanese companies that assisted us before we departed and during our trip, and also by opening up their senior executives to our companies. I extend to them our great appreciation on the way we were treated while in Japan. I thank companies such as Toyota, NEC, Fujitsu, Sony, Panasonic, Nintendo, Hitachi, and Fuji Xerox for giving us an opportunity to meet with some of their most senior executives and for other support we received on the visit.

I also want to congratulate the delegates who went along on the mission, for they truly were great ambassadors of the Victorian information and communications technology (ICT) industry. We took a unique initiative this time around by actually taking four individual clusters with their own itineraries across to Japan, which was a pretty difficult logistical exercise, but it was very successful. My own itinerary had me following varying clusters at varying stages, to be there with them for strategic meetings along the way.

We are expecting some really good outcomes from this trade mission. I am confident that the companies who have made contacts with potential businesses will follow those through. In fact, already one e-learning company has signed a deal with the Japanese Waseda University Etech group, which has undertaken a joint e-learning research and development project within Tokyo's primary and secondary schools.

This is an ambitious international project that will deploy Etech's cutting edge e-learning platform, Studywiz, into one of the world's largest markets. It is a key opportunity for this company and demonstrates how well we believe the ICT industry can be integrated into the global market. This is the aim of the Bracks governments ICT agenda — to actually participate in the global market and show our innovation, and demonstrate the opportunity for Victorian companies to compete on the global stage.

Whilst I was in China we were able to meet with the Jiangsu government and also representatives of the Beijing government in the area of ICT. We are looking at forging opportunities for greater ties in the area of ICT. We took the time to meet with a few companies while we were there, to look at opportunities for our ICT companies as well as their opportunities here in Victoria. We are looking to ensure that there are closer ties between the Jiangsu government and our ICT industry here in Victoria, and we are looking forward to that relationship developing into real business opportunities for our companies within China. There is no doubt that this is one industry that is truly global, and the Bracks government is working with the industry to ensure it is ready to compete.

### **Gas: Creswick supply**

**Ms HADDEN** (Ballarat) — My question is to the Minister for Energy Industries and Resources. As the minister is aware, the government's natural gas extension program is now getting slowly — very slowly! — under way at Creswick, when it was promised by the Premier three winters ago. The government and TXU's jointly published glossy

brochure entitled 'We're bringing natural gas to Creswick' was sent out to all residents in April and shows that the gas rollout will go to less than 60 per cent of Creswick families. Will the minister explain why the government's promised natural gas extension program to Creswick will discriminate against more than 40 per cent of Creswick's families?

**Hon. T. C. THEOPHANOUS** (Minister for Energy Industries and Resources) — Let me first of all say that this gas extension program is one of which the government is very proud. As part of our social responsibilities and as part of the goals of this government to grow the whole of the state, we recognised that there was a need to try to get natural gas into regional Victoria in so far as that was possible.

We therefore set aside \$70 million for a significant program, one of the biggest infrastructure programs that had occurred for regional Victoria in decades, and we set about a pristine process in order to identify the best value for money that could be achieved in terms of that particular program. We have identified 29 towns that will be connected as a result of the program, and of course Creswick is one of those towns that has been identified. In fact I can indicate that about 3 kilometres of reticulation mains have already been constructed in Creswick and that the first connections are expected in mid 2006, with stage 1 of the rollout to be completed in December 2006.

Some 1300 residential and commercial customers will benefit as a result of the rollout. I would think this has received a great deal of support and encouragement from the local council and Labor Party members representing that area. All of these people have supported the government in this program. This is a question of ensuring that we get the best value for money and reach the most residents we can in regional Victoria. Those areas of Creswick that have been identified will receive those connections during the course of next year. In other areas of regional Victoria where we have not been able to achieve coverage through this program, Regional Development Victoria has looked at other alternatives to natural gas, such as liquefied natural gas, that might be appropriate to those particular areas.

I again emphasise to honourable members that we are talking about savings to people in regional Victoria of up to \$1200 for residents and businesses. If you do the sums on 1300 residents in the Creswick region, it is a significant number of residents who will have a lot of dollars in their pockets as a result of the actions of this government.

*Supplementary question*

**Ms HADDEN** (Ballarat) — I thank the minister for that answer, but I must say that his sums are not right. I would like to brief him on it, perhaps at a later stage, given that I have had intimate involvement with this project since February 2000. I am well aware of how many households will not be connected. Given the minister's answer, will he explain why natural gas will be provided to 100 per cent of families at Woodend but to less than 60 per cent of families at Creswick?

**Hon. T. C. THEOPHANOUS** (Minister for Energy Industries and Resources) — I object to members who come in here and try to pit one country Victorian against another country Victorian. The fact of the matter is that we treat all country Victorians equally by identifying the maximum number of country Victorians we can reach through this program. We identify alternative programs that can be used. If you want to add a bit more than that, over the life of this government we have spent \$320 million in subsidising electricity prices in country Victoria because of the mess that was left to us by the previous government.

**Sport and recreation: participation**

**Mr VINEY** (Chelsea) — My question is directed to the Minister for Sport and Recreation. I ask the minister to highlight to the house how the Bracks government is making Victoria a great place to raise a family with initiatives aimed at improving the health and wellbeing of Victorian families and groups that are currently underrepresented in terms of physical active participation?

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I welcome the member's question and his particular interest in this area of getting more Victorians more active. Recently I had the good fortune to be in Ballarat and Bendigo to make a number of announcements on programs related to the Go for Your Life campaign. In Ballarat I announced \$400 000 for the Active Families project, an investment that will get sole parents with young children more active. Research indicates single parents and their children often find it difficult to engage in physical or community activities due to the lack of support or lack of transport, or due to cost or social isolation.

In conjunction with the Victorian YMCA this project will be rolled out in Ballarat, and in the member's local area at Frankston. It is pleasing to note that this project will get parents and children more active in a number of ways: by providing access to child care so that parents can take part in regular physical activity; by

encouraging family activities that allow joint play, such as cycling; and by encouraging events with other families to help participating families get involved with their communities. All up it will help not only the physical activity and wellbeing of the families but also the wellbeing of the community.

In Bendigo I announced 15 Go for Your Life physical activity grants, the first phase of these sports participation grants. By way of example, the programs and projects funded include Tai Chi for deaf people, seated exercise and strength training for older people and introducing cricket to ethnic communities. This is a great way to target communities that are underrepresented in terms of physical activity and participation. They run alongside a number of other programs that we have previously announced, such as the \$400 000 to support the Fun 'n Healthy in Moreland project, which is a groundbreaking study into the health and wellbeing of primary school students; \$540 000 to RecLink Australia to increase involvement in physical activity of people of all ages experiencing disadvantage in Victoria; as well as \$300 000 in community walking grants and \$1.2 million in funding to Kinect Australia, formerly VicFit, to continue and expand the physical activity infoline and disseminate best practice information to physical activity providers. All round this is a great set of programs that are being rolled out in the Go for Your Life initiative. This is about improving the health and wellbeing of all Victorians and in particular making Victoria a great place to raise a family.

**QUESTIONS ON NOTICE**

**Answers**

**Mr LENDERS** (Minister for Finance) — I have answers to the following questions on notice: 1722, 1723, 1755, 1866, 1871, 3677, 3678, 4080, 4145, 4170, 4289, 4291, 4293, 4294, 4350, 4654, 4868, 4892–95.

**Hon. ANDREA COOTE** (Monash) — Since November last year I have been asking the Minister for the Arts in another place for answers to questions on notice. I have written to her on several occasions asking her to answer my questions. I still have not had one answer — not one. I have asked more than 50 questions and have not received any answers. I am pleased to get answers back from the Minister for Aged Care, but I certainly have had absolutely none from the Minister for the Arts. Could the minister follow it up as a matter of course?

**Mr LENDERS** (Minister for Finance) — I will pass on the Deputy Leader of the Opposition's request to the Minister for Commonwealth Games, who represents the Minister for the Arts in this place.

## HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

*Second reading*

### Debate resumed.

**Hon. D. K. DRUM** (North Western) — I take great pleasure in rising on behalf of The Nationals to contribute to the Health Legislation (Miscellaneous Amendments) Bill. From the outset we are happy to acknowledge that we will not be opposing this bill and eagerly look forward to the proposed amendment in the committee stage to see how we will adjudicate on that amendment. The purpose of the bill is to amend the Cemeteries and Crematoria Act, the Health Services Act, the Mental Health Act and the Veterinary Practice Act. The second-reading speech of this bill points out a whole range of different acts that will effectively be amended by this legislation, and I will not bother to read their titles into the record because they are in the speech.

Clause 3 of the bill will allow the Secretary of the Department of Human Services to declare that some cemetery trusts will be able to exempt their fees from the statutory universal consumer price index (CPI) increase brought in by the government. When the government introduced this legislation into the house last year it did not envisage that there were going to be so many statutory organisations caught up in the lack of flexibility in the legislation, and some cemetery trusts have been caught up in it. The universal CPI increase rules are less than 12 months old and have already proved unworkable in a practical sense. Quite a few cemetery trusts may not have made pricing adjustments for 5 to 10 years but were in the process of increasing their prices to a more financially feasible level when they were hit by the universal CPI increase rules. They had to freeze their fees and were only allowed CPI increases from then onwards. Obviously that left them so far behind the eight ball they never had a chance to catch up and operate on a financially viable basis.

Now that there is a review in progress these cemetery trusts will be able to look at their pricing structures and at their various charges and fees and set them at a more competitive, even and fair pricing structure. Once the cemetery trust fees have been set at the right level, they can lock back into having no greater than CPI increases

in the foreseeable future. It did not take long for this aspect of the government's universal CPI increases to force legislative changes, and hopefully there are not too many other bodies that will be caught up in a similar situation.

Clause 4 will allow the coroner to make orders for interments and cremations, and we think that is a sensible amendment. Also the coroner can order a cemetery trust to pay for the burial of a poor person, commonly known as a pauper. This again is an area that is causing some grief in some regional areas with some of the smaller cemetery trusts that possibly only do two, three or four interments for the year. If they are forced by a coroner to provide a burial free of cost or charge, that could effectively cause a crisis for them. They are simply not going to be able to afford the financial impost of having to pay for one, let alone two or three poor persons' burials.

The Nationals believe that there should be a state government fund put aside to cater for the burial of people who have no means of paying for their own burial, or people who have no support, no relatives and nobody within their estate or close structure who could pay for the burials for them. That throws the responsibility on the Crown instead of the Crown throwing that responsibility back on the cemetery trusts. Many of them are simply unable to meet that cost.

One of the other aspects of the bill will add a requirement for an exhumation licence to be accompanied by special documentation. That documentation will be identical to the documentation that is already required when making an application to inter a body and bodily remains. We agree with that aspect of the bill.

This bill amends the Health Services Act as it relates to the composition of Health Purchasing Victoria. HPV is currently made up of 10 persons. Clause 14 points to a whole set of changes that have been made to the composition of HPV. We are not happy that currently there are two people, each of whom is employed by a rural public health hospital, and one of them must be a chief executive officer (CEO). In moving away from that it will simply be a CEO of either a rural public hospital or of a regional public health service who will be the mandatory regional representative on HPV.

We do not understand why this aspect of the bill is needed. It was working quite well with two people representing rural Victoria. We do not understand why there needs to be a change in this regard, especially when this aspect of the bill will increase the number of representatives on HPV from 10 to 12. It is not as

though HPV is facing a reduction in its numbers, so why will we lose one of our regional representatives? There is to be an increase in numbers and yet rural Victoria is losing its representation in this area. We have some concerns about that.

Health Purchasing Victoria is responsible for the bulk ordering of many of the items and goods that are needed to enable hospitals right around Victoria to operate effectively and in a financially viable manner. We need to make sure that a certain percentage of those goods, if possible, can be ordered and obtained through regional Victoria. We also need to know that regional Victoria's needs are going to be fully represented when it comes to that purchasing body. We hope this move does not diminish the importance that HPV places on dealing with regional Victoria.

There will be an increase in the maximum number of people with the skills, knowledge and experience relevant to the functions of HPV from 10 to 12. We acknowledge that that is a good thing. It will create a little bit more flexibility in the composition of HPV and will enable it to seek people with the skills and knowledge that will best suit its needs.

Board members of a public health service will be able to remain on the board until they have served nine consecutive years, which will work out to be three three-year terms. This is an extension of the time board members are allowed to serve. With the exception of a few who were pointed out in the debate before lunch, we think the vast majority of people serving on public health service boards are well credentialled and have integrity within the industry and the community. However, I have some concerns about the moneys that are paid to board members. It has only recently come to my attention that board members at some of the major hospitals in regional Victoria are being paid fees commensurate with those of city councillors. When you compare the work loads and the responsibilities — —

**Mr Viney** — Come on!

**Hon. D. K. DRUM** — I am serious, Mr Viney. Being a member of the board of a major regional hospital is nowhere near the commitment necessary to be a councillor of a major regional city and yet the fees paid are not that dissimilar. We have a concern there. However, the vast majority — I would say all in my experience — of the people involved in the boards in the regional areas I deal with are people of tremendous integrity. They work hard and cooperatively and deserve the opportunity to stay on those boards for an extended period of time.

The issue causing The Nationals the most concern is the extension of the reporting dates. We expect all of the major health services and some of the smaller health services to get their books in order by the present deadline. They currently have four months from when the financial year finishes on 30 June to tidy up their books and get them done by their internal accounting people. They may need to take the books off and get them audited by a local accounting firm or bring people in to go over them so they can then be presented to the Auditor-General who has to process their applications. I know the Auditor-General has been blamed for taking extended periods of time to process these accounts but they have four months to get this done. Each of the health services has four months to do its bookwork, get it audited and have it before Parliament and its own committee, in that order. It is seen as a courtesy to the Parliament that these health services — which are funded by the Parliament — make their financial accounts available to the Parliament before they present them to their respective communities at their annual general meetings. That is the way it has always been and the way it should continue into the future.

The government says there is a strong push from within the industry for a two-month extension. This means we will be allowing these health services six months to get their books in order. This will create a problem for many of the communities. Smaller communities in particular have very strong ownership of their local hospitals. They have a genuine interest in the financial status of each of their health services and they look forward to going along to the annual general meetings. They have most likely been involved in some form of fundraising throughout the course of the year. That is the way it works in regional Victoria and some of the smaller communities — so many of the people within the towns and rural cities of Victoria play a huge role in the fundraising aspects of their local hospitals. They therefore look forward to going along to the annual general meeting in about October once the books have been signed off by the Auditor-General and presented to Parliament.

Many communities will not be happy about a two-month extension on the existing time frame and this process being extended well and truly past Christmas. To back these statements up I refer to a letter we have received from the chief executive of the Western District Health Service at Hamilton, Jim Fletcher. The letter was obtained by the *Age*. It states:

I do not support the extension of annual meetings from the current 31 October to 31 December as, in my view, the annual meeting is about reporting back to your community in a timely manner.

Annual meetings held after October, and particularly towards the end of November and December, become irrelevant due to the passage of time and I believe community interest would wane.

We certainly agree with that chief executive. We believe that will be the case right around country Victoria and in some of the major city hospitals around Melbourne. People's interest will wane and there will be a certain sense of irrelevance if what is being announced in January or February happened some 12 or 18 months ago.

**Hon. E. G. Stoney** — Acting President, I draw your attention to the state of the house.

#### **Quorum formed.**

**Hon. D. K. DRUM** — Our genuine concerns have been backed up by the industry. This change is totally unnecessary. It will create an opportunity for the government to hide. There is very little doubt about that in the minds of The Nationals members. The government will be in a position to hide unsavoury hospital financial situations in the lead-up to an election. Prior to the last election we had an enormous amount of trouble getting the facts and figures about the financial situations of hospitals out to the public so the people of Victoria could make an informed decision when heading to the polling booths.

Certainly this legislative change is also going to create that situation. The same issue is going to arise every four years. Whenever we have an election this is going to be a problem because for that particular year it is going to be very easy for a government to make sure that the figures for the whole health system throughout Victoria do not go before the people of Victoria. This will happen in each of the election years, with elections being held in or around late November. This part of the legislation is embedding a problem that will create secrecy and a lack of transparency. There will be a lot of confusion for the people of Victoria every four years when these reporting procedures coincide with the general election and the proroguing of Parliament.

Clause 16 of the bill will enable a registered medical practitioner or a mental health practitioner to make an involuntary treatment order. Obviously this is quite an interesting aspect of the bill. The guidelines around that give us comfort because as is stated in new section 12(1)(b), which is substituted by clause 16, for that to happen a registered medical practitioner employed by an approved mental health service or a mental health practitioner will have assessed the person in accordance with the request and recommendation. New section 12(2) provides that the medical

practitioner must take the person, or arrange for the person to be taken, to an appropriate approved mental health service. It again gives us comfort that that is laid out in the bill along with new section 12(5), which provides that the practitioner must notify the authorised psychiatrist of the appropriate approved mental health service as soon as practicable. We think that gives us a genuine amount of comfort with that medical practitioner being able to make an involuntary treatment order.

There are also aspects of the bill that will allow a team of multidisciplinary medical practitioners to act as a treating team. They will be able to discuss a patient's treatment plan laid out in front of them with the patient, effectively giving patients a certain amount of comfort. It will not be a piecemeal approach. The whole treatment plan will be laid out as a collective to the patients, and we support that part of the legislation.

A provision in the bill will also allow deputy board members to continue to hold office if required for a period not exceeding three months beyond the date of expiration of their term of appointment. We also think that that is a commonsense provision because many chairpersons and deputy chairpersons of boards have duties on various investigative and standing committees which run on past their contracted term of appointment. We think it is only commonsense to enable those inquiries to reach their natural conclusion before a board member has to step down due to the termination of their appointment period, and we support that part of the legislation. We certainly have a few concerns about it, and we have made those very clear.

We also have some very strong concerns about the aspect that was spoken about earlier in the debate, where a public health service or a denominational hospital will not have to include any matters that are part of the statement of priorities when it is entering into a new health service agreement. This has been put forward by the government as a way of stopping duplication. The Nationals are all for ceasing the duplication of the workplace forms and the red tape which tend to cripple private enterprise in this state, and which I am sure are clogging up our public services as well. We all support the cessation of duplication wherever it can be proven that it is pointless and needless. This process, however, has only been in place for approximately 12 months. There is no way we can say that the statement of priorities system that is operating throughout the public health system is working well or otherwise. It has not been running long enough; it has not been in place long enough for us to prove its worth or its non-worth.

We have some serious concerns about now saying that if something is in the statement of priorities of the public health service it no longer needs to be added into the health service agreement. We think that it is hasty and not necessary as yet. If after two or three years at a minimum it has been working in a fashion that has proven that each of the elements or key performance indicators listed in the statement of priorities have been achieved, it has been able to work on a financial basis and has delivered the services to the people, all of the aspects that are attempted to be covered in a statement of priorities have been covered, and the government is happy with the way it is working, then and only then — after all that has been proven to be working well — should we look at taking these items and these issues out of the health service agreement. That cannot be argued to be happening after only 12 months.

One of the other aspects I would like to take the liberty of speaking on as lead speaker for The Nationals is the financial situation in some of our smaller hospitals, and in particular in our bush nursing centres. These centres operate in over a dozen areas of regional Victoria, and they really work on a shoestring budget and do tremendously good work for the small communities they represent.

More importantly, they save the government tens of thousands of dollars in keeping people out of the major hospitals by allowing them to go home early because they are able to call around and visit them, offering a service no other health service in regional areas will be able to offer. The prevention programs that the bush nursing centres offer are also certainly keeping people out of hospital. The bush nurses also go to schools and offer education programs. It is amazing. They are saving the state an enormous amount of money, yet we find that nearly each and every one of our bush nursing centres around regional Victoria is literally struggling to pay its way. They are underfunded to a large extent.

There are things that we in the public service and as parliamentarians take for granted, such as the changeover of our cars, and yet this is a cause for enormous concern for the bush nursing service. The government has made no provision for any of the bush nursing centres to change over their cars. We consider it to be a mandatory expense that is obviously factored in somewhere in the financial arrangements, but that is not the case with bush nursing centres throughout this state. Bush nursing centres do an enormous amount of good for the community through assisting with social wellbeing and through the financial savings they make for the health system in general. We should be making it a priority to fund bush nursing centres in an appropriate manner that will enable them to do such

mundane things as change their cars over at the appropriate stage. That certainly is not being done at the moment. The Department of Human Services has to take a serious look at it. It has to go out and work closely with our smaller hospitals and bush nursing centres to ensure that some of their more basic needs are met so that they can continue to service the needs of rural and regional Victorians.

The Nationals do not oppose this legislation. We find that many aspects of it make commonsense. We have some issues with the ability now of the major health services to hide their financial situations in the run-up to the election. We find that to be totally against the promises made by this government when it was in opposition — that is, that it was going to create a transparent government if it was given the opportunity. We also have serious concerns about leaving out matters that are listed in the statement of priorities when formulating a new health service agreement.

**Mr VINEY (Chelsea)** — I am very pleased to rise this afternoon to support the Health Legislation (Miscellaneous Amendments) Bill. It will help to ensure the effectiveness of recent legislative changes made to the Mental Health Act and the regulation of cemeteries and crematoria. It is an omnibus bill. It proposes to amend the Cemeteries and Crematoria Act 2003, the Health Services Act 1988 and the Mental Health Act 1986. It also makes some changes to a number of the health practitioner regulation acts and the Veterinary Practice Act 1997.

In rising after members of the opposition have spoken on this bill, I take the opportunity to pick up a couple of the issues they raised. Firstly, I pick up on some of the issues raised by the Honourable David Davis in the debate prior to lunch. It has become something of a habit in this chamber for Mr Davis, as I have pointed out before on a number of occasions, to be the lead conspiracy theorist of the Victorian Parliament. In his contribution today members heard unsubstantiated allegations of mismanagement in our hospital system and allegations of conspiracy theories about cover-ups, with no substance to the allegations other than the member's own views.

Members heard his continuous and absolutely appalling smear of public servants in relation to the Sale hospital. He made allegations about a particular public servant that have never been supported by the local members of Parliament for that region. The allegations have never been put forward by Mr Ryan, the member for Gippsland South in the other place, or by Mr Hall or the Honourable Philip Davis. The allegations smearing this particular public servant have never been supported by

others in the opposition. It is the Honourable David Davis's speciality to come in here and use parliamentary privilege — cowards' castle — to attack public servants. When you also consider his great conspiracy theories, I feel sorry for any public servant who at any time in the future might be working under an administration that he is a minister of, given that he is a shadow minister. God help Victoria as well!

Let us understand the kind of person who comes into this place and runs out these theories. It is a person who makes smears and allegations and promotes conspiracy theories without any substance — and who admits in the chamber that there is nothing to substantiate them. He then moves on to raise matters in this chamber that are sub judice in relation to charges that have been laid against a particular person. As a person who has been here since 1996 — nearly 10 years — he knows well that that is a completely inappropriate thing to do. It took the President, who was listening to the debate in her rooms, to come in here and pull him back to order on that disgraceful display. Every member of this place knows that you do not use this chamber to raise matters for your own political benefit that are sub judice, and in particular criminal matters.

**Hon. D. McL. Davis** — You are just very sensitive.

**Mr VINEY** — I have no sensitivity about it, Mr Davis. I tell you that it is you and your side who have never demonstrated any respect for these processes — —

**The ACTING PRESIDENT**

**(Hon. R. H. Bowden)** — Order! Members should address their comments through the Chair.

**Mr VINEY** — It is Mr Davis who has been completely embarrassed by his appalling presentation of the debate here today.

**Hon. Andrea Coote** — On a point of order, Acting President, I believe this is not even close to the bill. It is a personal attack on Mr Davis and his approach in this place. I ask you to call the member back to the bill.

**Mr VINEY** — On the point of order, Acting President, I am responding to matters directly raised by Mr Davis in this debate. I have outlined to the house the issues in relation to the bill. Mr Davis raised matters in this debate. As the lead speaker he was given latitude to raise some matters, and I am taking the opportunity, as the first government speaker in response, to respond to the matters he raised.

**The ACTING PRESIDENT**

**(Hon. R. H. Bowden)** — Order! It is a wide-ranging

debate and Mr Viney is commenting on comments that have already been made by a previous member. However, I think he is labouring the point. I suggest that he return to the main thrust of the debate. There is no point of order.

**Hon. D. McL. Davis** — On a point of order, Acting President, I find it interesting in this case that the President would rule that I was unable to raise certain matters. I was criticised by Mr Viney as he raised his point of order, yet he seeks to — I presume in rebuttal and out of sensitivity — raise the same matters. I ask you to rule those issues out of order as a matter of consistency.

**The ACTING PRESIDENT**

**(Hon. R. H. Bowden)** — Order! I have listened carefully to the point raised by Mr Davis, but on balance I think he is debating the matter at this stage. I have already ruled that there is no point of order. Mr Viney to continue.

**Mr VINEY** — In relation to a number of matters raised by Mr Davis about the particular clause that deals with annual financial reports — —

**Hon. Bill Forwood** — Clause 8.

**Mr VINEY** — Clause 8, thank you. In relation to the clause, which deals with hospital annual reports, I wish to assure Mr Davis that his conspiracy theories are again completely unfounded. These provisions about ensuring that there is adequate time for Parliament to receive the annual reports of hospitals are important and give a courtesy to the Parliament by ensuring it receives them before they are made publicly available. There is no conspiracy in relation to trying to cover up or in any way hide the reporting processes of hospitals.

I appreciate the indication of support for the legislation by Mr Drum on behalf of The Nationals, but I feel it is important to pick up the very important point that Mr Drum raised in relation to the payment of chairs and members of hospital boards. On coming to government — and I am aware of this as I was the parliamentary secretary at the time — this government halved the amount of money received by board chairs and members of committees for their services. As a person who encouraged people to apply for and fielded questions about hospital board positions, I had to assure people that while there would be a reduction in the amount they were paid, the government believed that there was a degree of community service involved and appreciated the willingness of people to demonstrate that level of community service.

I reiterate the government's view that we are very grateful for the considerable work that both paid and unpaid members of hospital boards put in because in many of the hospital boards around the state there is no payment either for the chair or the board members. Certainly that is so for small country hospitals, and even in metropolitan hospitals the figures are really quite modest.

Whilst Mr Drum made some comparisons to local councils, that is less than local councillors receive, and members should remember that the work these people do in managing hospital boards is enormous. They are involved in regular meetings of hospital boards and of numerous subcommittees, in representing the boards, in listening to concerns and in dealing with government departments. And in many cases they are managing huge budgets — much larger than a local council budget, in some cases half a billion dollars; and in many cases, well over \$100 million.

**Hon. D. K. Drum** interjected.

**Mr VINEY** — Councillors have paid staff, too, Mr Drum. I do not think your comparison was reasonable, and I do not think you intended it that way, but it is important to demonstrate in this debate that from our perspective we have absolute respect for the work that people on hospital boards do, whether they are in a paid or an unpaid position.

I am running short of time, after dealing with rebuttals and points of order, to actually deal with the important points. But I wanted to raise some issues in regard to the Mental Health Act. Whilst there are some important changes in this legislation to the Mental Health Act, I wanted to emphasise that this government under the Fairer Victoria social policy has injected \$180.3 million extra into our mental health system. This is typical of the kind of massive reinvestment into the hospital system that this government has made since it was elected in 1999, putting \$2.4 billion into rebuilding the hospital system in Victoria, employing over 5000 additional nurses and putting in the current budget a massive boost to hospital emergency departments with a \$30 million blitz on elective surgery.

That is on top of some of the exceptional things we have done on a case-by-case basis — Melbourne's first new suburban public hospital in over 20 years at Casey; saving the Austin from privatisation and then completely rebuilding it and adding the Mercy into the mix; and rebuilding country hospitals in Kyneton, Stawell, Ararat, Geelong and Ballarat. This government has rebuilt suburban hospitals at Maroondah, Angliss, Northern, Sunshine and Dandenong. And I will proudly

say that it put a \$20 million 100-bed redevelopment into Frankston as part of Peninsula Health services. That was at a time when the Kennett government was denying any problem with the number of beds at Frankston Hospital.

This government has not only done that but reinvested in our ambulance services. We have put in hundreds of paramedics and rebuilt or provided new ambulance stations at 15 different locations. We have put two-officer crewing across Victoria. We have put in advanced life support skills training. This is a government that has massively reinvested in our health system. At the same time we have put in place arrangements for the management of our hospital system, reduced the large networks and put in place community-based and community-focused local hospital boards. At the same time we have put in place the appropriate financial management systems to make sure that our hospital system is managed well.

It is no good Mr Davis coming in here and making the kinds of allegations that he did today — attacking public servants, attacking the Royal Melbourne Hospital, attacking other people who may have matters before the courts; he came here with a whole series of conspiracy theories about this government. The people of Victoria remember that when the other side was in office it sacked nurses, closed hospitals and tried to privatise the system; it very nearly destroyed the ambulance system. This government has reinvested in it. We have employed nurses and have rebuilt the health system. I commend the legislation.

**Hon. KAYE DARVENIZA** (Melbourne West) — I am pleased to rise to make a contribution to this debate and to support the bill. I must too say how disappointing it is to have a debate like this and have to listen to the Honourable David Davis bringing his grubby tactics into the house.

**Mr Lenders** — McCarthyist!

**Hon. KAYE DARVENIZA** — I think you're right, Mr Lenders. Mr Davis has made unsubstantiated allegations. He is using the privilege of being a parliamentarian to make those allegations in Parliament. He is not going outside and making these allegations. He is bringing allegations against public servants as well as putting forward a range of conspiracy theories. It is very disappointing to have debate on a bill like this, which deals with very important issues in our health services — whether they be mental health services, health boards, the Health Services Act or the Cemeteries and Crematoria Act.

This bill covers quite a lot of areas and it amends a number of pieces of legislation, including the Mental Health Act as it relates to involuntary treatment orders (ITOs), treatment plans and leave for security patients. This is an area I want to talk about in my contribution, given my background in mental health services and work as a mental health nurse for many years.

The bill makes some minor housekeeping amendments to the Health Services Act to improve the administration of the act. It also makes minor amendments to 11 acts dealing with the registration of health practitioners to improve the functioning of the registration boards. Again, this is an area I want to speak about, given that I was a representative for many years on what is now the Nurses Board of Victoria. The bill also makes minor amendments to the Cemeteries and Crematoria Act to improve its efficiency, and these come into effect on 1 July 2005.

The amendments in this bill are really about improving our mental health services. I am proud to say that the Bracks Labor government has invested a lot of effort into putting funds and policies in place to improve mental health services. I know what our mental health services were like when those on the other side of the house — like Mr Davis — were in government, and the kinds of changes they made to our mental health services. Their changes were about ripping the guts out of our mental health services. It was all about closing beds, sacking nurses and giving them departure packages. It was about making our community sector smaller and ensuring that not only the jobs of nurses but also of other allied health professionals who worked in the mental health area were done away with, and it was about beds and services being significantly reduced. Instead of coming in here and being critical of the amendments in this bill, Mr Davis should be wholeheartedly supporting them, because they will bring about real improvements to our mental health services and build on many of the achievements the government has already managed.

These amendments really will make life much easier in a practical sense for practitioners who work in the mental health area — for instance, one of the amendments will allow security patients to be granted up to a maximum of seven days special leave for medical treatment. There are security patients under the care of mental health services who are not able to have the seven days leave for medical treatment that is granted to forensic patients under the Crimes (Mental Impairment and Unfitness to be Tried) Act. At present patients who are deemed to be security patients only get 24 hours leave, so if a patient needs specialist medical treatment, the paperwork has to be done again every

24 hours. If the paperwork is not done, the result is a security patient who is away from a mental health facility and in a public or private facility. This creates all sorts of difficulties in respect of a patient who needs special leave to receive specialist medical treatment that would not ordinarily be available within our mental health services. The amendments in this bill will result in that paperwork being reduced. It will reduce the complexities involved in having nurses and doctors, who are responsible for security patients, filling in applications every 24 hours.

The amendments within this bill will enable mental health practitioners and registered medical practitioners to make involuntary treatment orders in either a community or a hospital setting, and life will be made much easier and treatment more streamlined when practitioners do that. The amendments to the Mental Health Act in 2003 inadvertently restricted the existing clinical practice of mental health practitioners — that is, registered nurses, registered psychologists, social workers, occupational therapist and medical practitioners — by linking the powers to make an ITO to the location where it was made, whether it was made in a hospital setting or in the community.

These amendments before us today will ensure that operations are improved so that practitioners will be able, in consultation with an authorised psychiatrist, to release a person subject to an ITO into the community pending a statutory review of their status. This will improve the operation of hospital emergency departments in particular by reducing the unnecessary detention of patients in a treatment setting rather than in the community, where we would like to see them treated. It will enable each member of the patient's treating team to deliver and discuss treatment plans with the patient. At the moment that is restricted to the authorised psychiatrist. Given that there is only a small number of authorised psychiatrists relative to the other treatment staff who make up the team, whether they be nurses, case managers or other mental health professionals, this amendment means that this unnecessary restriction is removed.

On the ground I know these sorts of amendments will make for much smoother and much easier treatment of patients in our mental health services, and that is what we really want to see. We want to see our health professionals delivering health care to our clients — our patients — rather than being tied up in unnecessary and restrictive paperwork. We want to see beds available for those patients who need to be treated in a hospital setting. We want to see that those who do not need that sort of setting are able to be treated by a treating team in

the community so they do not take up important hospital services when they are not needed.

I want to talk a little bit about some of the achievements in mental health which I am particularly proud of. Having worked in the health sector, particularly in the mental health sector, for many years and having seen the destruction that was brought upon our mental health service in particular and our health sector generally, it has been very pleasing to see the enormous injection of funds for restructuring and the employment of staff that the Bracks Labor government has been prepared to undertake to counter the dreadful situation that we found our hospitals in when we took government in 1999. In fact many of our networks were technically insolvent and bankrupt.

We have injected an enormous amount of funding into mental health — \$180.3 million is going to be injected over the next four years, making it the largest ever investment in Victoria's mental health services. This includes not only strengthening our hospital settings and those services that are available for inpatients but also, importantly, strengthening our community-based services. We are seeing more and more patients in the mental health sector being treated and cared for adequately in the community without their having to avail themselves of inpatient treatment. The investment includes the strengthening of community-based clinical services with \$23 million, the building of a sustainable living support service system with \$20.8 million, and increased resources for hospital and step-down mental health care with \$49 million. A major boost in capital funding of \$55.5 million includes funding for a 50-bed adult unit at Maroondah Hospital, a new child and adolescent unit at Box Hill Hospital, the relocation of Bunjil House to the Austin Hospital and the rebuilding of the West Gippsland community health and community mental health service. We have seen an extra 5700 nurses and an additional 1100 doctors being employed in Victoria. As the previous speaker, Mr Viney, pointed out, we have increased our ambulance services considerably and employed an additional 450 paramedics. So there has been a significant boost to our mental health services, and the provisions in the bill before us today will help to build on the improvements that we have already made.

As the previous government speaker, Mr Viney, pointed out, the investment in rural and regional health services has been considerable. When you think about the 12 hospitals that the previous coalition government closed during its time in government and you consider the rebuilding of the hospitals that the Bracks Labor government has initiated, you realise it is a terrific result. There have been terrific investments made to

refurbish hospitals in Kyneton, Stawell, Ararat, Geelong and Ballarat as well as the emergency departments in Geelong, Bairnsdale and Shepparton.

This is a very good bill. It amends a number of pieces of legislation. It deserves the support of all members of this chamber, and it certainly does not deserve the kind of grubby tactics that were used by Mr David Davis in his contribution to this debate, which I can only describe as disappointing but not out of character. I commend the bill to the house and wish it a speedy passage.

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**Clauses 1 and 2 agreed to.**

**Clause 3**

**Hon. D. McL. DAVIS** (East Yarra) — This clause is essentially about fees for cemetery trusts. As the minister would be aware, the government introduced legislation which allowed automatic increases in line with the consumer price index (CPI) to a whole series of charges, including charges for cemeteries and crematoriums. This clause, as I understand it, will allow the secretary to declare that some of these fees will not automatically go up. I wonder whether the minister could explain which cemeteries this will apply to. Will it apply to all cemetery and cemetery trust fees?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — The provision has been inserted in the bill to enable the secretary to apply a discretion over a range of fees of the cemeteries that may be affected by the bill. The reason why that flexibility is in place is that a major review of fees, charges, cost structures and asset bases of cemeteries is going to be undertaken within the next 12 months — as Mr Davis may or may not be aware. Whilst the government's general policy is that CPI is the building block of our approach to amending fees and charges across all sections of the public sector, the public authorities and other bodies, we are in the circumstance of making new baseline financial arrangements for cemeteries, and their fees and charges will be thoroughly evaluated and assessed within the course of the next 12 months.

We believe it may be appropriate in certain circumstances for the increases not to be of the level of CPI or beyond, and therefore we have used these

provisions to try to ensure that there is an equitable and reasonable fees and charges regime for the clients and communities that use the services of cemeteries, and to provide that degree of flexibility in determining the ongoing financial viability of all cemetery trusts across Victoria.

**Hon. D. McL. DAVIS** (East Yarra) — Can the minister outline for the committee which of these fees and charges in relation to cemeteries and crematoria the government has in mind exempting for this period? Can the minister list them or give me the actual charges?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — The reason I did not provide them in my first answer is that they could apply to any fees and charges.

**Clause agreed to; clauses 4 and 5 agreed to.**

#### Clause 6

**Hon. D. McL. DAVIS** (East Yarra) — I thank the minister for his last set of answers. Can the minister explain how this clause, which deals with exhumation licenses, will operate?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — The provisions of clause 6 in the explanation that is currently available to me would mean that any application for an exhumation licence made under section 158 of the act must be accompanied by the specified documents that are contained within the clause, which are the same documents required on application for an authorisation to inter bodily remains.

**Clause agreed to; clause 7 agreed to.**

#### Clause 8

**Hon. D. McL. DAVIS** (East Yarra) — Before I move to the amendment, I wish to ask some pertinent questions. The clause relates to health service agreements and, as the committee will be aware, the health service agreement between hospitals and health services has been the major instrument between the department and the individual service as to what they deliver and how it is delivered and for the public funds that are sent in their direction. This clause seeks to amend the Health Services Act 1988 and it says:

A health service agreement entered into by a denominational hospital or a public health service is not required to specify particulars of any matters that are, or are to be, specified in a statement of priorities that has been, or will be, agreed to or made in relation to the hospital or health service under this Act for the financial year that the health service agreement is made in respect of.

One of the opposition's concerns about this clause is that it is far from certain about the action and the functionality of these statements of priorities. I wonder if the minister might explain to me how the statement of priorities currently is intended to work, and how he sees this clause operating in the sense that there will be two instruments there, but a deletion from the health service agreement? Am I correct in assuming that? I intend to then ask some further questions.

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I think this is a totally appropriate question, so I am comfortable in working through it. Mr Davis would be aware that in recent amendments to the government's arrangements of the public health services throughout Victoria — a substantial piece of work that was the culmination of a lot of deliberate effort across the public health sector — we introduced a hierarchy of public health services that are listed in schedule 5 of the act. These are the major health service providers — the major public hospitals and the major regional services. They have moved to a new governance arrangement which includes the overall statement or the virtual memorandum of understanding or operating principles that those services enter into and provide to the Minister for Health for endorsement, and which relate to the overall strategic business and clinical outcomes being pursued by the health service as a statement of priorities.

In fact, when I read this provision in the bill I thought to myself that if a statement of priorities was in parenthesis or in bold or in capitals, then it may give some visual representation of its significance, because it is a major document that forms the understanding of the direction of those health services. In the cases of those major public health services that are listed under the act, these have effectively superseded what had been, as the member quite correctly says, the previous level of the health services agreement — what had previously been the major business and clinical objectives of those services. It is superseded as the major instrument of the relationship between those services and the minister as described under the act. That means for those services the government formed the view that it would be a duplication of effort to have health service agreements to repeat the substantive directions.

For smaller services, the health services agreement will continue to be the instrument because those bodies do not operate under the regime of a statement of priorities. That is the difference and the thinking that underpins this clear delineation within clause 8 of the bill.

**Hon. D. McL. DAVIS** (East Yarra) — I thank the minister for that explanation, which substantially confirms my understanding. I note that the statement of priorities will, in effect, functionally replace the health service agreement for those larger services, and it is for that reason that the opposition is concerned about this clause. We are still far from convinced about the reliability of the statement of priorities between the department and the individual health services as an instrument. We think we are, in a sense, holding our judgment for another period until we are certain that it will operate in the way the government intends it to operate.

In that context, I wonder if the minister might look at a statement of priorities — and I have one here from Melbourne Health on which I want to ask a question or two. The reason I ask him is because during the second-reading speech I outlined a number of concerns we had about the financial reliability of these instruments. In particular I discussed at length some of the issues for Melbourne Health in the recent period, where there has been accrued revenue accounting errors, and those errors, it seems to me, ought to have been picked up by the department.

Given that there are enormous amounts of public money going into a service like Melbourne Health and the other major organisations, I thought the minister might explain to me a number of these issues.

Page 1 of the document headed ‘Part A: strategic overview’ says:

The statement of priorities is a key accountability instrument between Melbourne Health and the Minister for Health and so to the wider public. It is an annual agreement covering the shared objectives of access, finance, quality and investment for the future.

That would largely cover the ground the minister and I have just covered in our earlier discussion. Further on that page lists ‘financial sustainability of public hospitals’ at the top of the last run of dot points. I take that to be one of the key policy objectives in the statement on priorities.

Given Melbourne Health has turned in a very bad financial result with the accrued revenue blunders to the tune of just under \$20 million, can the minister explain how this instrument operates in the case of Melbourne Health and similar health services to prevent such accounting and financial mistakes?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — Without necessarily wanting to give the committee too much information or to spend a lot of time on the financial arrangements of Melbourne

Health, from my understanding as Acting Minister for Health at a crucial time, this issue might have bubbled along in the public domain — —

**Hon. D. McL. Davis** — I thank the minister for that commitment.

**Mr GAVIN JENNINGS** — I was happy to make commitments on behalf of the government that the levels of service be maintained, notwithstanding the financial irregularities that were discovered.

I indicate that there are two prevailing issues, the most important being that the financial irregularities have a history going back a number of years in the case of this program, and the financial statements that had been audited by Melbourne Health had subsequently been audited by the Auditor-General.

The interesting circumstance that we find ourselves in is that the financial irregularities were of a very unusual formulation and were very difficult to detect, and the Auditor-General’s office had not detected them in the two previous budget periods. That is the substantive point I would like to make in terms of the auditing process. It was not because there was an absence of an auditing program either by Melbourne Health or the Auditor-General. Those accounts had been signed off.

The convergence with the issue of the health services agreement is that the government, through reforms to the health system — the legislative reforms that led to the establishment of the agreements, such as the statement of priorities — also included a range of other reforms to deal with governance and accountability arrangements of public health services. It was within that regime that the auditing requirements that have been introduced since the last passage of legislation created the accountability arrangements within Melbourne Health that flushed out these irregularities.

While Mr David Davis and other members of the community may be quite right in saying that there might be an historical convergence between the creation of the first statement of priorities and the discovery of these financial irregularities, on the evidence provided to me up to this point the governance arrangements have assisted in the identification of the accounting problems and will assist in the final resolution of those particular matters and, hopefully, the statement — —

**Hon. D. McL. Davis** — Except a larger part of the accrued revenue errors occur during this financial period.

**Mr GAVIN JENNINGS** — What I am indicating is that it was within this period covered by this statement of priorities, which you passed to me, that these irregularities were identified and were begun to be dealt with and resolved by Melbourne Health in a collaborative way with the government.

**Hon. D. McL. DAVIS** (East Yarra) — I thank the minister for that explanation and make the point that the overwhelming part of the financial irregularities appeared in the period covered by this statement of priorities. Page 8 of the document is headed ‘Financial performance’ and under the column headed ‘System-wide’ it talks about achieving an operating result sufficient to ensure financial sustainability/viability and operating surplus/deficit. Can the minister explain how that measure would apply in the case of Melbourne Health where there has been this sort of error?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — We are some time away from receiving the final financial performance of Melbourne Health for that reporting period. Obviously this is an issue that will draw attention to itself when annual reports are produced and tabled in Parliament. Obviously this is a matter of great concern to Melbourne Health, as indeed it is to the government, to meet our undertakings, particularly in relation to service provision, but also to address the ongoing financial arrangements of Melbourne Health so that it is not burdened by accumulated deficit arrangements and that it gets its financial position in order, and as much as possible in accord with what had been the agreement and the intention when this statement of priorities and the financial performance measures that are contained within them were made.

Clearly it was the intention of Melbourne Health to deliver. You do not have to be Einstein or a financial whiz kid to know that you would anticipate having a great deal of difficulties meeting projected targets, but the government continues to work with Melbourne Health in the name of ensuring that its financial position is solid and sustainable into the future.

**Hon. D. McL. DAVIS** (East Yarra) — Further to those questions, the minister might also want to comment on the system-wide indicator listed as a liquidity indicator, which has three subsections — cash balance, creditors over 60 days, and net cash flow from operating activities. My point about this financial performance matrix on this page, and a point further about this statement-of-priority document, is whether that document is intended to be applied in its current form under the clause that we are talking about — that

is, clause 8. Is this the clause that will be used next year and into the future, or will this statement of priorities be modified in any manner? We have a document that lists certain parameters; are they the parameters that are intended to form part of this financial year’s statement of priorities we are discussing and into the future?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — My assumption, and I think it is likely to ring true, is that in accordance with any annual report that we table in this Parliament produced by the health service in question, including Melbourne Health, there will be an appropriate reporting of what had been the estimate and that will be compared with the actual outcome. The basis of moving forward, just as this one had been constructed, is on the basis of the actual outcome for 2003–04 and then a projected target for 2004–05. My clear assumption would be that when the financial position of Melbourne Health is determined and when it is preparing its next statement of priorities, it will include the actual 2004–05 outcome and then proceed to produce a target for 2005–06.

**Hon. D. McL. DAVIS** (East Yarra) — Part C of attachment 1 of the document is headed ‘Melbourne Health risk management: framework 2004–05’. It forms part of the statement of priorities for that year. It talks about Melbourne Health, accreditation, objectives and the context of risk management, the Australian and New Zealand standards and a number of issues including, and I am now referring to the bottom couple of paragraphs on page 13:

The process described above is supported by the use of database known as a Risk Register.

The risk register is a management tool used to document, evaluate and compare risks identified, the actions taken to reduce the level of risk and manage the ongoing monitoring of all identified risks. It enables comparison of each risk against evaluated priorities established due to the likelihood and consequence of the risk if it occurred. Scoring of each risk using an objective ‘risk assessment tool’ is key as all risks are stratified in a consistent manner enabling a balanced and non-biased review process ensuring objectivity and transparency of decision making and resource allocation.

Page 14 contains details of risk management processes and talks about risk identification. It states:

Risk identification seeks to recognise situations or issues that may lead to losses or harm. It should be systematic or ongoing to ensure all risks are identified and managed so that harm does not occur.

Mechanisms are used to identify risk assessments and processes and tasks for areas of concern include environmental ...

It goes on with a long list.

Page 15 has a chart, which has the heading 'Diagram — comprehensive risk management framework'. I am curious to know with respect to Melbourne Health how this financial risk issue was dealt with. Financial risk was one of the key boxes to be seen in the centre of the chart on page 15. Could the minister explain the mechanisms that operate to prevent that financial risk under the comprehensive risk management framework and indicate where it went wrong?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I do not mean to trivialise this matter by saying one of the arrows broke down, but clearly that may have been the case. I think Mr Davis and most members of the committee would appreciate that I try to be as helpful as possible and probably go through as much detail as I possibly can.

**Hon. D. McL. Davis** — That is true.

**Mr GAVIN JENNINGS** — I am very happy to try to make a connection between the risk management process and the provisions of the statement of priorities, which is the link in this committee stage between the document we are discussing, the process and the financial irregularities, and the clause we are actually discussing.

In terms of providing the specific answer about what aspect of what is a very elaborate risk management process that is outlined within this document — —

**Hon. D. McL. Davis** — Barry Jones would be proud of this.

**Mr GAVIN JENNINGS** — Well, it is in the early stages of the development of the statement of priorities. I think in his preamble Mr Davis expressed some degree of scepticism for his party in relation to whether it is an appropriate instrument, whether it is actually described in the best way and whether it is the best accountability mechanism. He acknowledges that these are the formative ones, these are the first cabs off the rank to develop what the appropriate level of detail and arrangements may be within the statement of priorities.

It may well be that whilst Melbourne Health has actually provided perhaps an elaborate level of detail about risk management within its statement of priorities, perhaps the minister and the public health body should have a discussion about what is the appropriate level of detail to be provided or the appropriate degree of coverage for these types of frameworks.

Unfortunately Melbourne Health has gone into great detail about a matter that it is now currently somewhat embarrassed about, and we all acknowledge from our various vantage points that we are supportive of Melbourne Health restoring confidence in not only its financial management but also its clinical services, most importantly to its community. I would be adding salt to a very large wound if I was to speculate in any great detail the individual failings of the system because in fact I would only be speculating.

**The CHAIR** — Order! At this juncture I make the comment that we have moved from talking about clause 8 to considering the statement of priorities of one particular health service in some level of detail. As an example that is okay, but I draw the attention of Mr Davis to the fact that the Chair has been completely excluded from this exchange and from following the arrows and the boxes and whatever is in the document being considered by the minister and Mr Davis.

It would be some measure of courtesy in the future to make sure that, if the member is going to look in more depth at a particular document, there should also be a copy available for the Chair or perhaps the Chair should have been alerted to the possibility of this discussion before the committee stage began.

**Hon. D. McL. DAVIS** (East Yarra) — I accept those comments and say that a copy has now been provided to the Chair, which will assist.

**The CHAIR** — Order! Are we still on clause 8?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I would like to add my apologies to the Chair before we move on with the discussion.

**The CHAIR** — Order! I accept the apologies all round. Does Mr Davis have anything further on clause 8?

**Hon. D. McL. DAVIS** (East Yarra) — Indeed. I want to ask the minister about the measures that are in the statement of priorities. Does the government have any intention of reducing the number of measures, increasing the number of measures or changing the measures and reporting mechanisms? I accept that there is variation between health services because they have their own peculiarities, their own needs and their own situations. I am curious to know if there is some standard list of inclusions for a statement of priorities. I am looking for some guidance in respect to clause 8, in effect, and to what will be incorporated in a statement of priorities as a matter of course.

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I have been encouraged to read from the Health Services Act. I will not do that, but section 65ZFB, headed ‘Content of statement of priorities’, outlines what areas are mandatory within the statement of priorities. They are the minimum requirements by statute. In practice, levels of understanding will be reached between the Department of Human Services, the minister and those health services about the appropriate scope of those documents over time. Obviously those health services will be responsive to the aspirations of the communities they serve. From time to time they will add items that may be of particular interest to their client base and their community, so they will go beyond the minimum requirements as set out in the act. It is our intention that not only will these statements be an important accountability instrument between the health service and the minister but they will also be an accountability instrument for the community. As members would understand, these documents are available for scrutiny by the public. The government hopes that over time these documents will be more deeply scrutinised in the communities served by these health services and be more a public accountability instrument than has been the case in the past.

**Hon. D. McL. DAVIS** (East Yarra) — I thank the minister for that explanation. Just to clarify that, there are at least two sets of things in the statement of priorities — the things that are required by the act and the individual and peculiar things. Have any requirements been set by the minister or the secretary that are general and are not specified in the act? If so, what are they?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I think my answer to this question is substantially my answer to the last one. The guiding principles which will form the basis of the statement of priorities are what are outlined in the act, what are the key performance measures that may be appropriate for individual services and may be identified by the minister and the department, and what may reflect the aspirations of the local community. While there will be a standard template based on what is in the act, individual agreements will be reached based on the individual needs and capacities of those organisations.

**The CHAIR** — Order! In relation to the Honourable David Davis’s foreshadowed amendment, which invites the committee to vote against clause 8, the question is that clause 8 stand part of the bill.

### Committee divided on clause:

#### *Ayes, 21*

Argondizzo, Ms	Madden, Mr
Broad, Ms	Mikakos, Ms
Buckingham, Ms	Mitchell, Mr ( <i>Teller</i> )
Carbines, Ms	Nguyen, Mr
Darveniza, Ms ( <i>Teller</i> )	Pullen, Mr
Eren, Mr	Scheffer, Mr
Hilton, Mr	Somyurek, Mr
Hirsh, Ms	Theophanous, Mr
Jennings, Mr	Thomson, Ms
Lenders, Mr	Viney, Mr
McQuilten, Mr	

#### *Noes, 17*

Atkinson, Mr	Hadden, Ms
Baxter, Mr	Hall, Mr
Bowden, Mr ( <i>Teller</i> )	Koch, Mr
Brideson, Mr ( <i>Teller</i> )	Lovell, Ms
Coote, Mrs	Olexander, Mr
Dalla-Riva, Mr	Rich-Phillips, Mr
Davis, Mr D. McL.	Stoney, Mr
Davis, Mr P. R.	Vogels, Mr
Drum, Mr	

#### *Pair*

Smith, Mr	Bishop, Mr
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### Clause agreed to.

### Progress reported.

### Business interrupted pursuant to sessional orders.

### Sitting continued on motion of Hon. GAVIN JENNINGS (Minister for Aged Care).

## HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL

### *Committee*

### Resumed from earlier this day.

### Clause 9 agreed to.

### Clause 10

**Hon. D. McL. DAVIS** (East Yarra) — On the matter of clause 10 regarding annual meetings at government hospitals and the government’s plan to extend the required date from 31 October to 31 December, this has been well canvassed. I simply appeal to Labor Party members and Independents, like one of the members for Silvan Province, to indicate that they believe in transparency and openness. Any member of Parliament who is truly in favour of an open and accountable system with a proper reporting to the

community will support this amendment and the retention of the 31 October date.

The government is doing this, as we know, for purely sinister purposes. It is doing it to hide and obfuscate, and to prevent the community receiving proper information ahead of the state election in November 2006. If Parliament does not sit in the last week of October we can expect that any controversial hospital or health services reports will be held over until December or perhaps to February the year after. The community, as at the 2002 election, will not have access to this information before they vote. It is for that reason that I have sought to move this amendment to prevent the government changing the date and to retain 31 October as the reporting date for health services. In that context I appeal to the Labor Party, The Nationals and Independent members to support this proposal.

I do not believe it is necessary to hold two votes to test this matter. Clauses 10 and 12 essentially relate to the same point that I am trying to make. In that respect clause 10 can be regarded as a test of both of those points. Before we proceed to a vote I ask the Minister for Aged Care for an undertaking that if this change were to be implemented so that 31 December became the reporting date to communities for health services and hospitals all reports would be provided to the community before the state election in 2006.

**Mr GAVIN JENNINGS** (Minister for Aged Care) — First of all, the government is proceeding with the amendment in the bill and will not agree to the proposition put by Mr Davis because it is trying to overcome what is in practice an inconsistency between the Financial Management Act and the Health Services Act. Purely and simply we are trying to ensure that when an annual report is produced by a health service and is provided to the people of Victoria by its being tabled in the Parliament, that occurs prior to any public disclosure of this matter to an annual general meeting. The government is of the view, on the basis of advice it has received, that that sequence is the appropriate one, that the report should first be tabled in Parliament and then be available to communities through the public annual general meeting of their health service. This amendment enables that sequence to be right so that all our health services can be respectful of the parliamentary precedents of the Financial Management Act, and that the reports are published and presented here before they are actually subjected to scrutiny in the broader community. They should be exposed to scrutiny at the earliest opportunity. The provision of this amendment will allow for that to occur.

In relation to the undertaking that Mr Davis is seeking from me, I can say on behalf of the government and the minister that it is our absolute intention that these reports be tabled and made available to the communities at the earliest opportunity, and it would be our desire that they be made available in a timely fashion prior to the election next year. That would clearly be our preference, and there is no possible construction that can be placed upon the timing of these reports about which Mr Davis and others in the community may currently have a degree of scepticism. The government would clearly prefer this issue not to be one that draws attention to itself in the lead up to the election, but that accountability has been established and maintained. That is the government's clear intention; that is my hope and that is what I will work to try to deliver in my areas of responsibility.

**Hon. D. McL. DAVIS** (East Yarra) — I am disappointed with the minister's response. It is clear that the government has no intention of ensuring that all reports are available before the state election, and the minister's commitment is a weak one.

It is also simply nonsense to argue that there is some inconsistency between the Financial Management Act and the Health Services Act. There is no reason why the report cannot go to the community first — that is, before its tabling in Parliament. There is no disrespect to the Parliament in a health service lawfully providing a report to the community under instruction of Parliament through statute. The idea that there is some inconsistency is just nonsense.

Last year Ms Lovell went to the meeting at Goulburn Valley Health and saw the report delivered to the community in Shepparton before the Goulburn Valley Health annual report was tabled in Parliament. Is there any harm or concern about that? I do not know of any member of this chamber who took any affront at that. I do not know any member of this chamber who was in any manner concerned about the fact that Ms Lovell saw the report of Goulburn Valley Health at the general meeting, in Shepparton, before it was tabled in Parliament. In many respects it is of no concern to the community, and I think the community would ask for timely and earlier reporting.

Some health services have said that to me privately, some have said it in writing, others have been prepared to be more public about their issues on that and see the early reporting as an opportunity. In election years where these reports are embarrassing they will be covered by this government; in non-election years where the reports are embarrassing they will be dumped publicly in and around Christmas amongst the

Christmas parties, the Santa Claus hats and the media festivities that will occur at that time.

I am very concerned that the government has taken this approach, and I am disappointed in the minister. He has certainly shown a great deal of forbearance this afternoon, but on this issue I indicate that he is not up to his usual standard.

**Mr GAVIN JENNINGS** (Minister for Aged Care) — What damning with faint praise! The government relied upon a view that was expressed out of the office of the Auditor-General, and indeed supported by officers of this Parliament, that suggested to the government that the appropriate sequence should be tabling in Parliament and the subsequent consideration by the community through the annual general meetings of public health services. That is the sequence, and that is the advice that the government has operated on.

I do not want to make this overtly political, but Mr Davis is part of a party that probably in the last decade has not been thought of too kindly for taking advice from Auditors-General. Probably that is the only political message that I will give during the course of my contribution, because the government has acted in accordance with advice it has received from the office of the Auditor-General and officers of the Parliament.

**Hon. D. McL. DAVIS** (East Yarra) — I am certainly not satisfied with the minister's explanation and will go forward.

**The CHAIR** — Order! In relation to Mr David Davis's amendment 2, he has invited the committee to vote against clause 10.

#### Committee divided on clause:

##### *Ayes, 20*

Argondizzo, Ms	McQuilten, Mr
Broad, Ms	Madden, Mr
Buckingham, Ms	Mikakos, Ms
Carbines, Ms	Mitchell, Mr
Darveniza, Ms	Nguyen, Mr
Eren, Mr	Pullen, Mr
Hilton, Mr ( <i>Teller</i> )	Scheffer, Mr
Hirsh, Ms	Somyurek, Mr
Jennings, Mr	Thomson, Ms
Lenders, Mr	Viney, Mr ( <i>Teller</i> )

##### *Noes, 17*

Atkinson, Mr	Hadden, Ms
Baxter, Mr	Hall, Mr ( <i>Teller</i> )
Bowden, Mr	Koch, Mr
Brideson, Mr	Lovell, Ms
Coote, Mrs	Olexander, Mr
Dalla-Riva, Mr	Rich-Phillips, Mr

Davis, Mr D. McL. ( <i>Teller</i> )	Stoney, Mr
Davis, Mr P. R.	Vogels, Mr
Drum, Mr	

##### *Pair*

Smith, Mr	Bishop, Mr
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#### Clause agreed to.

#### Clauses 11 to 13 agreed to.

#### Clause 14

**Hon. D. McL. DAVIS** (East Yarra) — This clause deals with the membership of Health Purchasing Victoria, a body that the opposition supports and an approach that we think has much to commend it. Health Purchasing Victoria has a very broad role across the system in purchasing items for use in health services across the state. This clause makes changes to the membership criteria of Health Purchasing Victoria's board. We support many of those changes. We are in favour of having people with knowledge and life experience in purchasing, logistics and supply-chain management, for example. But one thing that concerns me is the issue of the presence on the board of somebody from a rural health service as opposed to a regional or metropolitan health service. I am curious to know what mechanisms the government will have in place to ensure that there are representatives not just from the larger metropolitan health services or from the big regional health services but also from smaller rural health services.

**Mr GAVIN JENNINGS** (Minister for Aged Care) — Clause 14(2)(a) of the bill says the minister must ensure that Health Purchasing Victoria has adequate knowledge of a number of things, including the:

... perspectives of rural and metropolitan public health services and hospitals ...

Under the provisions of the bill the minister is obliged to be able to demonstrate how, in the making of appointments to the body, that mandated knowledge and understanding has been included as an essential criterion in the selection of the board's membership.

**Hon. D. McL. DAVIS** (East Yarra) — I thank the minister. Can I take it from that that the house can feel guaranteed as it were, assured, that there will be representatives from metropolitan health services, regional health services and rural health services on the board of HPV?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — That is a slight variation on the question, but

my substantive point is the same. The minister is obliged to be able to demonstrate under the act — it is a mandated requirement — that the appointments to the board cover the bases which include the knowledge and understanding of the operations and perspectives of rural public health services and hospitals. Now the test of this act and a range of other acts in terms of the ministerial responsibility is for the ministers of the day to be able to demonstrate that they have complied with their obligation under various acts, including this one. This is a test that would have to be undertaken each and every time a new constellation of Health Purchasing Victoria was constituted. The minister is obliged to do it. Who the individuals are who make that up, whether there are categories that come from various sections of the community on the basis of their involvement in particular health services, I cannot say. That may be overly prescriptive in terms of the way in which the minister may choose to make those appointments, but the current minister — —

**Hon. D. McL. Davis** — Or a future minister.

**Mr GAVIN JENNINGS** — Any minister is obliged to comply with the provisions of the act.

**Hon. D. McL. DAVIS** (East Yarra) — Strangely I am not fully reassured by this. Let me tease this out a little bit further. I want to understand this definition. Would it be the case that an individual from a Bendigo or Ballarat or Warrnambool health service would satisfy the requirement for a rural representation or would that not satisfy the requirement for a rural representation?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — Mr Davis knows the internal logic of his question says that it may or may not, depending on their knowledge and understanding of the operations of rural health services, which will be the critical test. Regardless of where you live or work that essential knowledge and understanding is a mandated requirement under the act, and the minister is obliged to be able to demonstrate that the criteria have been met when establishing the board.

**Hon. D. McL. DAVIS** (East Yarra) — Let me just ask one final question. It seems to me there is some woolliness in the definition of somebody with knowledge and skills of rural issues. I wonder if you might lay out those skills and the criteria that the minister would use in judging those rural skills. Would that include, finally, a person who has a position on the board of a small rural health service?

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I do not have the luxury of creating a new

schedule to the bill during the course of our discussion in committee, and I am not likely to do so. I continue to remind Mr Davis and the committee that there is a requirement of the act that the minister of the day has to ensure and be able to demonstrate by the appointments that adequate knowledge and understanding of the practices and perspectives of rural hospitals and health services have been essential mandated criteria by which the board has been constituted.

**Clause agreed to; clauses 15 to 54 agreed to.**

**Reported to house without amendment.**

**Report adopted.**

*Third reading*

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I move:

That the bill be now read a third time.

I thank all members, particularly the committee, for their consideration of the bill.

**Motion agreed to.**

**Read third time.**

*Remaining stages*

**Passed remaining stages.**

## PLANNING AND ENVIRONMENT (WILLIAMSTOWN SHIPYARD) BILL

*Introduction and first reading*

**Received from Assembly.**

**Read first time on motion of Hon. J. M. MADDEN**  
(Minister for Sport and Recreation).

## TOBACCO (AMENDMENT) BILL

*Introduction and first reading*

**Received from Assembly.**

**Read first time on motion of**  
**Mr GAVIN JENNINGS** (Minister for Aged Care).

## OWNER DRIVERS AND FORESTRY CONTRACTORS BILL

*Introduction and first reading*

**Received from Assembly.**

**Read first time on motion of  
Mr GAVIN JENNINGS (Minister for Aged Care).**

### ADJOURNMENT

**Mr GAVIN JENNINGS** (Minister for Aged Care) — I move:

That the house do now adjourn.

#### **Western Port Highway, Lyndhurst: traffic control**

**Hon. R. H. BOWDEN** (South Eastern) — I seek the assistance of the Minister for Transport in relation to a section of the Western Port Highway at Lyndhurst in and near my electorate. I have been known to speak on this in the house previously, and I might be able to inject an interesting new component into it, but my concern is to retain the safety and efficiency of this stretch of road for the tens of thousands of constituents and residents of the Mornington Peninsula and the Cranbourne area who need to use that Lyndhurst section of the Western Port Highway.

I was very pleased to receive two letters from the chief executive officer of VicRoads, one dated 7 July and the other one, 13 July. In this adjournment debate I will mention a few of the quite pleasing aspects of those two letters so as to help the minister, in the hope that he will help my constituents.

On 27 July last year I had a very pleasant meeting at VicRoads headquarters with the chief executive officer of VicRoads, when I expressed in a constructive way my concerns on this issue, which I have from time to time been known to speak about in this place.

The chief executive officer of VicRoads was quite interested and there were other gentlemen present at that meeting.

I have had confirmation, through the correspondence I have just mentioned, that VicRoads is undertaking a management strategy evaluation of this section of road which is due to be completed by the end of this year. It seems from reading this correspondence that the concept of protecting the efficiency and safety of this important section of highway is to the forefront of the

thinking on the access management strategy that is being undertaken by VicRoads and I was very pleased to receive that information.

I was not quite so pleased to be informed in a letter dated 7 July that my regular request for the removal of the dangerous set of lights that was relatively recently installed at the Moreton Bay Boulevard intersection with the Western Port Highway will not be granted. I repeat my request in a firm way and, if I may, I insist that the lights are removed. The police believe they are dangerous. There is a realignment of that section and on many occasions five lanes of traffic come to a halt quite suddenly to let one vehicle enter the Western Port Highway.

My request to the minister is to encourage VicRoads to protect the efficiency and safety of this road and not — —

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

*Honourable members interjecting.*

**Hon. R. H. BOWDEN** — I will do it again next week.

**The PRESIDENT** — Order! The member would be aware that once a matter has been raised on the adjournment and dealt with it cannot be raised again. I think the member changed it slightly from the last time he raised something about traffic lights so we will just squeeze that one in.

#### **Mitcham–Frankston project: EastLink**

**Mr VINEY** (Chelsea) — I wish to raise a matter for the Treasurer in the other place. In doing so I alert the Treasurer to an article in the *Frankston Standard Leader* of Monday, 4 July, referring to the EastLink project. The article extensively quotes a local real estate agent and is headed, 'It's the road to riches'. The action I am seeking from the Treasurer is in the light of this article to investigate the economic benefits of the EastLink project for the residents and business community in Frankston, in particular the Carrum Downs area, which is the subject of this article.

It is interesting that the person quoted extensively in this article as talking about the great economic benefits of this road to the Carrum Downs and Frankston area is a Mr Michael Crowder, a local real estate agent and, I might inform the house, also the vice-president of the local chamber of commerce and the leader of all the protests against the Premier when he came down on the tolling issue.

Here we have on the front page of the local newspaper a headline saying 'road to riches'. This is a massive backflip by a local real estate agent, a Liberal Party luminary and advocate for the Liberal Party campaign on the tolls. I remember him being there at the protests with the hard hats and his 'no tolls' sign and here he is extensively quoted in this article as saying things like:

... the sale of raw industrial land for more than \$8.5 million last month showed buyer focus on Carrum Downs.

He is reported as going on to say:

The land was well positioned for the \$2.5 billion Seaford-to-Mitcham tollway and investors saw the benefits.

Further on in the article he is quoted as saying:

The reality is that infrastructure is very important to industrialists.

A couple of paragraphs further on he is reported to have said:

Obviously, the tollway coming through is making a big difference ...

Later the newspaper article reports Mr Crowder as saying:

An industrial subdivision 'coming on line' late this year would offer lots ranging from 980 to 5370 square metres ...

The paper goes on to report him saying there is enormous interest in this project.

I congratulate Mr Crowder on his change of heart. I have always advocated that there were significant economic benefits from the EastLink project coming to Frankston and I welcome his sudden change of heart. All I can say is that there is nothing like the hip-pocket nerve to drive an epiphany!

**Hon. Philip Davis** — On a point of order, President, it seems unclear to the house what issue the member was going to raise in his vehement manner. He has not actually asked for an action to be taken.

**The PRESIDENT** — Order! On the point of order, the honourable member raised the matter for the Treasurer. He asked the Treasurer to investigate the economic impact of the EastLink project in regard to Frankston and then advise him. He did that earlier. The Leader of the Opposition may not have been in the chamber at the time. The matter is in order. There is no problem with it; it meets the guidelines.

### State Emergency Service: horse units

**Hon. E. G. STONEY** (Central Highlands) — I have a matter for the Minister for Police and Emergency

Services in the other place. The recent search for the missing plane around Mount Hotham exposed some flaws in the State Emergency Service (SES) search structure. As many of us have known for some years, it was discovered that in some circumstances, especially when there is fog or blizzard conditions, horses are by far the best option in difficult search conditions. During the Mount Hotham search individual mountain cattlemen and other horseriders donated their skills looking for the lost people. It was a time when helicopters were grounded. There were blizzard conditions which were very bad. Time was running out for any hope of finding the people in the aeroplane that was lost. The people on horses and the people on foot and on skis were the only ones who could operate.

I would like to point out that the SES has quite a few horse units around Victoria. These units have all been stood down for up to two years. This originally happened because of concerns about public liability insurance. That was sorted out, but these units are still down. I suspect one of the reasons they were and are stood down is that the bureaucrats do not quite understand the value of horse units or how they fit into the SES structure. These horse units are on hold but ready to go.

I understand a report has been made about the value of these units and how they can operate, but the report has been held up. I think it is probably gathering dust somewhere. I understand the report recommends that the horse units be reinstated. The government needs to explain why the report has been gathering dust. As an aside, I was a member of one of these units years ago. It was probably one of the first in Victoria. Horses can go virtually anywhere under any conditions and can be very valuable when helicopters and other search units cannot operate.

I think it is a slight on all the volunteers that have been waiting to get the go-ahead. They are still talking to each other. They are ready to start training again. They are ready to go, but they have just been ignored. Those units should have been used in the search at Mount Hotham.

I ask the minister to investigate why the report on the SES horse units is gathering dust. I ask him to investigate why it has not been announced and why it has not been acted on.

### Dental services: waiting lists

**Hon. J. H. EREN** (Geelong) — I raise a matter for the attention of the Minister for Health in the other place concerning dental health. I am regularly

approached by people in my electorate who tell me that dental health is an issue that governments need to act on now. They also tell me they do not go to the dentist because they cannot afford it. This is backed up by a recent national survey which found that one-third of Australians in the \$30 000 to \$50 000 household income bracket have not been to a dentist for two years due to an inability to pay. Poor dental health means pain, inconvenience, poor general health, embarrassment and discrimination.

I am further informed that oral disease equates to an estimated loss of 1 million days off work each year and costs the economy around \$2 billion. When the Howard government came into office in 1996 it dumped the commonwealth dental health program and to this day continues to ignore its responsibility to provide dental care for low-income earners. I understand the Australian Health Ministers Conference will be held in Alice Springs next week, from 27 to 28 July. I ask the minister to raise this matter in that forum of Australian ministers and to lobby the Howard government to reinstate the commonwealth dental health program.

I would also like to point to section 51 of the commonwealth constitution, which clearly states that the commonwealth has responsibility to make laws for the provision of hospital benefits and medical and dental services. The federal government is failing to uphold the commonwealth constitution. The federal Liberal-National coalition is failing Australians by not living up to its part of the bargain.

This dental crisis is having an effect on the whole community. Therefore I ask the minister: what is being done to combat the federal government's inaction and lack of concern regarding public dental health?

### **Roads: Manningham**

**Hon. A. P. OLEXANDER** (Silvan) — I seek the attention of the Minister for Transport in the other place. The issue I raise on the adjournment debate this evening is what the Royal Automobile Club of Victoria describes as the 'crumbling' state of roads infrastructure in the city of Manningham.

The RACV chief engineer of traffic and roads, Mr Peter Daly, has said that 434 casualty accidents were recorded on six arterial roads in Manningham between 1999 and 2002 and that this has cost taxpayers about \$59 million. There are only three other municipalities in Victoria that have recorded higher rates of accidents than Manningham. The RACV has reported that Manningham's arterial east-west roads are having to cope with growing traffic volumes, are structurally

unsound and are not coping with those volumes, and significant safety issues are the result.

Manningham director of city development, Mr Claude Cullino, has said that ratepayers in the area have had to put up with what he describes as 'a Third World road system'. Many of these roads are really not up to the job they were built for decades ago and are not coping structurally or in a safety sense with the traffic today. Mr Cullino has said that he is finding it difficult to believe the state government is satisfied with leaving the situation as it is when Manningham is a municipality just 12 kilometres from the central business district. He said that none of these roads has the structural integrity to cope with the traffic which they are now carrying and that in the future it will become much worse.

We are talking about Springvale Road, Templestowe Road, King Street and Andersons Creek Road. I am very pleased to say that during a recent visit to the municipality for a Liberal shadow cabinet meeting the shadow transport spokesperson in the other place, Terry Mulder, committed a Liberal government to conducting immediate feasibility studies for the upgrades of these four roads in Manningham at a cost of about \$100 000 a piece. Unfortunately the Bracks government has not matched that funding to date. In fact the local Labor member has said it is a waste of taxpayers money because the government has no intention of funding the upgrades. I urge the minister to match the Liberal commitment and to start the process of the upgrades of these roads by funding the feasibility studies.

### **Bicycles: city parking**

**Ms ROMANES** (Melbourne) — I would like to raise a matter with the Minister for Transport in the other place. I have been alerted to an issue about bicycle parking by my good friend and former Moreland council colleague Mike Hill, who is also a fellow cyclist.

During his visits to the Department of Sustainability and Environment Mr Hill discovered that there is no bicycle parking available at the AXA building at 8 Nicholson Street, Melbourne. He alerted the Department of Sustainability and Environment, which drew his attention to the availability of visitor bicycle parking in the underground car park. However, there is an elaborate procedure that a cyclist must go through to access the underground car park which involves going through security, and not everyone would be aware of that procedure and what they need to do. I agree with Mr Hill that that is the wrong message and that there should be external bicycle racks, which would make it

easy and straightforward to visit the Department of Sustainability and Environment by bike.

Mr Hill also drew the attention of the Department of Infrastructure to this situation, which elicited a speedy response from the City of Melbourne, which has committed to installing racks outside the DSE building as part of its ongoing program of installing bicycle racks across the central business district. Members are aware that congestion is a big issue, cyclists contribute markedly to alleviating congestion and cycling is good for the environment.

At the Public Accounts and Estimates Committee hearing just a few weeks ago the Minister for Transport in the other place commented that, on anyone's observation, there is an increase in the number of people who are using bikes to get around, so we need to encourage more cycling, and bicycle parking is one way to do that. I ask the minister to arrange an audit of bicycle parking at all government buildings in the central business district and to develop a strategy with the City of Melbourne to expedite bicycle parking outside all government buildings.

### **Melbourne University: Glenormiston campus**

**Hon. J. A. VOGELS** (Western) — I raise an issue for the Premier. A number of community cabinet events are being held in south-west Victoria next week. On 27 July the state cabinet will be meeting at Glenormiston. This provides a perfect opportunity for the government — the ministers, their advisers and minders — to check out this wonderful facility and the tremendous potential of this site.

At present Melbourne University is trying to distance itself from Glenormiston by walking away from its responsibility to provide agricultural education. There are some excellent proposals on the table for Glenormiston, including the maintaining of the 118 000 student contact hours for the campus and the siting of a rural learning campus where students from the city can spend a few weeks out in country Victoria and learn all about rural Victoria. An excellent and successful pilot project, run by the Corangamite Shire Council, was held at Glenormiston a couple of years ago

South-west Victoria is also the capital of the horse industry, with many courses on horses presently being run from the Glenormiston campus. The action I seek from the Premier is to make sure that his Minister for Local Government, and the Minister for Agriculture and the Minister for Education and Training in the other place are well briefed on what is happening at Glenormiston. They should know that the facility is in

danger of being closed. When they meet the people from Corangamite Shire Council, from Glenormiston and from the local community they should be able to actually give some answers rather than saying, 'We will take all this on board'.

I ask the Premier to make sure that they have briefcases full of good notes and all the briefs that have been sent to them. I ask him not to fob it off and say, 'We will have a look at it'. We do not want a white elephant at Glenormiston.

### **Chewton: dingo farm**

**Ms CARBINES** (Geelong) — I wish to raise a matter with the Minister for Environment in the other place, the Honourable John Thwaites. It concerns an issue raised with me by a constituent, Ms Tehree Gordon. Ms Gordon is well known in Geelong as the owner of the Jirrahlinga Koala and Wildlife Sanctuary in Barwon Heads. Indeed she is a tireless saviour of injured wildlife throughout the Geelong region and is extremely highly regarded by our community. In recognition of that fact, last year she was awarded by the Prime Minister the status of Australian Senior Citizen of the Year.

Ms Gordon has been chosen as the preferred tenderer for the purchase of the Chewton dingo farm near Castlemaine; however, it has been revealed as part of this process that the former owner of the dingo farm had extended the property beyond the private land boundary, and indeed part of the farm has now encroached onto the Castlemaine Diggings National Heritage Park. Ms Gordon has been unsuccessfully attempting to resolve this boundary issue so that she may proceed with the purchase of the farm and commence the appropriate care of its dingoes.

Out of frustration she contacted me for assistance at the end of last week, and yesterday I convened a meeting between Ms Gordon, the trustee of the dingo farm and representatives of both the Department of Sustainability and Environment and the Department of Primary Industries in an attempt to resolve this issue. It was a very positive meeting, and a way forward has now been agreed to by all parties, including Ms Gordon, which will see the dingo farm consolidate appropriately on its former private boundaries. But as a consequence of this some of the farm infrastructure will need to be relocated back onto the private land. This relocation, however, will need to be staged over a period of time to ensure the health and welfare of the dingoes.

In a spirit of goodwill and agreement expressed by all parties at yesterday's meeting I am seeking the

minister's support for this very positive outcome, particularly in relation to the allocation of an appropriate amount of time by the Department of Sustainability and Environment under the retention notice system, to allow for the relocation to successfully occur.

### **Roads: funding**

**Hon. DAVID KOCH** (Western) — I direct to the attention of the Minister for Transport in another place the worsening condition of many country roads, which the Royal Automobile Club of Victoria (RACV) recently declared required drastic safety upgrades.

Road funding is a sensitive political issue right across rural Victoria. Local councils tackle ever-increasing budgets with ever-decreasing funds. Rate increases are at unsustainable levels, and yet there is never enough money to address much-needed road maintenance and upgrades. One of the key issues constantly raised by country people in Western Province is the poor state of rural roads. Despite constant requests from road users, ratepayers, councillors, the Victorian Farmers Federation and the RACV, this government ignores pleas to fix deteriorating rural roads. This means rural councils have to allocate funds to only those roads which pose the greatest risk to road safety, including school bus routes, or those which have the greatest traffic counts. The users of lesser priority roads and bridges have to put up with poor and in many cases unsafe roads. The government must increase funding to help rural councils upgrade dangerous and inferior country roads, on which rural motorists often put themselves and their families at risk when they venture out.

Funding for country roads is not only a priority for farmers and their families. Visitors to country Victoria continually express their dismay at the condition of rural roads once they leave the national highway grid. Local councils desperately need additional state funding to improve road safety on many local and major roads across the state. The RACV correctly warns that without upgrades to local roads and the more heavily used country highways, accidents will continue to occur. At a time when the overall road toll is declining we are seeing an alarming increase in serious injuries and fatalities on country roads. I implore the government to listen to the calls of country Victorians and to the wisdom of Victoria's peak motoring body when it says that improving the poor state of our country roads now will save lives and reduce the road trauma that is all too frequently visited upon country families.

Country Victoria desperately needs the government to increase investment in our local road infrastructure. Motorists and their families — whether they be on farms or in towns or whether they are visitors — demand a fairer share of road funding so they can feel safe when using our rural roads. My request is: will the minister listen and not ignore the calls from country Victorians, visitors, tourism operators and the RACV and provide increased funding to make country roads safer for all users?

### **Tourism: south-eastern suburbs**

**Mr SOMYUREK** (Eumemmerring) — I raise a matter for the attention of the Minister for Tourism in the other place. Tourism Research Australia recently released a report which showed that international visitor expenditure in Victoria was growing at a faster rate than the national average. The report showed that in 2004, \$2.6 billion was spent by international visitors in Victoria — an average increase of 12 per cent since 1999. Our key competitors with respect to tourism are New South Wales and Queensland, and they recorded annual average growth in international tourist expenditure of 7 per cent and 3 per cent respectively.

That is, international visitors spent an average of \$7.3 million in Victoria each day, thereby substantially adding to the state's economy. These figures of course will increase by tens of thousands leading up to and immediately after the Commonwealth Games. I know members will agree with me that once international viewers, in the comfort of their lounge rooms, get a sight of Melbourne they will not be able to resist the temptation to come to see our magnificent city.

**Ms Hadden** interjected.

**Mr SOMYUREK** — I am glad you ask about country Victoria, Ms Hadden, because it is important that visitors see more than metropolitan Melbourne. The minister made the statement the other day that the buck should not stop in Melbourne, that regional Victorians should also benefit from this. I have got to say that international visitors spent \$237 million in regional Victoria in 2004 — up by 40 per cent since 1999. It is also important that the outer suburbs benefit from this tourist boom.

I therefore ask that the minister take action to implement strategies to increase the number of visitors to the south-eastern suburbs of Melbourne, and my electorate in particular.

### **Orbost Exhibition Centre: funding**

**Hon. P. R. HALL** (Gippsland) — I raise an issue for the attention of the Minister for the Arts in the other place. It concerns operational funding for the Orbost Exhibition Centre. I was in Orbost last week and took the opportunity to visit the newly opened Orbost Exhibition Centre. It is a \$2 million facility that was opened in December last year. I have got to say it is a must see for people visiting East Gippsland — and if some of Mr Somyurek's tourists get out of Melbourne and come through East Gippsland they would be well-advised to visit the Orbost Exhibition Centre.

As described in the brochure promoting the exhibition centre, the building itself is a work of art. It is a \$2 million facility supported by 54 ironbark posts, and it is clad in silvertop ash. A lot of the flooring et cetera throughout the building is made from local timbers from the East Gippsland area, and they are very impressive. There are two very good exhibition spaces within the gallery and it also has an excellent retail outlet where you can purchase work produced by some of the timber artisans in East Gippsland, and they are very impressive indeed.

The facility also houses the Australian national collection of wood design, and that in itself provides some excellent examples of fine work by artists and woodworkers in Gippsland — and the wider region, I might add, because the annual wood exhibition attracts artisans from all over Australia to exhibit.

The thing that I found surprising was that this exhibition centre does not receive recurrent funding from the state government for the gallery itself. Whereas most regional galleries receive some sort of operational funding under the regional galleries program, this one does not. This facility in Orbost is a remarkable new gallery space that is the equal of many other galleries that we have in regional Victoria. When I visited the National Gallery of Victoria here in Melbourne just recently it cost me nothing to get in, but the people in Orbost have to pay a fee of \$4 to enter. I do not see why people in the country should have to pay to go to their galleries when people in Melbourne can go to places like the national gallery free of charge.

I make an urgent plea to the Minister for the Arts to consider providing operational funding to the Orbost Exhibition Centre through the regional galleries program, because this is a fine facility created by the hard work of a lot of local people, and they need the support of state government.

### **Occupational health and safety: health care workers**

**Hon. KAYE DARVENIZA** (Melbourne West) — I wish to raise a matter for the attention of the Minister for WorkCover and TAC, John Lenders. The matter I wish to raise concerns an occupational health and safety issue regarding the safety of health care workers who are exposed to the risks of violence and aggressive behaviour while at work.

Having worked for many years as a nurse in a number of different clinical settings I know first hand the risks that health workers can face every day of being assaulted while caring for their patients and carrying out their duties. Health care workers often work in emotionally-charged environments that can be quite volatile at times. It is particularly important that the managers of health facilities, along with all of the direct care staff, are equipped with the skills as well as the procedures and training to reduce the risk of being exposed to violent behaviour. I understand that in the past three years there have been some 500 health care workers who have made claims resulting from workplace violence in the health sector. While this indeed is a large number of claims, I am sure there are many incidents of aggressive and threatening behaviour that do not result in a claim being made.

The specific information I would like from the minister is the action he and his department are taking to ensure that health facilities are equipped with the necessary understanding of the impact of occupational violence and that the appropriate occupational health and safety strategies, training and procedures are in place so that health care workers are able to carry out their duties and responsibilities — that is, caring for their patients — without the risk of assault and without the risk of having to be on the receiving end of violent and aggressive behaviour.

### **Melbourne Markets: relocation**

**Hon. PHILIP DAVIS** (Gippsland) — What a delight it is to join in the adjournment debate this evening. I raise a matter for the attention of the Minister for Major Projects who I am incredibly disappointed is not present in the chamber, but I am looking forward to him hearing my dulcet tones and removing himself from whence he is and arriving here forthwith, because the issue I wish to raise with him this evening is the relocation of the Melbourne Wholesale Fruit and Vegetable Market.

I am raising with him some concerns expressed to me by representatives of occupiers and stakeholders of the

market, being the Victorian Chamber of Fresh Produce Wholesalers; the Victorian Retail Fruiterers Association; the Vegetable Growers Association of Victoria; Flower Growers and Florists Advisory Committee, and the representatives of the unload.

This is a very important project. It is a fact that that market has a turnover in excess of \$3 billion per annum. The principals of the businesses have a great deal of expertise which they have built up over many years and have expressed concern that the government has not properly informed them about what the government's proposals are — that is to say, other than a media stunt by way of an announcement at the Epping site some months ago that the market would relocate.

Effectively the stakeholders in the market have heard little else. These market operators have very significant investments — many of whom have investments in excess of \$1 million in fixed assets on site. These fixtures cannot be relocated in a practical sense, and the market authority has now indicated that leases will not be extended beyond 2008, although there are some existing leases that were entered into before the relocation was announced that exceed this timeframe.

What is of concern to the tenants is that it is not clear to them even now what the benefits of the relocation of the market will be, but they can see for their individual businesses that there will be a major liability. The government representatives have thus far failed to meet with them, and therefore I ask: will the Minister for Major Projects urgently meet with a deputation from the stakeholders of the Melbourne Markets?

### **Indonesia and Malaysia: Vietnamese monuments**

**Hon. S. M. NGUYEN** (Melbourne West) — I want to raise a matter tonight with the Minister for Multicultural Affairs in the other place. I have been approached by many members of the Vietnamese-Australian community living in Melbourne who have asked me to raise this issue with the Australian government and the Victorian government.

I want to quote an article from the *Age* of 26 June 2005, entitled 'Boat people condemn loss of monument' regarding a destroyed monument to former Vietnamese refugees at Galang on Batam Island, Indonesia:

Leaders of the Vietnamese community in Melbourne have expressed anger and disbelief that a monument erected in March on an Indonesian island once home to hundreds of Vietnamese refugees has been removed ... Another

monument, erected on the Malaysian island of Bidong, is under threat after a similar request to local authorities.

The monuments were erected as a symbol of the refugees' gratitude to their rescuers in the two countries. The Vietnamese community in Melbourne said the monument on Bidong 'honours the humanity and the compassion of the Malaysian people towards their fellow human beings in time of need'.

The monuments were erected at the site of the former Galang refugee camp on the Indonesian island of Batam near Singapore, and at Bidong off the Asian mainland, after a visit in March by 142 former Vietnamese refugees to pay tribute to the thousands who died trying to escape the communists in the 1970s and 80s.

The visit was part of the 30th anniversary of the fall of Saigon when tens of thousands of Vietnamese escaped the new regime in boats. In its first year as a refugee camp Bidong received more than 52 000 refugees from 453 boats. They lived in squalid conditions in one tiny corner of the island.

I ask the Minister for Multicultural Affairs to raise the concerns of the Vietnamese-Australian community in Victoria with the Australian government to seek its involvement in ensuring that the Indonesian and Malaysian governments restore the monument in Galang and maintain the monument at Bidong working with the Vietnamese-Australian community if it wants to change it.

### **Rural Ambulance Victoria: vehicle safety**

**Ms HADDEN** (Ballarat) — I wish to raise a matter this evening for the attention of the Premier in the other place. The matter concerns the important occupational health and safety issue of the safety of Rural Ambulance Victoria (RAV) vehicles, ambulance officers and their patient passengers. The action which I seek from the Premier is that he appoint an independent inquiry into the safety of the GMC vehicles operated by Rural Ambulance Victoria, the occupational health and safety management systems and the subsequent organisational culture that impedes the resolution of health and safety matters within Rural Ambulance Victoria.

Victoria's ageing fleet of 150 GMC ambulance vehicles in country Victoria have been referred to as death traps and deadly weapons by various newspaper articles as well as by senior officers of RAV. There were at least 13 serious incidents relating to GMC mechanical breakdowns and engine failures between December of last year and April of this year. To have such vehicles on Victorian roads, and especially on country Victorian roads, places at great risk ambulance staff, patients, road users and the community at large. This situation is clearly unacceptable.

Rural Ambulance Victoria members are concerned about the risks to themselves, their staff, patients and the community as well as their own obligations to meet the requirements placed on them under the Occupational Health and Safety Act. Sick leave is another issue which illustrates the need for further investigation. The RAV has found there is a syndrome called sick organisation syndrome that is prevalent amongst ambulance officers. It places the effectiveness of the organisation, its staff and the community of course at great risk. Just as other Victorians are entitled to a safe work environment, so are RAV officers and their staff. I ask the Premier to give serious consideration to my request for action. Representations have been made to me by both the Health Services Union and by senior officers of the RAV in my electorate.

### Responses

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — Mr Bowden raised a matter about road safety in relation to the Western Port Highway at Lyndhurst, and I will refer it to the Minister for Transport in the other place.

Mr Viney raised the matter of EastLink and the economic benefits, in particular in relation to Carrum Downs, and I will refer this matter to the Treasurer in the other place.

Mr Stoney raised the matter of State Emergency Service horse units, particularly regarding the recent air crash on Mount Hotham. I will refer that matter to the Minister for Police and Emergency Services in the other place.

Mr Eren raised the matter of dental health, which I will refer to the Minister for Health in the other place.

Mr Olexander raised the matter of road maintenance in the Manningham municipality, and I will refer this to the Minister for Transport in the other place.

Ms Romanes raised the matter of bicycle parking outside government department buildings, particularly the Department of Sustainability and Environment. I will refer that to the Minister for Environment in the other place.

Mr Vogels raised the matter of the community cabinet and the Glenormiston campus issue. I will refer that to the Premier.

Ms Carbines raised the matter of Ms Gordon's purchase of a dingo farm and the restrictive boundary

issues. I will refer this to the Minister for Environment in the other place.

Mr Koch raised the matter of rural road maintenance, which I will refer to the Minister for Transport in the other place.

Mr Somyurek raised the matter of tourism in Victoria particularly in relation to his province of Eumemmerring. I will refer it to the Minister for Tourism in the other place.

Mr Hall — it is good to see Mr Hall is obviously a man of great taste and is out there in his community taking in the finer arts — raised the matter of the Orbost exhibition centre and ongoing operational funding. I will refer that issue to the Minister for the Arts in the other place.

Ms Darveniza raised the matter of occupational health for health care workers, and I will refer this matter to the Minister for WorkCover and the TAC.

Mr Philip Davis raised the matter of the Melbourne Markets relocation, and I will refer this matter to the Minister for Major Projects.

The Honourable Sang Nguyen raised the matter of destroyed monuments on the respective islands that are dedicated to Vietnamese refugees. I will refer this to the Premier in his capacity as Minister for Multicultural Affairs.

Ms Hadden raised the matter of occupational health issues for Rural Ambulance Victoria workers and their respective vehicles on rural roads, and I will refer this to the Premier.

**Motion agreed to.**

**House adjourned 5.48 p.m. until Tuesday, 9 August.**

**Melbourne Health - Summary**

<b>Year</b>	<b>2000-01</b>	<b>2001-02</b>	<b>2002-03</b>	<b>2003-04</b>
<b>Net Result From Ordinary Activities (\$'000)</b>	13,356	(2,175)	(37,352)	(1,909)
<b>Total Equity</b>	223,265	220,892	238,329	260, 739
<b>Accumulated surpluses/(deficits)</b>	11,983	3,555	(34,521)	(41,864)
<b>Cash Flows from Financing Activities Contributed Capital from Government (\$'000)</b>	8,300	0	18,107	24,164

Source: Melbourne Health Annual Reports



**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 July 2005**

**Corrections: GPS tracking equipment**

- 1694. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to the investigation of tamper-resistant steel, electronic monitoring and global positioning system (GPS) tracking equipment:
- (a) What is tamper-resistant steel, electronic monitoring and GPS tracking equipment.
  - (b) How far has the government investigated the tamper-resistant steel, electronic monitoring and GPS tracking equipment.
  - (c) When will the government decide to use the tamper-resistant steel, electronic monitoring and GPS tracking equipment.
  - (d) On which prisoners will the tamper-resistant steel, electronic monitoring and GPS tracking equipment be used.

**ANSWER:**

I am advised that:

- (a) A number of electronic systems use GPS tracking to monitor the movement of offenders. All have tamper-proof features.
- (b) The Government has been monitoring and will continue to monitor the latest developments in tracking technology.
- (c) The Government has legislated to permit the Adult Parole Board to order electronic monitoring under the *Serious Sex Offender Monitoring Act 2005*.
- (d) The *Serious Sex Offender Monitoring Act 2005* permits electronic monitoring to be used in respect of child sex offenders.

**Corrections: minister's office — alcohol purchases**

- 4077. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to alcohol purchased by the Minister's Office since 1 January 2002, what was the —
- (a) date of each purchase;
  - (b) value of each purchase; and
  - (c) items purchased.

**ANSWER:**

I am informed as follows:

The research required to provide a response would place an unreasonable burden on the time and resources of my office.

However, since becoming Minister for Corrections in January 2005, no alcohol has been purchased by the Ministerial Office.

**Transport: Melbourne Port Corporation — entertainment expenses**

**4285. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the Melbourne Port Corporation’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is :

The Melbourne Port Corporation ceased to exist on 30 June 2003, and therefore no expenses were incurred by it during 2003-04.

**Transport: Haystac Public Affairs Pty Ltd — payments**

**4380. THE HON. GRAEME STONEY** — To ask the Minister for Local Government (for the Minister for Transport):

- (1) What payments have been made to Haystac Public Affairs Pty Ltd by the Minister’s department or private office or agency or statutory body under the Minister’s administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

**ANSWER:**

As at the date the question was raised, the answer is :

- (1) The Department of Infrastructure made 2 payments to this company, for \$8,062.50 each plus GST. Neither my office nor any of the Statutory Authorities made any payment to the Company.
- (2) 3 April 2004 and 12 May 2004
- (3) Payments were in relation to “Victoria Online”, the Victorian Government Internet access point for the public.

**Transport: Social Shift Pty Ltd — payments**

**4461. THE HON. GRAEME STONEY** — To ask the Minister for Local Government (for the Minister for Transport):

- (1) What payments have been made to Social Shift Pty Ltd by the Minister's department or private office or agency or statutory body under the Minister's administration since 26 August 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

**ANSWER:**

As at the date the question was raised, the answer is :

No payments have been made in this period by the Department, private office or agency or Statutory Authority under my administration.

**Transport: VicRoads — Access to Parks program**

**4588. THE HON. GRAEME STONEY** — To ask the Minister for Local Government (for the Minister for Transport): What was the total amount allocated by VicRoads to Parks Victoria for the VicRoads Access to Parks Program for 2003-04 and 2004-05.

**ANSWER:**

As at the date the question was raised, the answer is:

Total amount allocated in 2003-04 was zero.  
Total amount allocated in 2004-05 is zero.

**Environment: Strathbogie and Mansfield — land clearance**

**4596. THE HON. C.A. STRONG** — To ask the Minister for Sport and Recreation (for the Minister for Environment): In relation to land clearance alongside creeks and waterways in the Shire of Strathbogie and Mansfield over the last twelve months and also to recent rains in the area:

- (1) How many trees have been removed.
- (2) What prior assessment was undertaken in relation to bank erosion.
- (3) What assessment has been made of bank erosion following recent rains.

**ANSWER:**

I am informed that:

- (1) Over the last 12 months in excess of 15 kilometres of streamside frontage has been treated for exotic vegetation in the Mansfield and Strathbogie area. There has been no native vegetation removed.
- (2) All sites are assessed prior to any works being undertaken. The assessment takes into account the quality of vegetation and any stream health issues including bank stability. No works are undertaken unless they align with the Catchment Management Authority's Regional River Health and Willow Management Strategy.
- (3) A monitoring program is always established as part of the works. Other complementary works such as fencing and revegetation activities also occur at these sites.

**Transport: Infrastructure — interstate trips**

**4631. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport):

- (1) How many interstate trips were undertaken by executive level staff and base line staff of the Department of Infrastructure in 2003-04.
- (2) What were the destinations.
- (3) What was the purpose of visiting each destination.
- (4) What costs were associated with the travel.

**ANSWER:**

As at the date the question was raised, the answer is:

On advice from the Department it has been determined that the time and resources necessary to obtain and process the information requested cannot be justified as the request in its current form would take a staff member approximately four weeks to answer. This is because:

- There were numerous interstate trips taken within the 2003-04 year; and
- Each Division of the Department would need to:
  1. ensure that all interstate trips and expenditure had been captured;
  2. provide details of destinations of interstate trips which in some cases cannot be ascertained from the Department's financial systems; and
  3. advise of the purpose of each interstate trip which in most cases cannot be ascertained from the Department's financial systems.

The Department's overall cost of interstate travel for the 2003-04 year was \$351,507.59

The Member is invited to submit a different question.

**Police and emergency services: Emergency Services Superannuation Scheme — advertising and credit card expenditure**

**4787. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Emergency Services Superannuation Scheme:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

**ANSWER:**

I am informed that:

The Minister for Finance is the responsible Minister for the Emergency Services Superannuation Scheme. Accordingly, you should refer your question to that Minister.

**Police and emergency services: Victoria Police — advertising and credit card expenditure**

**4788. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to Victoria Police:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

**ANSWER:**

I am informed that:

In relation to Victoria Police:

- (1) The advertising expenditure in 2003-04 was \$959,551.77 as per the Victorian Government Advertising-Master Agency Media Service Contract.
- (2) The credit card expenditure in 2003-04 was \$753,580.73. The Victoria Police Purchasing card is used for ad-hoc type purchases where it is not feasible to create a purchase order and/or supplier. This is normally for small purchases between \$10.00 and \$200.00 from small-to-medium companies where the purchase is considered to be a one-off event. The card is not used for travel and entertainment expenses and is also not used for payment of regular invoices.

**Police and emergency services: Metropolitan Fire and Emergency Services Board — advertising and credit card expenditure**

**4790. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Metropolitan Fire and Emergency Services Board:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

**ANSWER:**

I am informed that:

In relation to the Metropolitan Fire and Emergency Services Board:

- (1) The advertising expenditure in 2003-04 was \$344,000 as per the Victorian Government Advertising-Master Agency Media Service Contract.
- (2) The credit card expenditure of the Metropolitan Fire and Emergency Services Board is included as part of the Board's total expenditure in its financial record system and cannot be easily determined. Accordingly, I am of the opinion that to answer the question would be an unreasonable diversion of my Department's resources.

**Police and emergency services: Country Fire Authority — advertising and credit card expenditure**

**4791. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Country Fire Authority:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

**ANSWER:**

I am informed that:

In relation to the Country Fire Authority:

- (1) The advertising expenditure in 2003-04 was \$513,308 as per the Victorian Government Advertising-Master Agency Media Service Contract.
- (2) The credit card expenditure in 2003-04 was \$911,066. Credit cards are used for purchasing as they represent an efficient, transparent and accountable means of acquiring goods and services.

**Corrections: prisons — education program**

**4794. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): What is the 2004-05 budget for education programs at HM Prison Ararat, HM Prison Barwon, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison, respectively.

**ANSWER:**

I am advised that:

The funding of education programs in prisons is not the responsibility of Corrections Victoria. The funding is sourced from the Office of Training and Tertiary Education (OTTE). In public prisons, education is provided by way of a funding arrangement between the OTTE and a number of Technical and Further Education (TAFE) providers who deliver the education service.

Education in private prisons is provided by way of contractual arrangements between OTTE and the individual prisons, who then subcontract education providers.

**Corrections: prisons — illicit drugs**

**4798. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): With reference to HM Prison Ararat, HM Prison Barwon, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison:

- (1) What was total number of prisoners at each facility that tested positive for illicit drug use between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.
- (2) What percentage of the total prison population at each facility that tested positive for illicit drug use between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.
- (3) What was the performance benchmark as a percentage of total prison population allowable for illicit drug use as agreed in the Service Agreement for Public Prisons and the Contract Agreement for Private Prisons at each facility between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.
- (4) What was the total cost of drug treatment at each facility between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.
- (5) What was the total number of prisoners treated for illicit drug use at each facility between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.
- (6) What was the maximum number of prisoners at each facility who could access drug treatment programs between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.

- (7) How many prisoners were unable to access drug treatment programs due to resource constraints at each facility between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.
- (8) What was total number of prisoners who accessed drug awareness programs at each facility between 1 July 2003 and 30 June 2004 and 1 July 2004 and 28 February 2005, respectively.

**ANSWER:**

I am advised that:

The percentage of positive results from random urine tests, for the period 1 July 2003 and 30 June 2004 was 4.86%. This is based upon a random general figure, whereby a sample of the prison population is tested, and this figure is used to indicate the positive rate for the entire prison population.

The 2003/2004 figure uses a new calculation method, broadening the positive result to include test 'refusals' and 'unables' - both of which were previously excluded.

This is a **new** calculation method introduced from 1 July 2003, and therefore the 2003/2004 figure is not comparable to figures released for previous periods.

The period 1 July 2004 and 28 February 2005 is not a standard reporting period. Figures for this period are not comparable to full financial year figures, due to reasons including seasonal fluctuations in prison population.

Sufficiently detailed information to answer other parts of this question, and to provide a breakdown of these figures for each prison, is not readily available without substantially and unreasonably diverting the resources of Corrections Victoria.

**Environment: carbon tender program**

**4831. THE HON. BILL FORWOOD** — To ask the Minister for Local Government (for the Minister for Environment): In relation to stage one of the Carbon Tender program:

- (1) How many farmers have entered into contracts.
- (2) Was all \$900,000 allocated to farmers; if not, how were the funds allocated.
- (3) Were all contracts offered to best value bidders (based on \$ per tonne of CO2 offered to DSE).
- (4) What was the highest value per tonne.
- (5) What was the lowest value per tonne.
- (6) How many hectares will be revegetated in stage one.

**ANSWER:**

I am informed that:

- (1) Contracts have been offered to 23 land-holders for 26 sites. As at 4 May 2005 contracts had been entered into for 16 of the 26 sites.
- (2) A total of \$807,518 has been allocated. Contracts were not offered beyond this as the reserve price (the ceiling price the Government is prepared to pay to land-holders for CO2 sequestered) was exceeded and subsequent bids would not represent good value in terms of \$ per tonne of CO2. All of the \$807,518 will go to land-holders as they meet the performance requirements of the contract. The balance of the \$900,000 allocation will be carried forward to the next Carbon Tender auction scheduled for June 2005, as will any funds for contracts not taken up by land-holders.

- (3) Contracts were only offered to the 26 best value bids out of 33 eligible bids that were received. These 26 bids were below the reserve price. The seven bidders above the reserve price were advised of the median price and are all eligible to bid again in Stage 2. They were also provided advice by DSE officers about other land use options apart from Carbon Tender.
- (4) The highest price offered was \$47.34 per tonne of CO<sub>2</sub>.
- (5) The lowest price offered was \$2.95 per tonne of CO<sub>2</sub>. The median price was \$16.19 per tonne of CO<sub>2</sub>.
- (6) If all contracts that were offered are taken up by land-holders there will be 167 hectares of revegetation. If there are land-holders who withdraw from the process this number will decrease. As noted above, should this be the case, residual funds will be carried forward to the next Carbon Tender auction round.

**Transport: roadside noise barriers**

**4879. THE HON. GORDON RICH-PHILLIPS** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the installation of roadside noise barriers on existing roads:

- (1) Does VicRoads have a list of sites where it proposes to erect barriers.
- (2) How many sites are on VicRoads' list.
- (3) What criteria are applied in determining which sites will receive barriers.
- (4) How many roads have had barriers erected in 2004-05 (to date), and what was the cost of this work.
- (5) How much funding is available in the 2005-06 budget for the installation of roadside noise barriers on existing roads.
- (6) Is the section of the Monash Freeway between the Clyde Road overpass and the Princes Highway on VicRoads' list to have roadside noise barriers installed; if so, will this be within the 2005-06 financial year and what is the estimated cost of that installation.

**ANSWER:**

As at the date the question was raised, the answers are :

- (1) VicRoads has a list of sites for which proposals for noise attenuation have been developed, as they meet the criteria for the retrofitting of noise attenuation on existing roads.
- (2) There are currently 19 sites across the State on VicRoads' list.
- (3) The factors taken into account in determining which sites will receive barriers are measured noise levels, the number of properties that would benefit and the estimated cost. Any proposal for noise barriers is considered for funding on the basis of its relative priority when compared with other road improvement proposals across the State.
- (4) Aside from roads where noise barriers have been funded by developers, no existing roads have been retrofitted with noise barriers in 2004/05.
- (5) A total of \$660 million has been allocated to improve roads and transport in the 2005/06 Budget. The amount for noise barriers is yet to be announced.
- (6) Three of the sites on VicRoads' list are on the section of the Princes Freeway between the Clyde Road overpass and the Princes Highway, east of the overpass. The estimated cost for installing noise barriers at these three sites is in excess of \$4 million. The details of funding for noise attenuation in the 2005/06 Program have not yet been announced. There are no sites on VicRoads' list on the section of the Princes

Freeway between the Clyde Road overpass and the Princes Highway west of the overpass. A 450-metre-long developer-funded noise barrier has recently been erected along the southern section of the Princes Freeway west of the Clyde Road overpass.

**Community services: Human Services — disability services division budget**

**4885. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to the Disability Services Division 2005-06 budget, under which output group are each of the following activities:

- (a) Case management;
- (b) Aids and equipment;
- (c) Independent living training;
- (d) Respite;
- (e) Therapy;
- (f) Building inclusive communities;
- (g) Community options;
- (h) Day Programs;
- (i) Futures for Young Adults;
- (j) Moving Ahead;
- (k) Recreation;
- (l) HomeFirst;
- (m) Outreach;
- (n) Family options;
- (o) Flexible Support Packages;
- (p) Individual Support;
- (q) Shared Supported Accommodation;
- (r) Transitional Accommodation;
- (s) Congregate Care;
- (t) Behaviour intervention;
- (u) Criminal justice;
- (v) Services quality;
- (w) System support and innovation;
- (x) Training and development;
- (y) Advocacy;

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- (z) Information;
- (aa) Peak organisations; and
- (bb) Intake and response.

**ANSWER:**

I am informed that:

The following activities come under the following 2005-06 output groups.

<b>Activity</b>	<b>Output Group</b>
a) Case Management	Information, Assessment and Planning
b) Aids and Equipment	Primary Support
c) Independent Living Training	Primary Support
d) Respite	Primary Support
e) Therapy	Primary Support
f) Building Inclusive Communities	Community Participation and Inclusion
g) Community Options	Community Participation and Inclusion
h) Day Programs	Community Participation and Inclusion
i) Futures for Young Adults	Community Participation and Inclusion
j) Moving Ahead	Community Participation and Inclusion
k) Recreation	Community Participation and Inclusion
l) HomeFirst	Individual Support
m) Outreach	Individual Support
n) Family Options – This activity has merged with the activity Flexible Support Packages that comes under the Individual Support output group	Individual Support
o) Flexible Support Packages	Individual Support
p) Individual Support	Individual Support
q) Shared Supported Accommodation	Residential Accommodation Support
r) Transitional Accommodation	Residential Accommodation Support
s) Congregate Care	Residential Accommodation Support
t) Behaviour Intervention	Primary Support
u) Criminal Justice	Primary Support
v) Service Quality	Information, Assessment and Planning
w) System Support and Innovation	Information, Assessment and Planning
x) Training and Development)	Information, Assessment and Planning

Activity	Output Group
y) Advocacy	Community Participation and Inclusion
z) Information	Information, Assessment and Planning
aa) Peak Organisations	Information, Assessment and Planning
bb) Intake and Response	Information, Assessment and Planning

**Community services: Signposts packages — funding**

**4886. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to the Signposts packages for 2004-05:

- (1) How many Signposts packages were funded.
- (2) How much funding was allocated to the Signposts packages.
- (3) How many Signposts packages are being transferred from the Individual Support output group to the Early Childhood Intervention Services output and what amount of funding will be transferred.

**ANSWER:**

I am informed that:

In relation to the Signposts packages for 2004-05.

- 1) 550 Signposts packages were funded.
- 2) \$0.8m of state funding was allocated in the 2004-05 Budget for the Signpost program.
- 3) 550 Signpost packages have been transferred from the Individual Support output to the Early Childhood Intervention Services output with funding of \$2.5m inclusive of Commonwealth funding for 2004-05.

**Community services: disability services — southern region**

**4887. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to people with disabilities in the Southern Region as at 30 June 2004:

- (1) What was the total funding allocated to Shared Supported Accommodation.
- (2) How much of the funding was for Department managed accommodation.
- (3) How many beds were provided in Department managed accommodation.
- (4) How much of the funding was for non-government managed accommodation.
- (5) How many beds were provided in non-government managed accommodation.

**ANSWER:**

I am informed that:

As at 30 June 2004:

- 1) Total funding allocated to Shared Supported Accommodation activity was \$54.9m.
- 2) Funding allocated to Department managed accommodation was \$24.3m.

- 3) Information for Shared Supported Accommodation usage and capacity is reported through counts of people accessing the service. The number of people in Department managed accommodation was 302.
- 4) Funding allocated to non-government accommodation was \$30.6m.
- 5) Information for Shared Supported Accommodation usage and capacity is reported through counts of people accessing the service. The number of people in non-government managed accommodation was 515.

**Community services: disability services — southern region**

**4888. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services):

- (1) How many individuals on the Disability Services Needs Register as at December 2004 were people in the Southern Region waiting for —
  - (a) shared supported accommodation;
  - (b) in-home accommodation support; and
  - (c) day programs.
- (2) For each category, how many were classified as —
  - (a) urgent priority;
  - (b) high priority; and
  - (c) low priority.
- (3) For each category, how many were aged —
  - (a) under 18 years;
  - (b) 18 to 24 years;
  - (c) 25 to 29 years; and
  - (d) 30 or more years.

**ANSWER:**

I am informed that:

In December 2004:

- (1) The number of individuals on the Disability Service Needs Register in the Southern region waiting for:
  - a) shared supported accommodation was 588;
  - b) HomeFirst was 266 (noting that in-home accommodation support and home first were merged into the activity HomeFirst in 2002-2003); and
  - c) day programs was 148.
- (2) For each category, the number of individuals classified as:
  - a) urgent priority were;

Priority	Shared Supported Accommodation	Home First	Day programs
Urgent	203	179	112

b) high priority;

Priority	Shared Supported Accommodation	Home First	Day programs
High	174	71	34

c) low priority

Priority	Shared Supported Accommodation	Home First	Day programs
Low	211	16	2

(3) For each category the number of individuals aged:

Age	Shared Supported Accommodation	Home First	Day Programs
a) under 18 years	36	15	0
b) 18 to 24 years	94	33	3
c) 25 to 29 years	92	20	12
d) 30 or more years	366	198	133

It should be noted that most individuals on the service needs register classified as urgent, and other individuals receive interim and other supports whilst waiting for the nominated and/or assessed support service.

**Community services: disability services — southern region**

**4889. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services):

(1) How many people in the Southern Region on the Service Needs Register —

- (a) have a carer;
- (b) do not have a carer;
- (c) have their carer’s age recorded; and
- (d) do not have their carer’s age recorded.

(2) How many of the carers with their age recorded are —

- (a) under 55 years of age;
- (b) 55 to 64 years;
- (c) 65 to 69 years; and
- (d) 70 or more years.

**ANSWER:**

I am informed that:

(1) In the Southern Region on the Service Needs Register –

- (a) The number of people recorded as having a carer was 225.
- (b) The number of people who did not have a carer or who did not have a carer recorded was 777.
- (c) The number of people that had their carer’s age recorded was 214.

- (d) The number of people that did not have their carer's age recorded was 11.
- (2) The ages of carers with their age recorded are:
- (a) under 55 years of age – 94;
  - (b) 55 to 64 years – 57;
  - (c) 65 to 69 years – 20; and
  - (d) 70 or more years – 43.

**Community services: disability services — southern region**

**4891. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to the redevelopment of Kew Residential Services, how many of the residents will move to the Southern Region.

**ANSWER:**

I am informed that:

In relation to the redevelopment of Kew Residential Services, it is planned that 61 residents will move from Kew Residential Services to the Southern Region.

**Community services: support and choice — individualised planning and support initiative**

**4896. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): Further to the answer to Question on Notice No 4166 given in this House on 15 December 2004 in relation to the Support and Choice-Individualised Planning and Support initiative in each region as at 30 June 2004:

- (1) Of the approximately 16 per cent of packages with a value in excess of \$20,000, how many were between —
  - (a) \$20,001 and \$40,000;
  - (b) \$40,001 and \$65,000; and
  - (c) \$65,001 plus.
- (2) Of the approximately 84 per cent of packages with a value less than \$20,000 how many were —
  - (a) under \$10,000; and
  - (b) between \$10,001 and \$19,999.

**ANSWER:**

I am informed that:

- (1) As at 30 June 2004 – of the 16% of Individual Packages provided through Support and Choice with a value in excess of \$20,000
  - (a) 11% were between \$20,001 and \$40,000
  - (b) 4.5% were between \$40,001 and \$65,000
  - (c) 0.5% were in excess of \$65,001
- (2) Of the 84% of packages with a value less than \$20,000

- (a) 68% were less than \$10,000
- (b) 16% were between \$10,001 and \$20,000

**Community services: disability services — flexible care packages**

**4897. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to flexible care packages for people with disabilities as at 30 June 2004:

- (1) How many people were in receipt of —
  - (a) short-term assistance package; and
  - (b) an ongoing assistance package.
- (2) What was the Disability Services expenditure for —
  - (a) short-term assistance packages; and
  - (b) ongoing assistance packages.

**ANSWER:**

I am informed that:

- 1) The number of people with a disability receiving a flexible care package as at 30 June 2004 was 3,258. The current data collection system does not support reporting specifically for a short-term assistance package or for an ongoing package.
- 2) Disability Services expenditure for flexible care packages as at 30 June 2004 was \$25.1M. The financial management system does not record expenditure specifically for a short-term assistance package or for an ongoing package.

QUESTIONS ON NOTICE

1910

COUNCIL

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**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 July 2005**

**Corrections: private prisons contract review notice**

**1806. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison:

- (a) When the Private Prisons Contract Review Notice was negotiated, what processes has the Government put in place to determine the security of the public prison system.
- (b) When the Notice was negotiated, how did the review compare to the processes undertaken by the Government to secure the Public Prison system.
- (c) What were the outcomes of the Notice and how did they benefit the Public Prison System.
- (d) Under what time frame will the outcomes of the Notice be implemented.

**ANSWER:**

I am advised as follows:

- (a) Security arrangements at the publicly operated prisons are constantly monitored by the Corrections Inspectorate, irrespective of whether or not a Private Prisons Contract Review process is being undertaken.
- (b) The review process resulted in changes to the Correctional Standards, Healthcare Standards and Service Delivery Outcomes for the private prisons. In the private prison contracts the changes were contractually enforced, then, in order to ensure uniformity across the system, subsequently implemented across all publicly operated prisons. Prison security requirements are specifically outlined within the Correctional Standards and Service Delivery Outcomes, which form Annexures Q and T to the private prison contracts.

The same Service Delivery Outcomes apply across the publicly operated prisons.

- (c) As above, the changes implemented by the Private Prison Contract Review process were replicated across the public system, to ensure that Standards and service delivery requirements continued to be consistently applied across the system.
- (d) The outcomes of the Notice were implemented at the private prisons in September 2002 and adopted across the public prison system on 1 July 2003. They are monitored on a monthly basis across all public and private prisons.

**Transport: Spencer Street Station Authority — interstate and overseas travel**

**4101. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to interstate and overseas travel by the members and staff of the Spencer Street Station Authority in 2003-04:

- (1) How many trips were undertaken.
- (2) What costs were associated with the travel.

**ANSWER:**

As at the date the question was raised, the answer is :

Trip number	Interstate/Overseas	Costs associated with trip
One	Interstate	\$456.58
Two	Interstate	\$987.75
Three	Interstate	\$783.95
Four	Interstate	\$677.44
Five	Interstate	\$297.16

**Transport: V/Line — revenue and passenger journeys**

**4146. THE HON. DAVID KOCH** — To ask the Minister for Local Government (for the Minister for Transport):

- (1) What was been the cash farebox revenue received by V/Line between 1 January to 30 June 2004 and 1 July to 30 September 2004.
- (2) What amount was received for each of the same periods a year earlier.
- (3) How many individual passenger journeys were made on V/Line in each of the periods in (1) and (2) above.

**ANSWER:**

As at the date the question was raised, the answer is:

(1) & (2): V/Line Cash Farebox

Year	1 January to 30 June	1 July to 30 September
2003	\$20,138,460	\$9,745,070
2004*	\$18,887,313	\$10,614,758

(3): Passenger Journeys on V/Line

Year	1 January to 30 June	1 July to 30 September
2003	3,666,229	1,893,207
2004*	3,324,140	1,874,796

\* RFR occupations commenced in January 2004 and continued to affect the delivery of rail services until 7 July 2004.

**Transport: Victorian Rail Freight Advisory Council — entertainment expenses**

**4200. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the Victorian Rail Freight Advisory Council’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is:

There were no entertainment expenses incurred in excess of \$500 in 2003-2004 by the Victorian Rail Freight Advisory Council.

**Transport: Marine Safety Victoria — entertainment expenses**

**4284. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to Marine Safety Victoria’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is :

Marine Safety Victoria did not incur any entertainment expenses which exceeded \$500 during the 2003-04 financial year.

**Transport: Spencer Street Station Authority — entertainment expenses**

**4288. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the Spencer Street Station Authority’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is :

- Date: 19 May 2003
- Cost: \$522.27
- Number of guests: 9
- Purpose: Board luncheon
- Service provider: Victoria Club
  
- Date: 25 September 2003
- Cost: \$1014.00
- Number of guests: 60
- Purpose: Farewell lunch for staff taking voluntary departure packages
- Service provider: Aussie Fingerfood Catering
  
- Date: 30 September 2003
- Cost: \$3950.00
- Number of guests: 10
- Purpose: Table sponsorship for Committee for Melbourne annual dinner
- Service provider: Committee for Melbourne
  
- Date: 19 November 2003
- Cost: \$566.82
- Number of guests: 8
- Purpose: Board luncheon
- Service provider: Victoria Club
  
- Date: 20 October 2003
- Cost: \$1100
- Number of guests: 10
- Purpose: Property Council of Australia Christmas luncheon
- Service provider: Property Council of Australia
  
- Date: 11 December 2003
- Cost: \$3713.63 (Note: Staff contributed \$1890 to this event. While the Authority was invoiced \$3713.63 the amount minus staff contributions was \$2195)
- Number of guests: 43
- Purpose: Staff Christmas party
- Service provider: Cruise Victoria
  
- Date: 19 February 2004
- Cost: \$1500.00
- Number of guests: 10
- Purpose: IPAA Victoria, International Women's Day dinner
- Service provider: Institute of Public Administration Australia

**Transport: VicRoads — entertainment expenses**

**4290. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to VicRoads’ entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is :

Entertainment expenses incurred by VicRoads in excess of \$500 during 2003-04 consist of the following:-

<b>Date incurred</b>	<b>Cost</b>	<b>Number of guests</b>	<b>Purpose</b>	<b>Name of service provider</b>
12-12-2003	\$1,800	65	Recognition of staff contributions	Kent Hotel
18-12-2003	\$1,000	29	Recognition of staff contributions	Churches Restaurant

**Transport: Shannon’s Way Pty Ltd — payments**

**4421. THE HON. GRAEME STONEY** — To ask the Minister for Local Government (for the Minister for Transport):

- (1) What payments have been made to Shannon’s Way Pty Ltd by the Minister’s department or private office or agency or statutory body under the Minister’s administration since 28 October 2003.
- (2) On what dates were the payments made.
- (3) What are the details of the project for which payment was made.

**ANSWER:**

As at the date the question was raised, the answer is :

- (1) One payment of \$13,300 plus GST was made by the Department of Infrastructure. There have been no payments made to the Company by the Minister's Office or by any Agency or Statutory Body under the Minister’s administration.
- (2) 27 December 2003.
- (3) The payment related to the provision of strategic advice on the Multi Purpose Taxi Programme.

**Police and emergency services: Police Appeals Board — advertising and credit card expenditure**

**4786. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the Police Appeals Board:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

**ANSWER:**

I am informed that:

In relation to the Police Appeals Board:

- (1) The advertising expenditure in 2003-04 was nil.
- (2) The credit card expenditure in 2003-04 was \$8,492. Credit cards are used by the Police Appeals Board for ad-hoc type purchases where it is not feasible to create a purchase order and/or supplier. This is normally for small purchases between \$10.00 and \$200.00 from small-to-medium companies where the purchase is considered to be a one-off event. The card is not used for travel and entertainment expenses and is also not used for payment of regular invoices.

**Police and emergency services: State Emergency Services — advertising and credit card expenditure**

**4789. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to the State Emergency Service (SES):

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

**ANSWER:**

I am informed that:

In relation to the State Emergency Service (SES):

- (1) The advertising expenditure in 2003-04 was \$8,831.20, consisting of mandatory notices and general advertising as per the Victorian Government Advertising-Master Agency Media Service Contract.
- (2) The credit card expenditure in 2003-04 was \$301,950.38. The VICSES credit card expenditure includes the payment of various utility accounts such as telephone, electricity, gas and rates incurred within the State Headquarters and Central Regional building located in Southbank, the five Regional Headquarters and the three supporting offices. It will also include training exercises and emergency management activities that involve accommodation and meals.

**ANSWER:**

**Corrections: home detention program**

**4796. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to HM Prison Ararat, HM Prison Barwon, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Prison Tarrengower, Fulham Correctional Centre, Dame Phyllis Frost Centre and Port Phillip Prison for the period 1 April 2004 to 28 February 2005 inclusive:

- (1) What was the total number of prisoners undertaking the Home Detention Program.
- (2) What was the total number of female prisoners undertaking the Program.
- (3) What was the total number of male prisoners undertaking the Program.
- (4) What was the total number of breaches of those prisoners undertaking the Program.
- (5) What was the breach for that prisoner causing him or her returning to jail.

**ANSWER:**

I am advised that:

The following table provides a breakdown of the total number of prisoners undertaking the Home Detention Program for the prisons requested from 1 April 2004 to 28 February 2005, in accordance with parts one to five of the question.

**Home Detention Program: 1 April 2004 to 28 February 2005**

<b>Prison</b>	<b>(1) Prisoner Numbers</b>	<b>(2) Female Prisoner Numbers</b>	<b>(3) Male Prisoner Numbers</b>	<b>(4) Number of Breaches</b>	<b>(5) Type of Breach</b>
HMP Tarrengower	4	4			
Dame Phyllis Frost Centre	7	7		1	Positive Drug Test
HMP Ararat	1		1		
HMP Barwon					
HMP Bendigo					
HMP Dhurringile	17		17		
HMP Langi Kal Kal	5		5		
Fulham Correctional Centre	10		10		
Port Phillip Prison			0		
HMP Loddon	13		13		
<b>Total</b>	<b>57</b>	<b>11</b>	<b>46</b>	<b>1</b>	

Please note that whilst there have been three Breaches, only one breach was in relation to a prisoner undertaking the Home Detention Program; the remaining two breaches relate to court imposed Home Detention orders.

**Corrections: prisoners — unemployed**

**4799. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Corrections): In relation to the over-representation of the unemployed adult population of Victorian jails:

- (1) What programs linked within the prison system is specifically tailored for unemployed adult prisoners.
- (2) How did the level of funding determine the availability for such programs between 1 July 2003 to 30 June 2004 and 1 July 2004 to 28 February 2005, respectively.

**ANSWER:**

I am advised that:

1. The Correctional Services Employment Pilot Program (CSEPP) provides direct intensive employment assistance to prisoners of; Dhurringile, Loddon, Tarrengower, Barwon, Dame Phyllis Frost Centre, and Fulham Correctional Centre.

CSEPP was established under the Corrections Long Term Management Strategy (CLTMS) and the Reducing Re-offending Framework and is an initiative of the Victorian Government. Originally established as a two year pilot (July 2002 – June 2004) the initiative was further extended for a 12 month period (July 2004 – June 2005).

The program was developed in response to an identified need for employment assistance for prisoners as unemployment is considered as a risk factor for re-offending.

2. The program is funded through the Corrections Long Term Management Strategy which determined that the pilot program would be delivered to seven prison locations, this number reduced to six prisons after the closure of Won Wron prison.

The level of funding has not altered since the inception of the program in June 2002 as it is in a pilot phase.

**Transport: mobile traffic safety cameras — siting**

- 4867. THE HON. ANDREW BRIDSON** — To ask the Minister for Local Government (for the Minister for Transport): What is the general criteria for the siting of mobile traffic safety cameras.

**ANSWER:**

As at the date the question was raised, the answer is :

This question does not fall within my portfolio responsibility and would be more appropriately answered by the Minister for Police and Emergency Services.

**Transport: Waverley Road — mean speed**

- 4869. THE HON. ANDREW BRIDSON** — To ask the Minister for Local Government (for the Minister for Transport): What is the mean speed of motor vehicles in Waverley Road between Warrigal Road, Chadstone and Jells Road, Wheelers Hill for 2000, 2001, 2002, 2003 and 2004, respectively.

**ANSWER:**

As at the date the question was raised, the answer is :

VicRoads has no mean speed data for this section of Waverley Road.

**Transport: Waverley Road — accidents**

- 4870. THE HON. ANDREW BRIDSON** — To ask the Minister for Local Government (for the Minister for Transport): How many casualty accidents have occurred in Waverley Road between Warrigal Road, Chadstone and Jells Road, Wheelers Hill during the past five years and at what locations.

**ANSWER:**

As at the date the question was raised, the answer is :

In the five-year period ending 31 December 2004, the following reported crashes occurred on Waverley Road between Warrigal Road, Chadstone and Jells Road, Wheelers Hill.

LOCATION	CASUALTY CRASHES
Warrigal Road	19
Huntingdale Road	13
Stephensons Road	20
Forster Road	6
Blackburn Road	12
Springvale Road	14
Gallaghers Road	3
Jells Road	0
Mid-block and other minor intersections	103
TOTAL	190

**Community services: disability services — southern region**

**4890. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to the Southern Region:

- (1) How many persons with disabilities waiting for shared supported accommodation obtained a place in a community residential unit for the year ended 30 June 2004.
- (2) On average, for how many days had those people been waiting for a place.

**ANSWER:**

I am informed that in relation to the Southern region:

For the year ended 30 June 2004:

- (1) The number of persons with disabilities that waited for a shared supported accommodation place and obtained a place in a community residential unit was 29.
- (2) On average the people that waited for a shared supported accommodation place and obtained a place in a community residential unit had waited for 194 weeks, however these people have been receiving a range of supports and services.

**Community services: disability services — Kew Residential Services**

**4898. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): Further to the answer to Question on Notice No 4684 given in this House on 21 April 2005 which states that as at 30 June 2004 there were 326 people in residence at Kew Residential Services, and the answer to Question on Notice No 4162 given in this House on 8 December 2004 which gives a total of 244 residents by unit of residence and the ages of 332 residents, how many residents were at Kew Residential Services as at 30 June 2004 —

- (a) under 45 years of age;
- (b) aged 45 to 55 years;
- (c) aged 56 to 65 years;

- (d) aged 66 to 75 years; and
- (e) over 75 years of age.

**ANSWER:**

I am informed that:

The answer to Question on Notice 4162 contained a transcription error. The list of units given was incomplete with corresponding numbers of residents in those units not listed. The total number of residents in residence as at 30 June 2004 (as was provided to the House in response to Question on Notice 4684) was 326. (The ages were given for 326 residents plus 6 residents who were then in transition).

To reiterate, there were 326 residents in Kew Residential Services as at 30 June 2004. Age categories for these 326 residents were:

Age Category	Number of Residents
under 45 years of age	129
aged 45 to 55 years	157
aged 56 to 65 years	32
aged 66 to 75 years	7
over 75 years of age	1

**Community services: Disability Services Act — eligibility for services**

**4899. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): Further to the answer to Question on Notice No 4186 given in this House on 15 December 2004 which states that information is not collected on how many people were assessed as eligible to receive services under the *Disability Services Act 1991* and their ages, why is this information not collected.

**ANSWER:**

I am informed that:

Until recently only clients assessed under the *Intellectually Disabled Persons' Services Act 1986 (IDPSA 1986)* were recorded in the information system. The information system holds information about clients that have been assessed under the *Disability Services Act 1991 (DSA 1991)* in the past 18 months. However, this data field is not mandatory and to date the responses to this question have not shown representative numbers of services being provided.

**Victorian communities: Victorian Communities — budget 2005–06**

**4911. THE HON. ANDREA COOTE** — To ask the Minister for Aged Care (for the Minister for Victorian Communities):

- (1) Why is the total output cost of \$10.2M in 2005-06 for Community Strengthening less than half the expected outcome of \$21.3M for 2004-05 (Budget Paper No. 3, p.239), and if this is due to a change in reporting, will the Minister provide data showing the true comparables.
- (2) Why has Employee Benefits budgeted to increase to \$53.32M for 2005-06, which is \$4.5M higher than the revised amount of \$48.8M for 2004-05 (Budget Paper No. 4, p.133, Table 2.10.1 Operating Statement).

- (3) What component of the increase in Employee Benefits is made up of executive salary increases compared with increases for other ordinary employees.
- (4) Why is Grants and Other Payments for 2005-06 \$450.9M, which is \$53.55M higher than the revised amount for 2004-05 of \$397.4M (Budget Paper No. 4, p.133, Table 2.10.1 Operating Statement).
- (5) What component of the increase will be directed to community groups rather than directed to projects of other Government departments.
- (6) Why was the revised amount for Grants and Other Payments for 2004-05 only \$397.4M, which is \$57.7M less than the 2004-05 budget amount of \$435.7M (Budget Paper No. 4, p.287, Table C.10.1 Statement of Financial Performance).
- (7) As the amount for Supplies and Services for 2005-06 of \$146.4M, is \$96M higher than the revised amount for 2004-05 of \$50.4M (Budget Paper No. 4, p.133, Table 2.10.1 Operating Statement), why is there such an increase when the revised amount was \$9.6M less than the budgeted amount for 2004-05 of \$60.0M (Budget Paper No. 4, p.287, Table C.10.1 Statement of Financial Performance).
- (8) As the amount for Output Appropriations for 2005-06 of \$559.6M is \$181.5M higher than the revised amount for 2004-05 of \$378.1M (Budget Paper No. 4, p.133, Table 2.10.1 Operating Statement), why was there such an increase when the revised amount was \$45.3M less than the budgeted amount for 2004-05 of \$423.4M (Budget Paper No. 4, p.287, Table C.10.1 Statement of Financial Performance).

**ANSWER:**

I am informed that:

With regard to questions 1-3, I refer the Honourable Member to the transcript from the Public Accounts and Estimates Committee on May 13 for the Department for Victorian Communities where these questions were answered. Please refer to <http://www.parliament.vic.gov.au/paec/> for the transcript.

- (4) The increase in “grants and other payments” in 2005-06 is the result of new initiatives in the 2005-06 budgets as well as the cost of running the Commonwealth Games in 2005-06.
- (5) The major increase in grant expenditure is related to the Office of Commonwealth Games payments to M2006 associated with running the Commonwealth Games in 2006 and not community groups.
- (6) Grant payments in the 2004-05 revised budgets were reduced due to the early payment of a Commonwealth grant in late 2003-04, whereas the 2004-05 Budget was based on the payment occurring in 2004-05. The payment relates to the Commonwealth Government’s contribution to the Commonwealth Games.
- (7) The increase in supplies and services is as a result of new initiatives in the 2005-06 Budget and the running of the Commonwealth Games in 2005-06.
- (8) The increase in the appropriation from the revised budget in 2004-05 to 2005-06 is as a result of new initiatives in the 2005-06 Budget and the funding of the Commonwealth Games in 2005-06. The latter is reflected in the increase in the Output cost for the Commonwealth Games reflected in Budget Paper No 3.

**Victorian communities: Victorian Communities — performance measures**

- 4913. THE HON. ANDREA COOTE** — To ask the Minister for Aged Care (for the Minister for Victorian Communities): In relation to the Minister’s ‘Welcome’ on the website [www.communitybuilding.vic.gov.au](http://www.communitybuilding.vic.gov.au):

- (1) How successful has the Department for Victorian Communities been in building on the lessons.
- (2) What Key Performance Indicators or other performance measures, monitoring and evaluation does the Department employ to carry out its role.
- (3) Since its inception, has the Department itself, excluding specific projects funded from the Community Support Fund, markedly changed community building and strengthening in Victoria and how is this measured.

**ANSWER:**

I am informed as follows:

- (1) The Department for Victorian Communities and indeed the Victorian Government has successfully put a range of processes into place to build on these lessons. This is demonstrated in the Victorian Government's social policy statement *A Fairer Victoria* which outlines interventions designed to improve opportunities and outcomes for the most disadvantaged people and places in Victoria, using the lessons of community strengthening as a foundation for a whole of government approach.
- (2) The performance measures for the Department for Victorian Communities are reported each year in Budget Paper 3. In addition to the estimated results presented in this document, actual results as at 30 June are published in the Department's annual report each year.
- (3) Since its inception the Department for Victorian Communities has established a Departmental structure and key strategies that have markedly changed community building and strengthening in Victoria, as outlined in DVC's Corporate Plan, Annual Report and the Victorian Government's social policy statement *A Fairer Victoria*. Changes in the delivery of community building/strengthening activities are evidenced by key changes in government such as the streamlining of DVC grants, the establishment of DVC local teams and the adoption, wherever possible, of a joined up approach.

In terms of measuring the effect of changes in community strengthening: At its broadest, the Department for Victorian Communities has developed a community strengthening Outcomes Framework and populated it with a set of indicators to monitor the combined effect of the actions of the community, government and business on key aspects of community strength. These are reported in three reports:

- Indicators of Community Strength Victoria 2004;
- Report Card on Measuring Community Strength in Victoria 2004; and,
- Indicators of Community Strength at the Local Government Area Level in Victoria 2005.

**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 July 2005**

**Transport: Connex — punctuality and reliability reporting**

**1722. THE HON. DAVID KOCH** — To ask the Minister for Local Government (for the Minister for Transport): When will Connex commence publicly reporting its punctuality and reliability statistics on a line-by-line basis rather than on a system-wide basis.

**ANSWER:**

As the date the question was raised, the answer is:

The Bracks Government publishes monthly train performance data on a line by line basis every year in *Track Record*. There are no plans to alter these arrangements.

*Track Record* is available online at [www.doi.vic.gov.au](http://www.doi.vic.gov.au).

**Transport: Yarra Trams — punctuality and reliability reporting**

**1723. THE HON. DAVID KOCH** — To ask the Minister for Local Government (for the Minister for Transport):

- (a) Are there are plans for Yarra Trams to report its punctuality and reliability statistics on a line-by-line basis similar to the previous practice of the now defunct M>Train; if so, from what month will this occur.
- (b) What was the punctuality and reliability percentage performance for each tram route between 18 April and 30 April 2004.

**ANSWER:**

As at the date the question was raised, the answer is:

Line-by-line operational results are published in *Track Record*, a Department of Infrastructure publication available online at [www.doi.vic.gov.au](http://www.doi.vic.gov.au).

**Transport: M>Train Siemens cars**

**1755. THE HON. DAVID KOCH** — To ask the Minister for Local Government (for the Minister for Transport):

- (a) How many of the Siemens three car sets had been accepted by M>Train following testing as at — (i) 1 March 2004; and (ii) 12 May 2004.
- (b) How many further three car sets are expected to be delivered by — (i) 31 May 2004; (ii) 31 August 2004; (iii) 30 November 2004; and (iv) 28 February 2005.

**ANSWER:**

As at the date the question was raised, the answer is:

Information on new trains is available online at [www.doi.vic.gov.au/transport](http://www.doi.vic.gov.au/transport).

**Transport: City Circle Tram Promotion Committee — stress-related leave**

- 1866. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to staff members of the City Circle Tram Promotion Committee on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

**ANSWER:**

As at the date the Question was raised, the answer is:

During 2002-03 no member of the Committee took stress leave and thus no related costs were incurred.

**Transport: Victorian Bicycle Advisory Committee — stress-related leave**

- 1871. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to staff members of the Victorian Bicycle Advisory Committee on stress related leave in 2002-03, what was the — (i) number of days taken; (ii) estimated cost; and (iii) total number of staff involved.

**ANSWER:**

As at the date the Question was raised the answer is:

The Victorian Bicycle Advisory Council has no staff members.

**Transport: public transport zones — revenue**

- 3677. THE HON. PHILIP DAVIS** — To ask the Minister for Local Government (for the Minister for Transport): For each year since 2002, what is the annual revenue collected in zones 3, 2 and 1, respectively.

**ANSWER:**

As at the date the question was raised, the answer is :

*Track Record*, a publication of the Department of Infrastructure, contains information on farebox revenue. It is available online at [www.doi.vic.gov.au](http://www.doi.vic.gov.au).

**Transport: City Saver tickets — revenue**

- 3678. THE HON. PHILIP DAVIS** — To ask the Minister for Local Government (for the Minister for Transport): What has been the revenue generated from the sale of the new 'City Saver' public transport tickets for each month since it was introduced.

**ANSWER:**

As at the date the question was raised, the answer is:

*Track Record*, a publication of the Department of Infrastructure, contains information on farebox revenue. It is available online at [www.doi.vic.gov.au](http://www.doi.vic.gov.au).

**Police and emergency services: minister's office — alcohol purchases**

**4080. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Police and Emergency Services): In relation to alcohol purchased by the Minister's Office since 1 January 2002, what was the —

- (a) date of each purchase;
- (b) value of each purchase; and
- (c) items purchased.

**ANSWER:**

I am informed as follows:

The research required to provide a response would place an unreasonable burden on the time and resources of my office.

However, since becoming Minister for Police and Emergency Services in January 2005, no alcohol has been purchased by the Ministerial Office.

**Transport: Infrastructure — freedom of information requests**

**4145. THE HON. DAVID KOCH** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the 349 Freedom of Information (FOI) applications received in 2003-04 by the Department of Infrastructure:

- (1) How many were —
  - (a) granted access to in full;
  - (b) granted access to in part;
  - (c) denied access to; and
  - (d) treated as withdrawn.
- (2) What was the result of each FOI appeal to the Victorian Civil and Administrative Tribunal in 2003-04.
- (3) How many FOI applications were processed within 45 days in 2003-04.
- (4) Why does the information regarding these applications not appear in the Department of Infrastructure's Annual Report for 2003-04.

**ANSWER:**

As at the date the question was raised, the answer is:

- (1)(a) – (c) This data has been reported in the FOI Annual Report published by the Attorney General, tabled in Parliament on 9 December 2004.
- (1)(d) 9.

- (2) This data has been reported in the FOI Annual Report published by the Attorney General, tabled in Parliament on 9 December 2004.
- (3) 259.
- (4) There is no requirement to do so. Information of this sort is detailed in the FOI Annual report published by the Attorney General.

**State and regional development: Docklands Film and Television Studios complex project**

**4170. THE HON. GRAEME STONEY** — To ask the Minister for Small Business (for the Minister for State and Regional Development): Further to the answer to Question No. 1675, given in this House on 5 October 2004, concerning the film and television studios at Docklands:

- (1) For what purpose was the document released to the Opposition under Freedom of Information entitled ‘Minister for State and Regional Development. Subject — Film and Television Studio: Update and information for your meeting (tbc) with Peter Bartels and [name deleted] on the project’ compiled.
- (2) Was a meeting ever scheduled (not just during the tender process) between the Minister for State and Regional Development and Mr Peter Bartels.
- (3) Did a meeting ever take place (not just during the tender process) between the Minister for State and Regional Development and Mr Peter Bartels.

**ANSWER:**

I am informed as follows:

I did not meet with Mr Peter Bartels in relation to the Docklands Film and Television Studios Project during the tender process.

The document released under the FOI was a draft, with no formal status which was held within the Department. There was never any such meeting scheduled or held during the tender process

**Transport: Urban and Regional Land Corporation — entertainment expenses**

**4289. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the Urban and Regional Land Corporation’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is :

The Urban and Regional land Corporation does not fall within the Minister for Transport’s portfolio. Your question should be directed to the Minister for Major Projects.

**Transport: Victorian Channels Authority — entertainment expenses**

**4291. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the Victorian Channels Authority’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is :

The following expenses were incurred by the Victorian Channels Authority (VCA) for the period 2003 until the VCA ceased to exist on 31 March 2004.

<u>Date</u>	<u>Cost</u>	<u>No Guest</u>	<u>Purpose</u>	<u>Provider</u>
13-Aug-03	\$1,321.89	25	Channel Deepening Project – transfer from VCA to Port of Melbourne Corporation	Luscious Affairs
02-Mar-04	\$2,375.00	60	Function to mark end of VCA	Victorian Club

**Transport: VicTrack — entertainment expenses**

**4293. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to VicTracks’ entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is:

<b>Date Incurred</b>	<b>Cost</b>	<b>Number of Guests</b>	<b>Purpose</b>	<b>Name of Service Provider</b>
28/8/03	\$2,583.50	57	Function held in recognition of a staff member accumulating more than 50 years service.	Grand Hotel, Spencer Street, Melbourne.
10/12/03	\$4,635.00	88	Function for VicTrack Board and staff.	Holiday Inn, Spencer Street, Melbourne.
19/12/03	\$1,427.16	58	Informal barbeque for VicTrack customers.	IGA North Melbourne.

**Transport: City Circle Tram Promotion Committee — entertainment expenses**

**4294. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the City Circle Tram Promotion Committee’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

As at the date the question was raised, the answer is:

The City Circle Tram Promotional Committee incurred no such entertainment expenses.

**Multicultural affairs: VITS Language Link — entertainment expenses**

**4350. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): In relation to VITS Language Link’s entertainment expenses incurred in 2003-04, what are the details, in relation to expenses in excess of \$500, including the —

- (a) date incurred;
- (b) cost;
- (c) number of guests;
- (d) purpose; and
- (e) name of service provider.

**ANSWER:**

I am informed that the response is:

- (a) 15 December 2003
- (b) \$3,110.50 (inclusive of GST)
- (c) 298

- (d) Networking function held once every two to three years.
- (e) The Apartments Restaurant, Little Bourke Street Melbourne

**Transport: V/Line — services**

**4654. THE HON. WENDY LOVELL** — To ask the Minister for Local Government (for the Minister for Transport):

- (1) Did the Bendigo–Echuca–Bendigo V/Line passenger rail service last operate on 19 December 2004; if not, when.
- (2) Are Pacific National freight trains still operating on that line.
- (3) Was the maximum speed for V/Line ‘Sprinter’ railcars 80 kilometres an hour when passenger trains were running; if not, what was the maximum speed.
- (4) Will V/Line passenger services return to this route through Rochester; if so, when.
- (5) What date did the Rail Safety Regulator declare that the line was unsafe for passenger trains operating at a maximum speed of 80 kilometres an hour.
- (6) What is the estimated cost of repairs to the North Bendigo Junction–Echuca line to allow passenger trains to again operate at 80 kilometres an hour.
- (7) How many kilometres of track between North Bendigo Junction and Echuca have to be repaired to prepare the line for passenger trains again.
- (8) Will the line from Echuca to Kyabram and Toolamba reopen for Pacific National freight trains; if so, when, and what is the estimated cost based on a maximum speed of 10 kilometres an hour and 40 kilometres an hour.
- (9) Will the line from Echuca to Kyabram and Toolamba reopen for the V/Line ‘Sprinter’ railcars; if so, when, and what is the estimated cost based on a maximum speed of 80 kilometres an hour.
- (10) If passenger trains returned to the Echuca–Kyabram–Toolamba line, would the V/Line co-ordinated coach service between Echuca–Rushworth–Murchison East cease.

**ANSWER:**

As at the date the question was raised, the answers are:

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) Yes, when the Director Public Transport Safety is satisfied that the track is fit for purpose and the Bendigo Line Corridor, currently closed for Regional Fast Rail works, is available for use by passenger trains.
- (5) 19 December 2004.
- (6)&(7)  
Details regarding costs and scope of work are not yet available.
- (8) The restarting of services is ultimately a matter for consideration by Pacific National, the track infrastructure manager and freight operator.

- (9) V/Line has no proposals to operate passenger train services over this section of railway.
- (10) Not applicable; refer to (9) above.

**Transport: mobile traffic safety cameras — siting**

**4868. THE HON. ANDREW BRIDSON** — To ask the Minister for Local Government (for the Minister for Transport): In relation to the siting of mobile traffic safety cameras on Waverley Road between Warrigal Road, Chadstone and Jells Road, Wheelers Hill:

- (1) What are the precise locations of such cameras.
- (2) What are the criteria for placing the cameras at each location.
- (3) How many traffic infringement notices have been issued for each site.
- (4) What amount of fines have been collected from each site, for each quarter, for each of the years 2000, 2001, 2002, 2003 and 2004.

**ANSWER:**

As at the date the question was raised, the answer is:

The question does not fall within my portfolio responsibility and would be more appropriately answered by the Minister for Police and Emergency Services.

**Community services: disability services — southern region**

**4892. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): As at 30 June 2004, how many people with disabilities in the Southern Region were in receipt of —

- (a) accommodation outreach support;
- (b) family options support;
- (c) Flexible Support Packages;
- (d) HomeFirst;
- (e) individualised support packages;
- (f) Shared Supported Accommodation; and
- (g) Transitional Accommodation support.

**ANSWER:**

I am informed that:

As at 30 June 2004 the number of people with disabilities in the Southern region in receipt of the following was:

- a) Accommodation Outreach Support – 194
- b) Family Options – 37
- c) Flexible Support Packages – 795
- d) HomeFirst – 138
- e) Individualised Support Packages – 204

- f) Shared Supported Accommodation – 816
- g) Transitional Accommodation Support – 1

**Community services: disability services — southern region**

**4893. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): In relation to the Southern Region:

- (1) How many people were assessed as eligible to receive services under the *Intellectually Disabled Persons' Services Act 1986* as at 30 June 2004.
- (2) How many of these were aged under 18 years and 18 or more years, respectively.
- (3) How many people were assessed as eligible to receive services under the *Disability Services Act 1991*, and how many of these were aged under 18 years.

**ANSWER:**

I am informed that:

- 1) The number of people in the Southern region that were assessed as eligible to receive services under the *Intellectually Disabled Persons' Services Act 1986* as at 30 June 2004 was 3,239.
- 2) The number of these people aged under 18 years was 517 and 18 or more years was 2,722.
- 3) This information is not available (see response to Question No. 4899).

**Community services: disability services — needs register**

**4894. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): For each category on the Disability Services Needs Register as at December 2004, how many individuals were aged —

- (a) under 18 years;
- (b) 18 to 24 years;
- (c) 25 to 29 years; and
- (d) 30 or more years.

**ANSWER:**

I am informed that:

The number of individuals on the SNR as at 21 December 2004 (the date final SNR numbers for 2004 were extracted) for each category in the following age groups were:

Age group	Shared Supported Accommodation	Day Programs	HomeFirst
under 18 years	238	6	125
18 to 24 years	645	42	276
25 to 29 years	406	39	147
30 years or more	1729	448	980

**Community services: support and choice — individualised planning and support initiative**

**4895. THE HON. BILL FORWOOD** — To ask the Minister for Aged Care (for the Minister for Community Services): Further to the answer to Question on Notice No 4165 given in this House on 15 December 2004 which informs of a central allocation of 12 people for the Support and Choice-Individualised Planning and Support initiative, what amount of funding is allocated for this central allocation.

**ANSWER:**

I am informed that:

The amount of funding identified in Question 4165, as being allocated centrally to 12 people was \$640,000.