

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

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

Thursday, 6 October 2005

(extract from Book 5)

Internet: www.parliament.vic.gov.au/downloadhansard

By authority of the Victorian Government Printer

The Governor

JOHN LANDY, AC, MBE

The Lieutenant-Governor

Lady SOUTHEY, AM

The ministry

Premier and Minister for Multicultural Affairs	The Hon. S. P. Bracks, MP
Deputy Premier, Minister for Environment, Minister for Water and Minister for Victorian Communities.....	The Hon. J. W. Thwaites, MP
Minister for Finance, Minister for Major Projects and Minister for WorkCover and the TAC	The Hon. J. Lenders, MLC
Minister for Education Services and Minister for Employment and Youth Affairs	The Hon. J. M. Allan, MP
Minister for Transport	The Hon. P. Batchelor, MP
Minister for Local Government and Minister for Housing.....	The Hon. C. C. Broad, MLC
Treasurer, Minister for Innovation and Minister for State and Regional Development	The Hon. J. M. Brumby, MP
Minister for Agriculture.....	The Hon. R. G. Cameron, MP
Minister for the Arts and Minister for Women's Affairs.....	The Hon. M. E. Delahunty, MP
Minister for Community Services and Minister for Children.....	The Hon. S. M. Garbutt, MP
Minister for Manufacturing and Export, Minister for Financial Services and Minister for Small Business	The Hon. A. Haermeyer, MP
Minister for Police and Emergency Services and Minister for Corrections	The Hon. T. J. Holding, MP
Attorney-General, Minister for Industrial Relations and Minister for Planning	The Hon. R. J. Hulls, MP
Minister for Aged Care and Minister for Aboriginal Affairs	The Hon. Gavin Jennings, MLC
Minister for Education and Training	The Hon. L. J. Kosky, MP
Minister for Sport and Recreation and Minister for Commonwealth Games.....	The Hon. J. M. Madden, MLC
Minister for Gaming, Minister for Racing, Minister for Tourism and Minister assisting the Premier on Multicultural Affairs.....	The Hon. J. Pandazopoulos, MP
Minister for Health	The Hon. B. J. Pike, MP
Minister for Energy Industries and Resources	The Hon. T. C. Theophanous, MLC
Minister for Consumer Affairs and Minister for Information and Communication Technology.....	The Hon. M. R. Thomson, MLC
Cabinet Secretary	Mr R. W. Wynne, MP

Legislative Council committees

Privileges Committee — The Honourables W. R. Baxter, Andrew Brideson, Helen Buckingham and Bill Forwood, Mr Gavin Jennings, Ms Mikakos, the Honourable R. G. Mitchell and Mr Viney.

Standing Orders Committee — The President, the Honourables B. W. Bishop, Philip Davis and Bill Forwood, Mr Lenders, Ms Romanes and Mr Viney.

Joint committees

Drugs and Crime Prevention Committee — (*Council*): The Honourable S. M. Nguyen and Mr Scheffer.
(*Assembly*): Mr Cooper, Ms Marshall, Mr Maxfield, Dr Sykes and Mr Wells.

Economic Development Committee — (*Council*): The Honourables B. N. Atkinson and R. H. Bowden, and Mr Pullen. (*Assembly*): Mr Delahunty, Mr Jenkins, Ms Morand and Mr Robinson.

Education and Training Committee — (*Council*): The Honourables H. E. Buckingham and P. R. Hall.
(*Assembly*): Ms Eckstein, Mr Herbert, Mr Kotsiras, Ms Munt and Mr Perton.

Environment and Natural Resources Committee — (*Council*): The Honourables Andrea Coote, D. K. Drum, J. G. Hilton and W. A. Lovell. (*Assembly*): Ms Duncan, Ms Lindell and Mr Seitz.

Family and Community Development Committee — (*Council*): The Hon. D. McL. Davis and Mr Smith.
(*Assembly*): Ms McTaggart, Ms Neville, Mrs Powell, Mrs Shardey and Mr Wilson.

House Committee — (*Council*): The President (*ex officio*), the Honourables B. N. Atkinson and Andrew Brideson, Ms Hadden and the Honourables J. M. McQuilten and S. M. Nguyen. (*Assembly*): The Speaker (*ex officio*), Mr Cooper, Mr Leighton, Mr Lockwood, Mr Maughan, Mr Savage and Mr Smith.

Law Reform Committee — (*Council*): The Honourables Richard Dalla-Riva, Ms Hadden and the Honourables Geoff Hilton and David Koch. (*Assembly*): Ms Beard, Ms Beattie, Mr Hudson, Mr Lupton and Mr Maughan.

Library Committee — (*Council*): The President, Ms Argondizzo and the Honourables Richard Dalla-Riva, Kaye Darveniza and C. A. Strong. (*Assembly*): The Speaker, Mr Carli, Mrs Powell, Mr Seitz and Mr Thompson.

Outer Suburban/Interface Services and Development Committee — (*Council*): Ms Argondizzo and Mr Somyurek. (*Assembly*): Mr Baillieu, Ms Buchanan, Mr Dixon, Mr Nardella and Mr Smith.

Public Accounts and Estimates Committee — (*Council*): The Honourables W. R. Baxter, Bill Forwood and G. K. Rich-Phillips, Ms Romanes and Mr Somyurek. (*Assembly*): Ms Campbell, Mr Clark, Ms Green and Mr Merlino.

Road Safety Committee — (*Council*): The Honourables B. W. Bishop, J. H. Eren and E. G. Stoney.
(*Assembly*): Mr Harkness, Mr Langdon, Mr Mulder and Mr Trezise.

Rural and Regional Services and Development Committee — (*Council*): The Honourables J. M. McQuilten and R. G. Mitchell. (*Assembly*): Mr Crutchfield, Mr Hardman, Mr Ingram, Dr Napthine and Mr Walsh.

Scrutiny of Acts and Regulations Committee — (*Council*): Ms Argondizzo and the Honourable Andrew Brideson.
(*Assembly*): Ms D'Ambrosio, Mr Jasper, Mr Leighton, Mr Lockwood, Mr McIntosh, Mr Perera and Mr Thompson.

Heads of parliamentary departments

Assembly — Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr R. W. Purdey

Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE COUNCIL
FIFTY-FIFTH PARLIAMENT — FIRST SESSION

President: The Hon. M. M. GOULD

Deputy President and Chair of Committees: Ms GLENYYS ROMANES

Temporary Chairs of Committees: The Honourables B. W. Bishop, R. H. Bowden, Andrew Brideson, H. E. Buckingham,
Ms D. G. Hadden, the Honourable J. G. Hilton, Mr R. F. Smith and the Honourable C. A. Strong

Leader of the Government:

Mr JOHN LENDERS

Deputy Leader of the Government:

Mr GAVIN JENNINGS

Leader of the Opposition:

The Hon. PHILIP DAVIS

Deputy Leader of the Opposition:

The Hon. ANDREA COOTE

Leader of The Nationals:

The Hon. P. R. HALL

Deputy Leader of The Nationals:

The Hon. D. K. DRUM

Member	Province	Party	Member	Province	Party
Argondizzo, Ms Lidia	Templestowe	ALP	Jennings, Mr Gavin Wayne	Melbourne	ALP
Atkinson, Hon. Bruce Norman	Koonung	LP	Koch, Hon. David	Western	LP
Baxter, Hon. William Robert	North Eastern	Nats	Lenders, Mr John	Waverley	ALP
Bishop, Hon. Barry Wilfred	North Western	Nats	Lovell, Hon. Wendy Ann	North Eastern	LP
Bowden, Hon. Ronald Henry	South Eastern	LP	McQuilten, Hon. John Martin	Ballarat	ALP
Brideson, Hon. Andrew Ronald	Waverley	LP	Madden, Hon. Justin Mark	Doutta Galla	ALP
Broad, Ms Candy Celeste	Melbourne North	ALP	Mikakos, Ms Jenny	Jika Jika	ALP
Buckingham, Hon. Helen Elizabeth	Koonung	ALP	Mitchell, Hon. Robert George	Central Highlands	ALP
Carbines, Ms Elaine Cafferty	Geelong	ALP	Nguyen, Hon. Sang Minh	Melbourne West	ALP
Coote, Hon. Andrea	Monash	LP	Olexander, Hon. Andrew Phillip	Silvan	LP
Dalla-Riva, Hon. Richard	East Yarra	LP	Pullen, Mr Noel Francis	Higinbotham	ALP
Darveniza, Hon. Kaye	Melbourne West	ALP	Rich-Phillips, Hon. Gordon Kenneth	Eumemmerring	LP
Davis, Hon. David McLean	East Yarra	LP	Romanes, Ms Glenyys Dorothy	Melbourne	ALP
Davis, Hon. Philip Rivers	Gippsland	LP	Scheffer, Mr Johan Emiel	Monash	ALP
Drum, Hon. Damian Kevin	North Western	Nats	Smith, Mr Robert Frederick	Chelsea	ALP
Eren, Hon. John Hamdi	Geelong	ALP	Somyurek, Mr Adem	Eumemmerring	ALP
Forwood, Hon. Bill	Templestowe	LP	Stoney, Hon. Eadley Graeme	Central Highlands	LP
Gould, Hon. Monica Mary	Doutta Galla	ALP	Strong, Hon. Christopher Arthur	Higinbotham	LP
Hadden, Ms Dianne Gladys	Ballarat	Ind	Theophanous, Hon. Theo Charles	Jika Jika	ALP
Hall, Hon. Peter Ronald	Gippsland	Nats	Thomson, Hon. Marsha Rose	Melbourne North	ALP
Hilton, Hon. John Geoffrey	Western Port	ALP	Viney, Mr Matthew Shaw	Chelsea	ALP
Hirsh, Hon. Carolyn Dorothy	Silvan	Ind	Vogels, Hon. John Adrian	Western	LP

CONTENTS

THURSDAY, 6 OCTOBER 2005

CONDOLENCES

Terrorism: Bali bombings..... 1249

DEFAMATION BILL

Introduction and first reading..... 1249

PETITION

Albert Park: parking fees..... 1249

PAPERS 1249

BUSINESS OF THE HOUSE

Adjournment..... 1249

MEMBERS STATEMENTS

Mark Latham..... 1249

Dandenong: transit city project..... 1250

Albert Park: parking fees..... 1250

*Panayia Myrtidiottissa Church, Wangaratta:
30th anniversary* 1250

North-East Multicultural Association: launch..... 1250

Commonwealth games: athletics track..... 1251

*Commonwealth Games: Geelong basketball
venue*..... 1251

VicRoads: agricultural machinery 1251

Barry Marshall and Robin Warren 1252

Emergency services: superannuation..... 1252

*National Council of Women of Victoria:
brochure*..... 1252

WorkCover: farm safety..... 1253

Higinbotham Province: football premierships..... 1253

Kangaroo Flat: special development school..... 1253

EastLink: opposition policy 1253

Ballarat: The Golden City and Its Tramways 1254

STATEMENTS ON REPORTS AND PAPERS

Library Board of Victoria: report 2003–04 1254

Forensic leave panel: report 2004..... 1255

Human Services: report 2003–04..... 1256

*Victorian Law Reform Commission: family
violence police holding powers* 1256, 1258, 1262

*Auditor-General: special reviews and other
investigations*..... 1257, 1259, 1261

Auditor-General: health procurement..... 1260

Primary Industries: report 2003–04..... 1260

*Victorian Law Reform Commission: workplace
privacy*..... 1261

CRIMES (CONTAMINATION OF GOODS) BILL

Second reading..... 1263, 1274, 1288

Third reading..... 1294

Remaining stages 1294

PROPERTY (CO-OWNERSHIP) BILL

Second reading..... 1264

SPORTS ANTI-DOPING BILL

Second reading..... 1265

Third reading..... 1274

Remaining stages 1274

QUESTIONS WITHOUT NOTICE

Emergency services: superannuation..... 1280

Environment: greenhouse gas emissions..... 1281

WorkCover and Transport Accident

Commission: payments and dividends..... 1281

Consumer affairs: telemarketing..... 1283

Hazardous waste: Lyndhurst..... 1283

Aboriginals: Ballarat art facilities 1284

Retirement villages: legislation..... 1284

*Housing: Wendouree West neighbourhood
renewal*..... 1285

Local government: councillors..... 1286

*Occupational health and safety: workplace
initiatives*..... 1286

Supplementary questions

Emergency services: superannuation..... 1281

WorkCover and Transport Accident

Commission: payments and dividends..... 1282

Hazardous waste: Lyndhurst..... 1283

Retirement villages: legislation..... 1285

Local government: councillors..... 1286

QUESTIONS ON NOTICE

Answers 1288

ADJOURNMENT

*Princes Highway–Tivendale Road, Officer:
traffic lights*..... 1294

Planning: rural zones 1294

Eastern suburbs: rooming houses 1295

Sport and recreation: sportsgrounds 1295

Western Port Highway: upgrade..... 1296

*Cheltenham and Regional Cemeteries Trust:
chief executive officer* 1296

Youth: homelessness..... 1297

Fuel: prepayment scheme..... 1297

Responses..... 1298

QUESTIONS ON NOTICE

TUESDAY, 4 OCTOBER 2005

2124. *Tourism: Melbourne Convention and
Exhibition Trust — advertising*..... 1299

2168. *Premier: Australia Day Committee
(Victoria) — advertising* 1299

2189. *Agriculture: Melbourne Market
Authority — advertising*..... 1300

2356. *Tourism: Emerald Tourist Railway
Board — media research and public
opinion polling* 1301

2586. *Tourism: Emerald Tourist Railway
Board — capital works funding*..... 1302

2819. *Tourism: Australian Grand Prix
Corporation — external legal
advice*..... 1303

3030. *Energy industries: Office of the Chief
Electrical Inspector — office
accommodation* 1303

CONTENTS

<p>3035. <i>Energy industries: Victorian Energy Networks Corporation — office accommodation</i>..... 1304</p> <p>3116. <i>Agriculture: Fisheries Co-Management Council and Fisheries Committee — office accommodation</i>..... 1304</p> <p>3631. <i>Resources: Mines Act — fees and penalties</i> 1304</p> <p>4042. <i>Finance: minister's office — alcohol purchases</i> 1305</p> <p>4052. <i>Industrial relations: minister's office — alcohol purchases</i> 1305</p> <p>4099. <i>Energy industries: Office of Gas Safety — interstate and overseas travel</i> 1306</p> <p>4133. <i>Attorney-General: Judicial College of Victoria — interstate and overseas travel</i> 1306</p> <p>4637. <i>Health: overseas trips</i>..... 1306</p> <p>5022. <i>Tourism: Emerald Tourist Railway Board — communications staff</i>..... 1309</p> <p>5034. <i>Tourism: Tourism Victoria — communications staff</i>..... 1309</p> <p>5056. <i>Racing: Bookmakers and Bookmakers' Clerks Registration Committee — communications staff</i>..... 1310</p> <p>5080. <i>Premier: Office of the Chief Parliamentary Council — communications staff</i>..... 1311</p> <p>5088. <i>Arts: Arts Victoria — communications staff</i>..... 1311</p> <p>5089. <i>Arts: Australian Centre for the Moving Image — communications staff</i>..... 1311</p> <p>5133. <i>Environment: Lake Mountain Alpine Resort Management Board — communications staff</i>..... 1312</p> <p>5134. <i>Environment: Mount Baw Baw Alpine Resort Management Board — communications staff</i>..... 1312</p> <p>5139. <i>Environment: National Tennis Centre (Melbourne Park) Trust — communications staff</i>..... 1312</p> <p>5140. <i>Environment: Phillip Island Nature Park Board of Management — communications staff</i>..... 1313</p> <p>5141. <i>Environment: Shrine of Remembrance Trust — communications staff</i>..... 1313</p> <p>5142. <i>Environment: Yarra Bend Park Trust — communications staff</i>..... 1313</p> <p>5143. <i>Environment: EcoRecycle Victoria — communications staff</i>..... 1314</p> <p>5186. <i>Environment: Goulburn-Murray Rural Water Authority — communications staff</i>..... 1314</p> <p>5190. <i>Environment: Melbourne Water Corporation — communications staff</i>..... 1314</p> <p>5192. <i>Environment: Yarra Valley Water Ltd — communications staff</i>..... 1315</p>	<p>5193. <i>Environment: Royal Melbourne Zoological Parks and Gardens — communications staff</i>..... 1315</p> <p>5194. <i>Environment: Healesville Sanctuary — communications staff</i>..... 1315</p> <p>5195. <i>Environment: Victoria's Open Range Zoo — communications staff</i>..... 1316</p> <p>5206. <i>Environment: Alpine Advisory Committee — communications staff</i>..... 1316</p> <p>5208. <i>Environment: Victorian Mineral Water Committee — communications staff</i>..... 1316</p> <p>5209. <i>Environment: Sustainability and Environment, built environment branch — communications staff</i> 1317</p> <p>5210. <i>Environment: Sustainability and Environment, land stewardship and biodiversity branch — communications staff</i>..... 1317</p> <p>5211. <i>Environment: Sustainability and Environment, resources and regional services branch — communications staff</i>..... 1317</p> <p>5212. <i>Environment: Sustainability and Environment, strategic policy and projects branch — communications staff</i>..... 1318</p> <p>5290. <i>WorkCover: environmental tobacco smoke in the workplace — notices</i>..... 1318</p>
WEDNESDAY, 5 OCTOBER 2005	
<p>1544. <i>Small business: fees and charges</i>..... 1319</p> <p>2190. <i>Agriculture: Murray Valley Citrus Marketing Board — advertising</i> 1321</p> <p>2797. <i>Energy industries: Office of the Chief Electrical Inspector — external legal advice</i>..... 1322</p> <p>2821. <i>Tourism: Melbourne Convention and Exhibition Trust — external legal advice</i>..... 1322</p> <p>3010. <i>Multicultural affairs: VITS Language Link — external legal advice</i> 1322</p> <p>3053. <i>Tourism: Australian Grand Prix Corporation — office accommodation</i> 1322</p> <p>3122. <i>Agriculture: Murray Valley Citrus Marketing Board — office accommodation</i> 1323</p> <p>3244. <i>Multicultural affairs: VITS LanguageLink — office accommodation</i> 1323</p> <p>3296. <i>Agriculture: fishing industry licence fees charges</i> 1323</p> <p>3628. <i>Agriculture: Stock (Seller Liability and Declarations) Act — fees and penalties</i>..... 1324</p> <p>4065. <i>Gaming: minister's office — alcohol purchases</i>..... 1326</p>	<p>1544. <i>Small business: fees and charges</i>..... 1319</p> <p>2190. <i>Agriculture: Murray Valley Citrus Marketing Board — advertising</i> 1321</p> <p>2797. <i>Energy industries: Office of the Chief Electrical Inspector — external legal advice</i>..... 1322</p> <p>2821. <i>Tourism: Melbourne Convention and Exhibition Trust — external legal advice</i>..... 1322</p> <p>3010. <i>Multicultural affairs: VITS Language Link — external legal advice</i> 1322</p> <p>3053. <i>Tourism: Australian Grand Prix Corporation — office accommodation</i> 1322</p> <p>3122. <i>Agriculture: Murray Valley Citrus Marketing Board — office accommodation</i> 1323</p> <p>3244. <i>Multicultural affairs: VITS LanguageLink — office accommodation</i> 1323</p> <p>3296. <i>Agriculture: fishing industry licence fees charges</i> 1323</p> <p>3628. <i>Agriculture: Stock (Seller Liability and Declarations) Act — fees and penalties</i>..... 1324</p> <p>4065. <i>Gaming: minister's office — alcohol purchases</i>..... 1326</p>

CONTENTS

<p>4066. <i>Racing: minister's office — alcohol purchases</i> 1326</p> <p>4074. <i>Energy industries: minister's office — alcohol purchases</i> 1327</p> <p>4108. <i>Energy industries: Electric Line Clearance Consultative Committee — interstate and overseas travel</i> 1327</p> <p>4113. <i>Energy industries: Victorian Electrolysis Committee — interstate and overseas travel</i> 1327</p> <p>4827. <i>Small business: Office of the Small Business Commissioner — advertising and credit card expenditure</i> 1328</p> <p>4947. <i>Environment: Sustainability and Environment — communications staff</i> 1328</p> <p>4952. <i>Tourism: Melbourne Convention and Visitors Bureau — conventions and conferences</i> 1328</p> <p>5023. <i>Tourism: Melbourne Convention and Exhibition Trust — communications staff</i> 1329</p> <p>5095. <i>Arts: State Library of Victoria — communications staff</i> 1329</p> <p>5096. <i>Arts: Museums Board of Victoria — communications staff</i> 1330</p> <p>5099. <i>Arts: Victorian Council of the Arts — communications staff</i> 1330</p> <p>5131. <i>Environment: Alpine Resorts Coordinating Council — communications staff</i> 1330</p> <p>5132. <i>Environment: Falls Creek Alpine Resort Management Board — communications staff</i> 1331</p> <p>5135. <i>Environment: Mount Buller Alpine Resort Management Board — communications staff</i> 1331</p> <p>5136. <i>Environment: Mount Hotham Alpine Resort Management Board — communications staff</i> 1331</p> <p>5138. <i>Environment: Caulfield Racecourse Trust — communications staff</i> 1332</p> <p>5144. <i>Environment: Environment Protection Authority — communications staff</i> 1332</p> <p>5150. <i>Environment: Scientific Advisory Committee — communications staff</i> 1332</p> <p>5154. <i>Environment: Corangamite Catchment Management Authority — communications staff</i> 1333</p> <p>5155. <i>Environment: East Gippsland Catchment Management Authority — communications staff</i> 1333</p> <p>5157. <i>Environment: Goulburn-Broken Catchment Management Authority — communications staff</i> 1333</p> <p>5164. <i>Environment: Victorian Coastal Council — communications staff</i> 1334</p>	<p>5165. <i>Environment: Victorian Environment Assessment Council — communications staff</i> 1334</p> <p>5166. <i>Environment: Central Coastal Board — communications staff</i> 1334</p> <p>5168. <i>Environment: Western Coastal Board — communications staff</i> 1335</p> <p>5181. <i>Environment: South West Water Authority — communications staff</i> 1335</p> <p>5182. <i>Environment: Western Region Water Authority — communications staff</i> 1335</p> <p>5184. <i>Environment: First Mildura Irrigation Trust — communications staff</i> 1336</p> <p>5185. <i>Environment: Gippsland and Southern Rural Water Authority — communications staff</i> 1336</p> <p>5187. <i>Environment: Sunraysia Rural Water Authority — communications staff</i> 1336</p> <p>5188. <i>Environment: Wimmera-Mallee Rural Water Authority — communications staff</i> 1337</p> <p>5189. <i>Environment: City West Water — communications staff</i> 1337</p> <p>5191. <i>Environment: South East Water Ltd — communications staff</i> 1337</p> <p>5207. <i>Environment: Historic Buildings Management Committee — communications staff</i> 1338</p> <p>5213. <i>Environment: Sustainability and Environment, water sector group — communications staff</i> 1338</p> <p>5246. <i>Environment: Sustainability and Environment — communications staff</i> 1338</p>
THURSDAY, 6 OCTOBER 2005	
<p>1552. <i>Agriculture: fees and charges</i> 1341</p> <p>2193. <i>Agriculture: Veterinary Practitioners Registration Board of Victoria — advertising</i> 1349</p> <p>2796. <i>Energy industries: Office of Gas Safety — external legal advice</i> 1350</p> <p>2802. <i>Energy industries: Victorian Energy Networks Corporation — external legal advice</i> 1350</p> <p>3029. <i>Energy industries: Office of Gas Safety — office accommodation</i> 1350</p> <p>3115. <i>Agriculture: Dairy Food Safety Victoria — office accommodation</i> 1350</p> <p>3125. <i>Agriculture: Veterinary Practitioners Registration Board — office accommodation</i> 1351</p> <p>3127. <i>Agriculture: Victorian Meat Authority — office accommodation</i> 1351</p> <p>3797. <i>Major projects: VicUrban — formation</i> 1352</p> <p>4604. <i>Agriculture: Primary Industries — external legal advice</i> 1352</p>	

CONTENTS

4949.	<i>Agriculture: Primary Industries — communications staff.....</i>	1352	5162.	<i>Environment: West Gippsland Catchment Management Authority — communications staff.....</i>	1361
5021.	<i>Tourism: Australian Grand Prix Corporation — communications staff.....</i>	1353	5163.	<i>Environment: Wimmera Catchment Management Authority — communications staff.....</i>	1361
5090.	<i>Arts: Film Victoria — communications staff.....</i>	1354	5167.	<i>Environment: Gippsland Coastal Board — communications staff.....</i>	1361
5091.	<i>Arts: Geelong Performing Arts Centre Trust — communications staff.....</i>	1354	5169.	<i>Environment: Barwon Region Water Authority — communications staff.....</i>	1362
5092.	<i>Arts: Council of Trustees of the National Gallery of Victoria — communications staff.....</i>	1354	5170.	<i>Environment: Central Gippsland Region Water Authority — communications staff.....</i>	1362
5093.	<i>Arts: National Gallery of Victoria — communications staff.....</i>	1355	5171.	<i>Environment: Central Highlands Region Water Authority — communications staff.....</i>	1362
5094.	<i>Arts: Library Board of Victoria — communications staff.....</i>	1355	5172.	<i>Environment: Coliban Region Water Authority — communications staff.....</i>	1363
5097.	<i>Arts: Museums Victoria — communications staff.....</i>	1355	5173.	<i>Environment: East Gippsland Region Water Authority — communications staff.....</i>	1363
5098.	<i>Arts: Victorian Arts Centre Trust — communications staff</i>	1356	5174.	<i>Environment: Glenelg Region Water Authority — communications staff.....</i>	1363
5137.	<i>Environment: Mount Stirling Alpine Resort Management Board — communications staff.....</i>	1356	5175.	<i>Environment: Goulburn Valley Region Water Authority — communications staff.....</i>	1364
5145.	<i>Environment: Environment Protection Board — communications staff.....</i>	1356	5176.	<i>Environment: Grampians Region Water Authority — communications staff.....</i>	1364
5146.	<i>Environment: National Parks Advisory Council — communications staff</i>	1357	5177.	<i>Environment: Lower Murray Region Water Authority — communications staff.....</i>	1364
5147.	<i>Environment: Parks Victoria — communications staff.....</i>	1357	5178.	<i>Environment: North East Region Water Authority — communications staff.....</i>	1365
5148.	<i>Environment: Reference Areas Advisory Committee — communications staff.....</i>	1357	5179.	<i>Environment: Portland Coast Region Water Authority — communications staff.....</i>	1365
5149.	<i>Environment: Royal Botanic Gardens Board — communications staff.....</i>	1358	5180.	<i>Environment: South Gippsland Region Water Authority — communications staff.....</i>	1366
5151.	<i>Environment: Sustainable Energy Authority Victoria — communications staff.....</i>	1358			
5152.	<i>Environment: Timber Promotion Council — communications staff</i>	1358			
5153.	<i>Environment: Trust for Nature — communications staff.....</i>	1359			
5156.	<i>Environment: Glenelg-Hopkins Catchment Management Authority — communications staff.....</i>	1359			
5158.	<i>Environment: Mallee Catchment Management Authority — communications staff.....</i>	1359			
5159.	<i>Environment: North Central Catchment Management Authority — communications staff</i>	1360			
5160.	<i>Environment: North East Catchment Management Authority — communications staff.....</i>	1360			
5161.	<i>Environment: Port Phillip and Westernport Catchment Management Authority — communications staff.....</i>	1360			

Thursday, 6 October 2005

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

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(3) in relation to the Fair Trading (Safety Standard) (Children's Toys) (Amendment) Regulations 2005.

Victorian Broiler Industry Negotiation Committee — Minister's report of receipt of the 2004–05 report.

CONDOLENCES

Terrorism: Bali bombings

The PRESIDENT — Order! I ask honourable members to stand in their places for a minute's silence to express sincere condolences to the families of the victims and survivors of the bombings in Bali on 1 October 2005.

Honourable members stood in their places.

BUSINESS OF THE HOUSE

Adjournment

Mr LENDERS (Minister for Finance) — I move:

That the Council, at its rising, adjourn until Tuesday, 18 October 2005.

Motion agreed to.

DEFAMATION BILL

Introduction and first reading

Received from Assembly.

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

MEMBERS STATEMENTS

Mark Latham

Hon. BILL FORWOOD (Templestowe) — Periodically I am in receipt of information for ALP members, such as the latest edition of the Labor weekly roundup. I was looking through my copies recently and came across one for 19 June 2004. It says:

In this edition:

Mark Latham brings 'new politics' to the people.

Mr Somyurek — And he did.

Hon. BILL FORWOOD — Thank you very much — he did. As Mr Somyurek says, he brought new politics to the people. He also brought new meaning to the word 'politics' to the people. It makes interesting reading. I went back to the source of this particular document, which was a speech that the then leader of the federal Labor Party had given at a Queensland state conference. He said:

As a party and a movement, our values are timeless.

I reflected on the meaning of the word 'timeless'.

Mr Smith interjected.

Hon. BILL FORWOOD — Let me tell you, Mr Smith, I tried to get a copy of the whole speech from the web site, but guess what? It has been expunged, it has sunk without a trace.

Hon. Kaye Darveniza — Gone!

Hon. BILL FORWOOD — Thank you, Ms Darveniza — it has gone. What has not gone is the

PETITION

Albert Park: parking fees

Hon. B. N. ATKINSON (Koonung) presented a petition from certain citizens of Victoria requesting that approval for the introduction of the parking strategy within the Albert Park precinct be deferred until an independent study is conducted as to the impact these fees will have on the sports and other users of the park (46 signatures).

Laid on table.

PAPERS

Laid on table by Clerk:

Budget Sector — Financial Report, 2004–05, incorporating the Quarterly Financial Report No. 4 for the period ended 30 June 2005.

Crown Land (Reserves) Act 1978 — Minister's order of 11 September 2005 giving approval for the granting of a lease at Dromana Foreshore Reserve (three papers).

Electoral Boundaries Commission — Report on the 2005 Redivision of Legislative Council Electoral Boundaries for Victoria, with maps.

legacy that Mr Latham has bequeathed to the Labor Party — —

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

Dandenong: transit city project

Mr SOMYUREK (Eumemmerring) — I rise to commend the government for the \$92.8 million infrastructure funding it announced last week. The objective of the project is to kick-start the urban renewal of the city of Greater Dandenong and unlock the city's potential to become a thriving city centre in Melbourne's south-east growth corridor. The 10 to 15-year infrastructure development project will breathe new life into the city, boosting commercial confidence and generating millions of dollars in private sector development and thousands of jobs.

Dandenong likes to refer to itself as Melbourne's second city, but has struggled since the early 1990s due to economic restructuring, negative impact of globalisation and the developments in surrounding suburbs and regions such as Fountain Gate, Parkmore, Southland, Chadstone and Glen Waverley. This package is a firm step towards restoring Dandenong to its vibrant and rich halcyon days — when Dandenong was a destination in itself, not a suburb to be bypassed.

The optimism and confidence triggered by this announcement is already evident in the streets of Dandenong. The project, in partnership with the local council, will invest in vital transport and other infrastructure and set up a streamlined planning process to attract private commercial development. This will make Dandenong and Melbourne's south-east — —

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

Albert Park: parking fees

Hon. B. N. ATKINSON (Koonung) — I raise a matter pursuant to the petition I presented this morning and an earlier petition I presented to this house. Indeed I have also commented previously on the Albert Park parking strategy. I seek the intervention of the Minister for Environment in another place, who is also the local member for the Albert Park area. I ask that he undertake an impact statement on what would happen to the various sports organisations if he introduces this parking strategy.

There is major concern about the continuing function of a number of those sports clubs under circumstances where the parking strategy would be implemented, and

significant additional costs would be levied on participants in sports at various Albert Park venues. There is concern about what will happen with people who are visiting those areas from other clubs to compete in sporting fixtures, and of course the considerable added impost on people who regularly attend sports that have an extended time period associated with them, such as golf, swimming, soccer and swimming events at that venue. It is simply not possible for many of these participants to keep running back to meters trying to pay parking costs and to meet the expectations of the government in regard to this parking strategy.

Panayia Myrtydiottissa Church, Wangaratta: 30th anniversary

Hon. R. G. MITCHELL (Central Highlands) — On 24 September this year I had the pleasure of going to the Panayia Myrtydiottissa Church for its name day and 30th anniversary of its establishment.

Hon. Bill Forwood — For its name day?

Hon. R. G. MITCHELL — You might not think that Greek culture is important. It is a pity you show your ignorance by that interjection, Mr Forwood. I was up there with His Grace Bishop Ezekhiel, Mr Nico Tsolakis, Jan Callias and Cr Rozi Parisotto, who is from the Rural City of Wangaratta. I was honoured to be up there to enjoy the day and the fun with members of the Greek community who came from right across Victoria to enjoy the celebration and have a fantastic day. It was a special event for the church and for the local community to celebrate the 30th anniversary. I congratulate the church, the community and the many volunteers who over the years have worked tirelessly and continue to work in a way which develops the Greek community in and around Wangaratta.

North-East Multicultural Association: launch

Our visit was also timely as only recently my colleague Ms Darveniza, the Parliamentary Secretary for Multicultural Affairs, officially launched the North-East Multicultural Association (NEMA) in Wangaratta. The association is being run by Cr Rozi Parisotto, who puts in tirelessly for the Greek community and indeed for all multicultural communities. I congratulate them and hope they can continue the good work. I look forward to many more events that NEMA puts on in the near future.

Commonwealth games: athletics track

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — Next March Melbourne will host the 18th Commonwealth Games. The government tells us the games will cost \$1.1 billion, but the real cost will be more likely to exceed \$1.5 billion. The government's budget for the games is more than double the amount proposed by the previous government. One of the justifications for this was that the games would result in the legacy of improved and new infrastructure for the benefit of the Victorian community.

One of these benefits was to have been the Melbourne Cricket Ground (MCG) athletics track, which is currently being laid at a cost of more than \$18 million. The government claimed this track would be available to be relocated to a community sports facility after the games. Yesterday the Minister for Commonwealth Games cast doubt on that idea. Rather than focusing on relocating the track for the benefit of the community, it is clear that the minister is more interested in junking the track so that the MCG can be handed back to his mates at the Australian Football League. The interests of the AFL should not come before those of the broader community. The AFL is already the beneficiary of a generous compensation package due to the restricted access to the MCG. If the track is junked after just 11 days use at the Commonwealth Games, it will have cost taxpayers almost \$2 million a day.

I call on the minister to put the community ahead of the AFL and to ensure that the athletics track is relocated to a community facility.

Commonwealth Games: Geelong basketball venue

Hon. J. H. EREN (Geelong) — I am excited; in fact, I am very excited about the Commonwealth Games. It will be a fabulous event with lots of fun and excitement, and it will bring 4500 athletes from 71 nations around the world to our state. Not only will we be able to see great sporting action, but our communities will be able to show off our wonderful state to international visitors. Unlike the previous government, the Bracks government understands that Victoria is more than just metropolitan Melbourne.

Many Commonwealth Games events will be held around the state in regional Victoria, including in my own electorate of Geelong. Recently I was pleased to be part of the announcement by the Premier that on 19 March next year the Geelong Arena will host the Australia versus England basketball game as part of the

Commonwealth Games. This would not have happened without the help of the Bracks Labor government.

Giving the City of Greater Geelong over \$1 million for the purchase and upgrade of the basketball centre ensured that the Geelong Arena basketball facility was not sold off by its private owners to become a storage shed, which would have been a great loss for the Geelong community. But the future of the Arena is secure, and it will now play host to a major international sporting event. The best thing from all this is that after the Commonwealth Games are finished, Geelong athletes will still have a wonderful, world-class sporting facility to use for many years to come.

Basketball is a new inclusion to the Commonwealth Games, but has been a long-time favourite in Geelong, and no doubt we will see bumper crowds in North Geelong on 19 March to see the event at the Arena.

VicRoads: agricultural machinery

Hon. E. G. STONEY (Central Highlands) — I call the house's attention to today's *Stock and Land* and an article by Ian Hastings, the Victorian Farmers Federation grain president, under the heading 'VicRoads takes a power nap'. It is about difficulties on rural roads with over-dimensional vehicles such as headers. Mr Hastings draws attention to inconsistencies between shire and VicRoads regulations, which he says are far too prescriptive for all situations. I quote:

We wrote to VicRoads on 24 May with a series of suggestions for updating requirements for oversized agricultural vehicles and combinations.

To date we have heard nothing ...

Grain farmers who live along the Calder Highway will know of the frustration of having to pilot vehicles with licensed pilot drivers when their machinery exceeds normal broadcast dimensions, just to travel 3 to 5 kilometres down the road between properties.

In some cases there is no choice but to shift machinery on the main roads because the —

shires will not trim the trees along the quieter back roads.

Now farmers who have machinery that requires permits and have to travel the highway may be required ... to ... attend the \$300 per person two-day pilot vehicle training course.

Mr Hastings points out:

In the past, VicRoads worked with these farmers and developed a half-day pilot driver's course which it ran free for the affected families.

It is now obvious that the days when VicRoads prioritised road safety over revenue raising are long gone.

He goes on to ask what happened to the previous cooperative VicRoads attitude towards farming. I think Mr Hastings has a point and VicRoads needs to reassess rural requirements.

Barry Marshall and Robin Warren

Hon. J. G. HILTON (Western Port) — This morning I would like to congratulate Barry Marshall and Robin Warren. These gentlemen are hardly household names, but possibly they should be, because this week it was announced that they were the joint winners of the 2005 Nobel Prize in Physiology or Medicine. I will not describe the details of their work, as that was very well covered in the *Age* of yesterday, except to quote the official Nobel citation, which congratulated the award recipients on ‘tenacity and a prepared mind challenging prevailing dogmas’.

The point I want to make is that to win a Nobel prize is one of the pinnacles of human achievement, and we should be very proud of these two gentlemen. How the press reported the news pleasantly surprised me. The initial report on Tuesday was only briefly covered, but on Wednesday our major newspapers carried significant articles. But Wednesday’s *Age* editorial made the valid point, and I quote:

We can only hope that the example of Australia’s new Nobel laureates helps inspire this country to pay as much attention to nurturing intellectual talent as it does to sporting talent. The advance of knowledge, which is the key to Australia’s wellbeing, depends on it.

It is probably too much to hope that Barry Marshall and Robin Warren will ever have the same name recognition as Ricky Ponting and Barry Hall, but they should, and the fact that they will not does say something of the values we have in Australia.

Emergency services: superannuation

Hon. P. R. HALL (Gippsland) — Last week I attended the two important gatherings for emergency service workers in my electorate. The first was on Wednesday, 28 September, when I attended a medal presentation ceremony for Rural Ambulance Victoria officers in area 8. Some 37 officers received either national medals, long service medals or safe driving medals, and some of the officers won more than one award. It was an important day.

The next day, on Thursday, I attended a service in Morwell for National Police Remembrance Day. As all members would know, police remembrance day is now

an important event in our calendar. It commemorates police officers who have unfortunately lost their lives in doing service to their communities. Rather ironically, on the same day I received in my mail a letter from the Police Association condemning the Bracks government for its proposals to merge the emergency services superannuation fund with the government’s superannuation office.

Having met with and talked to those ambulance and police officers over two days, I feel it is just not right to jeopardise the service entitlements of these very brave men and women who perform an admirable service for the people of Victoria. I join police officers, ambulance officers and firefighters in this state in condemning the Bracks government for its proposals. These brave people deserve better, and I urge the government to drop its proposals to merge the superannuation funds.

National Council of Women of Victoria: brochure

Ms CARBINES (Geelong) — Recently I had the pleasure on behalf of the National Council of Women of Victoria of officially launching a very practical publication entitled ‘Going to a city hospital? A guide for country people’. This pamphlet is the culmination of substantial work by the National Council of Women of Victoria, in partnership with Barwon Health. Meetings of local women were held last year in Geelong, Hamilton, Swan Hill, Shepparton, Warrnambool and Korumburra, and health was the priority issue identified by regional and rural women. Many women spoke about the stress of having to travel to Melbourne for treatment for themselves or to support family members. It was decided that a practical information brochure was needed to support people living in regional and rural Victoria in such circumstances.

With the assistance of Dr Alison McLean of Barwon Health we now have the publication ‘Going to a city hospital? A guide for country people’ to help us. In this practical brochure is a list of all the hospital addresses in Melbourne and their telephone numbers. It contains suggestions on important documentation and items that country and regional people need to take when going to the city for health services. It also has practical advice on social workers and the assistance they can provide. I congratulate the National Council of Women of Victoria on its continued support of women and their families throughout Victoria and on this successful project.

WorkCover: farm safety

Hon. J. A. VOGELS (Western) — The issue I raise concerns a decision by WorkCover, obviously endorsed by the Bracks government, which will make it illegal for children to handle animals while visiting farming properties. This regulation, which is spelt out in a WorkCover publication, proves to not only country Victorians but any normal citizen in Melbourne or regional Victoria that control and regulation by the Bracks government has reached the point of madness. Children whose families visit the farms of friends or relations absolutely delight in feeding orphan lambs — bottle in mouth sucking away — playing with calves, feeding sugar to a foal or sitting in the middle of a litter of pups while they climb all over them. Does this regulation also mean that children will no longer be allowed to handle animals at the Melbourne show or the Collingwood children's farm et cetera, or is it only country Victorians who will be discriminated against in this way? Country members of the Bracks government should hang their heads in shame. They should be calling to account the minister for WorkCover and making sure this madness stops. It is absolutely outrageous that an edict should go out to country Victorians that children visiting family farms cannot handle any animals.

Higinbotham Province: football premierships

Mr PULLEN (Higinbotham) — The footy season is over for another year, particularly for the three clubs from my electorate that won premierships. Sandringham — I have been a member of the mighty Zebras for 40 years — won the Victorian Football League premiership, its second in a row and the ninth since the club was formed in 1929. Sandringham defeated Werribee by nine points in a high-standard game. Triumphant coach Mark Williams dedicated the victory to tsunami victim Troy Broadbridge, a member of last season's premiership side; Troy's wife, Trish; and his parents, Wayne and Pam.

Moorabbin Kangaroos, a club that was on its knees two years ago, triumphed in division 3 of the Southern Football League with a crushing 64-point win over North Kew. The victory was testament to the hard work of the president, Graham Ash; his wife and the club secretary, Gayle; and coach, Brad Collins. The club also thanks the Bracks government for contributing to new floodlights for the ground for next season.

Elsternwick won the division 4 Victorian Amateur Football Association premiership, beating St Mary's by 15 points. It was a fitting win for the Wickers, with whom I played a few games umpteen years ago, as it

was celebrating its 100th season. Particular recognition must be given to the president, Adam Hankin, who has worked tirelessly for the club for many years. Congratulations to everyone involved.

Kangaroo Flat: special development school

Hon. D. K. DRUM (North Western) — My issue rests with a policy that this government employs when it builds new special development schools. Plans are under way currently to build a new special development school at Kangaroo Flat in Bendigo on the site of the old Kangaroo Flat primary school, but the new special development school will be built to cater for only 88 students. Currently we have 80 students enrolled at the existing special development school, and from the trends for current enrolments and the projections for future enrolments it is clear that when the new special development school is built and operating, hopefully in 2007, it will already be too small.

There are plans afoot and places have been set aside for this government to build a new special development school and to install portables right from day one. The government's policy is ludicrous. It applies a sensible policy that works for mainstream schools where certain schools are built for a particular enrolment peak and the government allows for portables to take that peak demand because after a few generations those schools are no longer so popular. But for special development schools, especially in growth areas like Bendigo and Mildura, it is ludicrous to think that in 10 or 20 years time the enrolments might go down. The projections are that the enrolments in special development schools will continue to grow, therefore when we are building a new school we should — —

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

EastLink: opposition policy

Ms MIKAKOS (Jika Jika) — I stand to condemn the Leader of the Opposition for his half-baked half-tolls policy that will come at the cost of massive cuts to services for local communities. It is a financially irresponsible policy and would be disastrous for the communities hit by the cuts. We all remember that the Liberal Party is the party that axed, slashed and ripped the largest amount of community services in Victoria's history from education, health, police and public transport. It is also the party that put tolls on an existing freeway. Now its reckless policy threatens to plunge Victoria into the worst years of the Kennett government — fewer schools, fewer nurses and fewer police.

The Leader of the Opposition's half-baked half-tolls policy fails to convince even his colleagues in Parliament. According to the *Herald Sun* of 23 September only four Liberal MPs said they strongly supported the policy, and Chris Strong was the only upper house Liberal member to say he strongly supported Doyle's policy and how the issue was handled. Four upper house shadow ministers — the Honourables David Davis, Philip Davis, Bill Forwood and Bruce Atkinson — failed to make a comment when asked the question.

The Liberals' plan to abolish the Department for Victorian Communities puts at risk \$2.85 million in community grants over 1000 ethnic community groups, scholarships to interpreters, support for migrant women and \$4.7 million for refugee support and settlement. The party's plan to abolish the Department of Innovation, Industry and Regional Development is a return to its toenails contempt for regional Victoria. The Liberals want to make Victorians pay by giving them half an education system, half a health system, half a police service and half a public transport system. Quite simply, Robert Doyle will say anything to get elected. He does not care — —

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

Ballarat: *The Golden City and Its Tramways*

Ms HADDEN (Ballarat) — I had the great pleasure of attending a book launch on 21 September at the Ballarat Town Hall. The book, *The Golden City and Its Tramways*, was launched to coincide with the 100th anniversary of electric trams in Ballarat. *The Golden City and Its Tramways* is a wonderful book about the social, political and technical history of the Ballarat tramways since their inception as a horse-drawn system in 1887, their electrification in 1905 and their closure in 1971.

This book was written by Alan Bradley from more than 20 years of research. The book examines the links between Ballarat's goldmining era, the development of the electricity supply and Ballarat's social history. The result is a welcome addition to the recording of Ballarat's history from a different perspective. The foreword was written by Mr Peter Hiscock, AM, a former director of Sovereign Hill, Ballarat. I concur with Peter's acknowledgment of the work of Alan Bradley and the professionalism and curatorial integrity of the Ballarat Tramway Museum people in commissioning the book, *The Golden City and Its Tramways*, which underpins their serious endeavours

and adds to the public history of Ballarat in an admirable way.

STATEMENTS ON REPORTS AND PAPERS

Library Board of Victoria: report 2003–04

Hon. ANDREA COOTE (Monash) — Today I would like to speak on the Library Board of Victoria annual report for 2003–04. As I have said in this chamber before, I, with others, set up the State Library of Victoria Foundation. After it was set up, it attracted a large grant from the Myer Foundation to photograph the excellent postcard collection of the state library and put it onto disk. At that time, in the mid-1990s, that was leading edge technology. Today we take a lot of that for granted. It enabled people right throughout the state — and, indeed, the world — to have access to our excellent postcard collection. The library has gone from strength to strength to do digitised work and make parts of the collection easily accessible to people within Victoria and the entire world. I put on the record my praise for the conservators and others who work on the collection, particularly the newspapers, so that people can have access to the information.

Under the subheading 'Preservation and conservation' the annual report states:

This year the library has made significant progress in extending its stewardship of the collection to digital material. A digital preservation specialist joined the collection preservation and access team and has been working collaboratively throughout the library toward the development of a digital preservation policy.

We all want to be able to touch a computer to access material that we want to use for research, entertainment or just general knowledge. That material has, of course, to be physically put into a digitised form. But it is not always important to get information in a digitised form. Very often it is important that we have access to information in its physical form. Newspapers fall into that category. It is very important to see the structure of a newspaper, where an article has been placed in it and, indeed, to be certain that you can get the whole flavour of what is in a newspaper, particularly with overseas and old newspapers — and we have one of the best collections of newspapers in the country. Therefore I have some concern about what is happening with the deaccessioning of the newspapers.

I have been advised that there are some questions about the deaccessioning process at the state library. The question has been asked whether the State Library of Victoria (SLV), in its move to deaccession its collections, acted in terms of the spirit or intent of the

Libraries Act 1988. I remind the chamber that section 50(3)(1)(b) of the Libraries Act details the requirement for the description and advertisement of proposed deaccessioning of items. It states that a notice:

... must be displayed on the premises where the State Library is situated in a prominent position accessible to the public for a period of not less than 2 months before the proposed sale or disposal.

Users of the library are very concerned that that process was not adhered to. They say that the only place where the deaccessioning proposal was displayed was on its web site. They state also:

The intention to deaccession was not displayed on the large electronic screen which is used to advertise changes to library services. For example, the unavailability of the collection due to its being rehoused at Ballarat was advertised from the end of July to early September prominently on this screen and on the SLV web site.

As I said, the deaccessioning proposal was displayed on the state library web site. One would have had to have considerable knowledge to find it there. There are concerns about this matter, certainly among users of the library's newspaper collection. The deaccessioning by the library is a worrying trend that needs to be looked at more closely.

It is important that the government look more closely at the funding for our newspaper collection and ensure that it gives the library adequate funding so that it does not have to deaccession newspapers. It is important that the library keep its healthy and rich collection of newspapers so that into the future the digitising process can be continued to provide availability of the newspapers to researchers and general users in Victoria and, indeed, the world at large. I call on the government to provide more funding to the library for the accessioning of newspapers.

Forensic leave panel: report 2004

Hon. J. G. HILTON (Western Port) — This morning I would like to make some brief comments on the forensic leave panel's annual report 2004. It is somewhat of a coincidence that yesterday we debated the Sentencing and Mental Health Acts (Amendment) Bill and the forensic leave report has been tabled in the house this week.

The panel was established under the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 and oversees the circumstances under which it is appropriate for leave to be granted to people who have been detained in a mental health facility because they are found to be unfit to be tried or not guilty on the grounds of mental impairment. Since the panel was first

established there has been a significant increase in its workload; last year 54 forensic patients and residents made applications to the panel.

The operations of the forensic leave panel were the subject of some of the recommendations of the Vincent review and these recommendations came into effect on 1 July 2002 with the commencement of the Forensic Health Legislation (Amendment) Act 2002. The panel was charged with the responsibility that it must be satisfied that any leave granted will contribute to the rehabilitation of the patients or residents. A patient is a person with a mental illness whilst a resident is someone with an intellectual disability.

The role of the panel is to assist in the ongoing treatment of people with a mental health impairment by enabling them to have opportunities for leave outside the mental health institution to which they are being confined. The composition of the panel varies depending on whether the applicant is a forensic resident or patient. A forensic patient's panel comprises a judge of the Supreme Court or County Court, the chief psychiatrist or his or her nominee, a member representing the views of the community and a medical practitioner with experience in forensic psychiatry. The panel is able to allow three types of leave which are: on-ground leave which enables people to be absent from the place of custody but within a defined area around the place of custody; limited off-ground leave which is to enable forensic patients and residents to go beyond the surrounds of the place of custody between 6.00 a.m. and 9.00 p.m. and outside these hours for a maximum of three days in any seven-day period.

The purpose of the leave is to assist in the rehabilitation process, and that is acknowledged in the report, which says:

The purpose of leave is to assist the rehabilitation process and provide a gradual progression towards a return to community living that is consistent with the needs of the individual and community safety. Long periods of institutionalisation are perceived as being counterproductive to reintegration into the community. The act stipulates that leave granted must contribute to the applicant's rehabilitation.

The report gives a number of examples of leave which is being granted by the panel, and I would like to mention one of those examples that I think is quite illustrative:

A forensic patient applied for leave outside of regular hours (later than 9.00 p.m.) to attend rehearsals and to perform in a play with a community theatre group. The patient had been attending theatre performances with the group for several months, in preparation for the group writing and performing in their own play. The panel granted the leave as it considered

participation in this kind of activity to be beneficial to the patient's rehabilitation.

In 2004 the panel received 168 leave applications and granted leave in 91 per cent of those instances. The panel is faced with a very difficult task in that it must take into account the rehabilitation of the forensic residents and patients but also the potential effects on community safety. I believe the panel performs a very important role. I commend it for the work which it does and the contribution it makes to our community.

Human Services: report 2003–04

Hon. D. McL. DAVIS (East Yarra) — I am pleased to make a statement today on reports to Parliament. My contribution relates to the Department of Human Services annual report 2003–04 and in particular, to the acute health output group and the ambulance services output group. I have spoken in the house this week and earlier about the concerns I have about the government's management of ambulance bypass.

It is important to again record the deterioration in the position with respect to ambulance bypass. In 1998–99 there were 312 ambulance bypasses in Victoria. In the year to June 2005 there were more than 1000 official ambulance bypasses and more than 3000 hospital early warning system (HEWS) diversions. I want to record my concerns about the state government's failure to place on the public record the number of HEWS occasions. Increasingly, as the Auditor-General warned, these are being used as alternatives to ambulance bypass.

The issue that is developing here is that this is not transparent. It is not good policy for HEWS to be used as a substitute when ambulance bypass is in fact appropriate, which it most assuredly is on certain occasions. Equally what is important is the fact that and the overuse of hospital early warning system occasions and diversions is covering up the increasing problems we have in our emergency departments at major public hospitals with respect to ambulance bypass and HEWS, in both the country and the city, but in the city in particular. I want to make it clear that the Auditor-General warned that there could be a misuse of HEWS as a substitute for proper and official ambulance bypass, and that is what I believe has occurred in this state since the December 2002 quarter when HEWS was introduced by this government.

I look forward to the *Your Hospitals* report that will come down next week or the week after, and I hope the government will see its way clear to declaring the number of HEWS occasions and the number of ambulance bypasses and to do it hospital by hospital. I

also hope it provides proper comparative measures in terms of the previous half year and the equivalent half year last year so that local communities, the opposition and journalists are able to make proper assessments of the government's performance hospital by hospital with respect to ambulance bypass and HEWS. It is very clear that the community understands the government is misusing hospital early warning as a way of fudging the bypass figures. It is important to understand that lives are placed at risk when these ambulance bypasses and HEWS occasions occur and there are ambulance diversions. The fact is that when the ambulance heads towards the nearest hospital but is diverted to a distant hospital somewhere else in the metropolitan area, there is a delay in getting that patient to the care they need, and that can only be dangerous for patients, it can only place them at risk. Because of that, this is something the community and the government have to come to grips with.

I do not believe it helps that the government tries to obfuscate and hide figures and to fudge the figures in such a way that individual hospitals are not held to proper account. I do not believe the system of declaring simply a percentage of time on ambulance bypass is a sufficient approach. I believe it is worth the government looking at the former mechanism of declaring the actual number of occasions. I implore the government to declare openly the number of HEWS occasions and the impact on hospitals — —

The ACTING PRESIDENT

(Hon. H. E. Buckingham) — Order! The member's time has expired.

Victorian Law Reform Commission: family violence police holding powers

Mr SCHEFFER (Monash) — I welcome the Victoria Law Reform Commission's interim report on family violence police holding powers. By way of background, it is important to recognise that the government has taken some important steps to protect and support women escaping family violence. Approximately \$35 million has been allocated to improve safety for women and children in family violence situations, and people can access 24-hour, 7-day-a-week services. There is more training for support personnel, a program for young men exhibiting violent behaviour, increased counselling services and additional support for the justice system, including more police prosecutors and training for court staff and magistrates.

To further this, the Attorney-General asked the Victorian Law Reform Commission to examine the

issues involved in amending the Crimes (Family Violence) Act 1987 so as to empower Victoria Police to remove, hold and detain persons pending the making of an application for an interim intervention order. Specifically, the commission was asked to identify any improvements that could be made to the legislation and to look at the impacts of implementing any changes. The commission was also asked to think about developing educational programs that could address any public misunderstanding of the act.

Family violence is a significant problem, affecting at least one in five women. Family violence has enormous consequences, and victims sustain brutal physical and emotional hurt and suffering. Far too often such violence ends in the death of a woman — nationwide male partners murder about 75 women a year. The report notes that family violence costs Australia about \$8 billion annually. In the face of this it is critical that our legal system is capable of protecting victims from perpetrators. The report states that the high incidence of family violence is partly the result of inadequate legal structures. It is especially important that direct and immediate action is taken in the middle of a family violence crisis. This direct action must involve believing the woman, removing the male partner from the home and ensuring compliance with intervention orders.

The report states that in Victoria there are two legal responses — the criminal response, where perpetrators are charged; and the civil response, where an intervention order is granted. The report finds that the laying of criminal charges against a perpetrator gives immediate relief to the victim and sends a strong message that men's use of violence against female partners is unacceptable.

In Monash Province the family violence adviser in Victoria Police region 1, Acting Sergeant John Lyons, and his team are doing very fine work in this complex and concerning area and have a very good understanding of the complexity of the issues. So I was surprised to see the interim report states that:

...police have been and still are reluctant to treat family violence as a crime.

It goes on to say that as a result of this the rate of charges laid remains very low even though the introduction of a police code of practice for the investigation of family violence has made a very positive difference.

Verbal harassment, forced social isolation and emotional abuse are not necessarily crimes, and family members are often reluctant to lay charges. The report

says that these limitations require the alternative, civil system to provide an effective legal response. An intervention order carries with it the advantage of flexibility — it can be varied in accordance with the needs of the individual case. However, its limitation is that police must leave the crisis scene to return to the police station in order to process the order.

The report recommends that a holding power be introduced for police regarding family violence situations to enable them to obtain and serve an intervention order and protect the victim. Notwithstanding this, the report also recommends that specific safeguards be introduced for the exercise of this power. Police should only exercise the holding power if they have a reasonable belief that there are grounds for an intervention order. The report recommends that if an intervention order is not subsequently issued, the person involved must be immediately released. This is a sound and well-considered proposal to overcome a serious limitation in the currently available legal responses. I am sure the Attorney-General will give the interim report and its recommendations very serious consideration.

Auditor-General: special reviews and other investigations

Hon. J. A. VOGELS (Western) — I would like to make a couple of comments on the Auditor-General's report on the results of special reviews and other investigations, October 2005. The issue I raise relates to a company called Strategic Purchasing and its contract with Barwon Water for the supply of water.

Early in 2002 the Victorian Water Industry Association made arrangements for Victorian water authorities to purchase their water treatment chemicals from suppliers as a group rather than individually in order to reduce operating costs, which makes a lot of sense. The authorities agreed to use the MAPS Group Ltd for their tendering processes. MAPS is a public company, owned by local councils and water authorities, that negotiates and facilitates supply contracts for common-use goods and services on behalf of its members. The company's 180 Victorian members include local councils — just about every local government in Victoria is part of it — universities, TAFE colleges, water authorities and some government departments.

Once they went down this track of purchasing as a group under MAPS — I do not know if it was realised before they began using Strategic Purchasing — Barwon Water and local governments were bound to

comply with the Victorian Government Purchasing Board's guidelines and their tender documentation and processes were open to public scrutiny under freedom of information (FOI) legislation.

The Auditor-General is now saying that the MAPS Group is not bound to comply with these guidelines and FOI legislation in its document tendering and contract management processes and they are not open to public scrutiny. Consequently the company's 180 Victorian members, the majority of which would normally be subject to public tendering and FOI requirements, may bypass these mechanisms by undertaking to purchase through Strategic Purchasing. In these circumstances private sector entities may lose confidence in the equity and transparency of the tender process where Strategic Purchasing is involved. This in turn may reduce the number of organisations that are willing to bid for the provision of government goods and services, which adversely impacts on the quality and costs of the goods and services supplied to government agencies.

This became an issue about 12 months ago, and I raised it a couple of times with the Minister for Local Government. As usual the minister sat on her hands and did nothing. I have here a letter written at the time to Mr Edward Hay, the Acting Auditor-General, from Hardman Australia. It states:

Thank you for your prompt reply to the brief correspondence on this matter as has been presented to you by John Vogels. I have enclosed previous correspondence for your perusal.

The Minister for Local Government has not replied to our correspondence of 16 August 2004. Many tenders on behalf of public utilities and local councils are called through the MAPS Group Ltd, a privatised consortium of government-backed shareholders with the task of centralised buying on their behalf.

In this instance we have taken umbrage that the specific and vital requirements of the tender have not been adhered to, thus in our opinion rendering the successful tenderer in breach of the tender requirements.

It is evident that there is no means of verifying tender compliance ... as Barwon Water —

or local government et cetera —

in using the privatised MAPS Group Ltd can and has avoided the scrutiny of a 'transparency process' under the freedom of information facility not being a legal requirement of a privatised group.

I am pleased to see that the Auditor-General has taken this up. The minister refused to do so, but the Auditor-General has actually taken it up. His recommendation is very important. He recommends that government agencies using Strategic Purchasing's tendering services ensure that it complies with the state

government's purchasing guidelines and FOI legislation.

Let us hope the Auditor-General's recommendation is implemented, because it is very important right across Victoria that the tendering process for local councils is open and accountable so everybody can understand what is happening and who is winning which tenders. Under the present situation with the MAPS Group it is not open, it is not accountable, and many businesses across Victoria are saying it is all too hard. Tendering for local councils would add up to hundreds of millions of dollars, and it should be open to all to proceed.

Victorian Law Reform Commission: family violence police holding powers

Mr SOMYUREK (Eumemmerring) — I rise to comment on the family violence police holding powers interim report of the Victorian Law Reform Commission. On 9 August the Attorney-General requested the commission to provide the government with an interim report about the possible extension of police powers in response to family violence incidents. The commission was given a short time in which to complete the report — from 9 August to 31 August — and it finished the task within that time frame. I congratulate the commission on its assiduous work.

Specifically within the context of the problem of family violence the commission was asked to consider the merits of the proposal to provide members of Victoria Police with powers to detain or remove persons pending the making of an application for an interim intervention order. The interim report is released as part of the Victorian Law Reform Commission's review of the Crimes (Family Violence) Act 1987.

It is not a very long document — about 38 pages within three chapters — but it is informative. I will turn to a section about the nature and significance of family violence. Some statistics in here shocked me, and I am sure members listening to my speech will also be taken aback by some of the statistics that I am about to quote. Family violence is a significant problem in Victoria, and I think we all understand that. Some parts of my electorate are pretty socioeconomically depressed and have big issues of domestic violence. The report indicates that domestic violence affects at least one in every five women — that is, 20 per cent of women are the victims of domestic violence. That is a statistic I did not expect.

Its effects are wide ranging and include physical, psychological and economic effects. According to the report the physical effects range from broken bones to

long-term disabilities, such as vision and hearing impairment, and even death. In fact a lot of women — 75 a year — are murdered by their male partners. The mental and psychological effects are acute, and abused women are three times more likely to be diagnosed as depressed and three and a half times more likely to be suicidal than non-abused women. As to the economic effects, victims of family violence are more likely than others to lose their jobs, be stripped of their assets and have their property damaged by former family members. In fact, the economic loss to Australia is about \$8 billion a year and half of that is lost by the victims of domestic violence themselves. The children who witness this violence do not walk away unscathed. There is potential for them to have psychological problems in the future. The report states that experiencing domestic violence might in fact be a form of child abuse on the children involved.

The ACTING PRESIDENT

(Hon. H. E. Buckingham) — Order! The honourable member's time has expired.

Auditor-General: special reviews and other investigations

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — The latest report from the Auditor-General canvasses a number of areas of government administration, and I want to focus this morning on the Auditor-General's review of the operation of the Regional Infrastructure Development Fund. The RIDF was established under the Regional Infrastructure Development Fund Act 1999 and arose from an election commitment of the government heading into the 1999 election. Essentially the act established a pot of money from which grants could be drawn, ostensibly for projects in rural and regional Victoria.

Following the establishment of the fund there was criticism of the way it operated, because in accounting for this pot of money it put aside the government considered it to be allocated funds. Although it was represented by liquid assets held by government, largely cash and cash equivalents, on the state's balance sheet it was not counted as cash or cash equivalents. As a consequence the level of net debt of the state was overstated and the estimated draw down on the fund over five years masked the effect of this government increasing the level of net state debt. It was commented upon by the Public Accounts and Estimates Committee in 2000–01 through some of the work done by the former deputy chairman of the committee, the Honourable Roger Hallam, who took substantial exception to the way the government was treating the accounting of this fund. In 2002 Parliament passed the

Regional Development Victoria Act, which established Regional Development Victoria as a body to oversee the Regional Infrastructure Development Fund. Previously it had been administered directly through the Department of Innovation, Industry and Regional Development.

This report by the Auditor-General is based on two inquiries he has undertaken. The first, in 2001, looked at the grant application and assessment processes for the fund, which was in the hands of the then Department of Infrastructure and Regional Development. In 2003 there was a second review of the status of the fund and the department's monitoring of funded projects. To quantify this issue, for the five years the fund has operated to June 2005, \$225 million of funding has been appropriated against the \$370 million committed. Funds have been allocated to 100 infrastructure projects of which 55 have been completed, 18 have been approved and 27 are under construction. Of the \$225 million appropriated, \$221 million has been paid to grant recipients.

In his review of the fund the Auditor-General has made a number of damning criticisms of the way the department has administered the fund. In particular he noted that although the fund was supposed to be for the provision of funding to rural and regional Victoria, six metropolitan councils and two other metropolitan organisations have received funding under the program. The Auditor-General notes that that is outside the legal framework for the fund. The department has attempted to say that although the funding was provided through Regional Development Victoria the funding was not sourced from the Regional Infrastructure Development Fund. The Auditor-General notes there is no evidence to support the claim by the department that the funds were not RIDF funding. It is a damning finding by the Auditor-General that Regional Development Victoria has acted outside the law in providing funding to these six metropolitan councils.

The Auditor-General also found there was insufficient public disclosure on the operation of the Regional Infrastructure Development Fund, particularly on outcomes as distinct from the objectives established by the government. He notes that the performance evaluation framework for the fund is incomplete and that the government has failed to provide a suitable framework for the scrutiny of the fund.

The ACTING PRESIDENT

(Hon. H. E. Buckingham) — Order! The honourable member's time has expired.

Auditor-General: health procurement

Ms ROMANES (Melbourne) — I want to speak on the Auditor-General's report on health procurement in Victoria, which relates to the procurement of goods and services in the health system. Given that the cost of procurement of goods and services in 2003–04 was \$1.36 billion and second only to payroll costs, this is a significant cost centre for health. It was only logical, reasonable and responsible that the Bracks government took steps in 2001 to look closely at ways to contain costs and find efficiencies and savings through economies of scale.

In the middle of 2001 the government set up a new procurement model in Victoria and established Health Purchasing Victoria (HPV), which through central purchasing has the function of facilitating high-volume contracts and the capacity to do so in order to get lower prices for certain goods and services. On top of that it has the capacity to facilitate and encourage other savings through practice improvements in the various hospitals across the state. There are 79 hospitals across Victoria with many different practices, and Health Purchasing Victoria has had a mandate to drive savings across the system. It set targets for the delivery of savings at \$6 million to \$10 million per annum, and saw that the savings may rise to \$20 million ongoing per annum. It set the objective of making sure that small hospitals would benefit as much as larger hospitals from any savings and also aimed to provide real savings from imported hospital equipment.

Four years after this new procurement system was set in place it is timely to look at the Auditor-General's review of how it has been working. Overall the Auditor-General comes through with a positive assessment of this initiative. At page 4 of the executive summary he makes the statement:

Central procurement has clearly delivered savings to hospitals through better prices for some goods. Small hospitals, in particular, have benefited from the central contracts put in place.

However, the Auditor-General draws attention to the fact that expenditure under some Health Purchasing Victoria contracts in the 2004–05 budget are estimated at around \$145.7 million, which is only about 9 per cent so far of the total procurement budgets, and that the actual savings so far have been very small. He makes the point that HPV estimates that there were savings of \$6.9 million in 2004–05, but the Auditor-General makes the comment that it is not easy to estimate whether those savings have been delivered because of the difficulty of comparing data and the lack of standard nomenclature.

The Auditor-General says that prices compare favourably with Australian benchmarks, and there is general support from chief executive officers and other senior health personnel for central procurement. The difficulties encountered have been spelled out in the report, and there is a sense of optimism for the potential to develop the model further and for further improvement.

Primary Industries: report 2003–04

Hon. B. W. BISHOP (North Western) — I shall make a brief statement on the Department of Primary Industries annual report 2003–04. I must admit that this statement has been generated out of the fact that I was looking for some notes on the amount of research money that comes from the state into the grain research area, and I found it difficult to find. It was like the debate we had yesterday on reports and health.

It led me to where I was last Friday when I attended the annual field day at the Mallee Research Station, which is near Walpeup out from Ouyen in the Mallee. It was a great day and excellent paddock displays were put on. We got a real comparison of the research work that the Mallee Research Station does. There were also very good speakers during the conference sessions. I congratulate the staff who do a great job and commend them on their capacity and commitment on the task they do.

There were about 100 people at the annual field day, which included a busload of people from South Australia. I thought there should have been around 500 people, such was the quality of the displays. We talked about the reasons for that, and one of them is that there are fewer farmers and more field days. There is no doubt it is true, but one of the reasons is that the Mallee Research Station is capable of doing more, and I am sure it would love to do more if it had the resources. I could not find the exact figures in the report but the research station needs more government resources to do what it would like to do.

Those of us in the Mallee have always believed the research station has been a poor cousin to the research area at Horsham which used to be called VIDA, and now the spin doctors call it the Grain Innovation Park. We believe the Mallee Research Station has been badly treated by the Bracks government. It should be recognised as one of the leading low rainfall research stations in Australia, but it needs a solid block of scientists to draw in research dollars and create economies of scale to allow it to achieve its potential. We believe at the moment it is being starved of funds.

It was interesting when people talked about what can be done. Ken Duthie, who is a good bloke and a well-renowned farmer who is always looking for better ways to do things much more efficiently in agriculture, chairs the Mallee Research Station advisory committee. In opening the field day he said the advisory committee had met on 8 July 2005 when it carried the following motion unanimously:

That the Mallee Agricultural Research Foundation be formed as an independent legal entity with representation along the lines of:

Six farmers, selected both as people having drive and skills, and as representatives of organisations such as the Birchip Cropping Group, Mallee Sustainable Farming, Vic No Till and the Victorian Farmers Federation. Members from organisations would be selected by the advisory committee from a list of suitable people provided by that organisation. The selected group would elect one farmer member as chair.

Representatives of PIRVic and a selected university who would be of such standing that they have the power to implement decisions.

Two industry persons, such as agribusiness or persons with special skills.

Leader of Mallee Research Station ex officio.

We support that particular thrust because something must be done to keep the research station a viable organisation. It is a sad time because it occurs due to lack of government support. We believe this move will generate new interest. If the government were serious about this, it would not only back it with spin doctoring but with resources. To succeed we would need to get cooperation from the locals, which I am sure would be available, and I am sure we would get cooperation from private enterprise. In fact in many areas of research, private enterprise has picked up the load.

We see a lot of skilled agronomists around the area, on the ground and at the coalface. I know that from looking at the crop trial sites with Tony Hall who manages north-west agricultural services, which has a number of agronomists. We were discussing how we could cooperatively get all that information into the system and move ahead in a much more constructive way than we have in the past. I am sure that can be done but it cannot be done unless the government fully supports this with resources, not just spin doctoring.

Victorian Law Reform Commission: workplace privacy

Hon. S. M. NGUYEN (Melbourne West) — I wish to make a contribution on the Victorian Law Reform Commission's final report on workplace privacy. It is very important that the privacy of workers and the

public be protected. In the old days privacy was more protected than today because today there is a lot of technology, such as video and audio. Many devices are available to supervise workers and other people. Videotapes, for example, are being used to monitor people, and there is the potential for the misuse of those tapes. On the corner of many streets there is video surveillance. We must ensure that the videotapes cannot be misused. We must protect the privacy of workers in the workplace if they are being monitored with cameras.

The committee consulted with many people in society, including workers, employers and human rights groups, so the report that has been produced is very comprehensive and contains more than 60 recommendations. Many people were interviewed and many people made submissions expressing their concerns. The report will provide guidance and information so that people in workplaces will know how to deal with certain matters when they come up — for example, employers have to do many things these days, such as testing workers to ensure they do not drink alcohol during work hours because of work safety. The report also talks about blood testing and issues of privacy. Employers should know their responsibilities, what they can and cannot do.

Unions also raised a lot of important issues. People need to know their rights and know whether employers can sack them without warning. The changes to the federal unfair dismissal law are coming very soon, and we need to make sure that workers in every workplace know whether they are under the supervision of Canberra or have to be notified by their employers.

The ACTING PRESIDENT

(**Hon. H. E. Buckingham**) — Order! I thank the member for his for contribution.

Auditor-General: special reviews and other investigations

Hon. BILL FORWOOD (Templestowe) — I wish to take note of the Auditor-General's report on results of special reviews and other investigations. As other members have said this morning, this year's report takes into consideration five separate investigations: the operation of the Regional Infrastructure Development Fund, the purchasing of chemicals for Barwon Water, Kangan-Batman Institute of TAFE's adequacy of printing, an investigation into the alleged misuse of court funds at the Geelong Magistrates Court and the administration of grants by local governments. I wish to concentrate my comments on the latter area.

I will start my contribution by commenting on the trenchant criticism of the Auditor-General made in the paper recently in relation to his work on the franchising out of Melbourne's tram and train services. Ken Davidson wrote in his column in the *Age* that the Auditor-General's report into franchising Melbourne's train and tram system purports to be an efficiency audit while adopting restrictive terms of reference which make this impossible. When considering the Auditor-General's reports it is important that we do so in the context of having some confidence in the work he is doing. Mr Davidson went on to say:

The effort by the Auditor-General is even more disappointing. Since the budget papers have become little more than statements of intent with no legal force, the Auditor-General's reports are the last line of defence against government waste for the diminishing number of Victorian parliamentarians and citizens who are seriously concerned about the public interest.

I must say I do include myself in that particular category. I have long had an interest in the accounts of government, while in both government and opposition. It is cause for serious concern to the people of this state when such criticisms of the Auditor-General are made. Mr Davidson went on to say:

The audit report on Melbourne's train and tram franchising system amounts to a cover-up ... The prime task of an auditor is to find out what happened in the past to ensure that the right decisions are made in the future ...

He asked why the Auditor-General did not answer some obvious questions:

Why did the existing franchise agreements (negotiated for a period of 10 to 12 years) fall over within two years?

Good question. Who knows the answer? He went on to ask:

Why did the cost of the metropolitan train and tram system blow out to \$640 million in 2003-04 — more than double the \$290 million in 1999-2000 (when it was still a public monopoly operated by the Public Transport Corporation) and nearly three times the subsidy the franchisees promised was all that would be necessary because of the extra patronage and efficiencies the private operators would introduce.

He also went on to make other criticisms of that audit, including the fact that it was not benchmarked against similar organisations elsewhere. He wrote:

Instead of a straightforward approach that might have yielded useful information, the Auditor-General tracked down the Department of Infrastructure's 'public sector benchmark' and 'found it a useful tool in helping the government become an informed purchaser ...

This unintelligible and pointless exercise cost taxpayers just over a million dollars. The same miasma could have been achieved more cheaply if the Auditor-General had bled the

Minister for Transport, Peter Batchelor, and pronounced him and the Department of Infrastructure free of all evil humours.

He has made damning and trenchant criticisms of the Auditor-General.

I turn to the document we are considering today, and particularly the conclusions the Auditor-General came to in relation to local government grants. If one looks at the fact that in the 18 months from July 2003 to December 2004 the City of Yarra made grants of \$2.56 million and that in the same period Moreland City Council made grants of \$1.417 million, one does begin to be concerned. That is especially so when one reads in the Auditor-General's report that:

... Moreland maintained separate files for each grant, we found ... key documents were missing ... there were no copies of grant agreements or evidence of grants being acquitted on some files.

So we have a situation where the public interest tests, one would imagine, should lead the Auditor-General — —

The ACTING PRESIDENT

(Hon. H. E. Buckingham) — Order! The member's time has expired.

Victorian Law Reform Commission: family violence police holding powers

Ms MIKAKOS (Jika Jika) — I am very pleased to make a brief contribution on the Victorian Law Reform Commission interim report on family violence police holding powers. In particular I want to commend the VLRC for this interim report. The Attorney-General wrote to the commission on 9 August requesting that it prepare an interim report. This arose as a result of the police minister forwarding on a request from the Chief Commissioner of Police that consideration be given to giving members of Victoria Police power to detain and remove persons pending the making of an application for an interim intervention order.

Members would be aware that family violence is a significant problem in our society. Numerous studies have demonstrated the physical, mental, psychological and economic problems family violence causes. In particular members would be aware of the VicHealth study entitled *The Health Costs of Violence: Measuring the Burden of Disease Caused by Intimate Partner Violence — A Summary of Findings*. This report, handed down in 2004, found that family violence was the leading contributor to death, disability and illness in Victorian women aged between 15 and 44 years. It is quite astounding that this is in fact the case, and studies have shown that family violence costs the Australian economy about \$8 billion a year and that a quarter of all

Australian children have witnessed violent behaviour towards their mothers or stepmothers, which is a form of child abuse.

All these studies mean that the Bracks government has determined to tackle this issue and adopted a whole-of-government strategy. In fact the A Fairer Victoria social policy plan handed down earlier this year contained an investment of \$35.1 million over four years to deliver a new approach to family violence in Victoria. In addition we have had the Magistrates Court family violence divisions, and the pilots at both Heidelberg and Ballarat courts are now in operation. We have had an indigenous family violence task force set up and a family violence housing pilot program working with indigenous communities. We are undertaking a review of child protection laws, and we have had the police change their procedures in relation to family violence.

I particularly want to focus on those changes in procedures, because the changes and the commitments that the Chief Commissioner of Police has made in this area are extremely significant. Members might recall that a code of practice was launched in August last year, which means the police have shifted their approach in tackling family violence and now take allegations of family violence a lot more seriously than perhaps was the case in the past. The report notes that there had perhaps been a reluctance in the past to press charges but clearly that has now changed.

The report makes a number of recommendations. Essentially it recommends the granting to police of a holding power to improve the safety of people who have had violence done to them by family members. It identifies a gap in the continuum of protection from the time that the police attend a family violence incident to the time that an intervention order is made and served. The government is considering the recommendations contained in this report as to the best way we can bridge this gap and provide a better level of safety and protection to people and their property. I support the recommendations made by the law reform commission and hope that the Attorney-General will give them favourable consideration.

CRIMES (CONTAMINATION OF GOODS) BILL

Second reading

Ordered that second-reading speech be incorporated on motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

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

That the bill be now read a second time.

Incorporated speech as follows:

In this state a person must not contaminate goods, threaten to contaminate goods, or make false statements concerning the contamination of goods, with the intent to cause public alarm or anxiety, or economic loss through public awareness of the contamination.

These offences are in place to protect the community from the harmful hype and potentially damaging economic loss which may result from the contamination of goods or the threat of such contamination.

Recently in Victoria we have seen that these threats have extended to the contamination of livestock. The case in mind concerns the introduction of ham into the feed of sheep bound for the Middle East. In that case the defendant was acquitted of a contamination offence because the prosecution could not establish the requisite intent.

It would be inappropriate for me to comment on individual cases which have been before the courts. It would also be inappropriate for me not to listen to calls from the public, including the Victorian Farmers Federation, seeking reform. This government has listened to those calls and is committed to ensuring that the criminal legislation appropriately addresses modern day threats to the community.

We introduce this bill, as a matter of urgency, to protect the livestock and export industry from further threats.

This bill will amend the current contamination of goods offences to make it clear that contaminating livestock will not be tolerated.

This bill will amend the fault element of the contamination offences from 'intentionally', to 'intentionally' or 'recklessly'.

The Crown will still have to prove that the defendant contaminated the goods, but they will not necessarily be required to prove that the defendant also intended to cause economic loss or public alarm. Rather, a person may also be guilty of the offence if he or she was 'reckless' as to whether or not the contamination would cause economic loss or public alarm.

For the guidance of members, I note that the model criminal code provides that a person is reckless with respect to a result when he or she is aware of a substantial risk that it will occur and it is, having regard to the circumstances known to him or her, unjustifiable to take the risk. Ultimately the definition of recklessness is a matter for the courts to determine.

The current maximum penalty of 10 years imprisonment or 1200 penalty units, or both, will remain the same as it is still considered appropriate for the worst class of offence.

I commend the bill to the house.

**Debate adjourned on motion of
Hon. E. G. STONEY (Central Highlands).**

Debate adjourned until later this day.

PROPERTY (CO-OWNERSHIP) BILL

Second reading

Ordered that second-reading speech, except for statement under section 85(5) of the Constitution Act, be incorporated on motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

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

That the bill be now read a second time.

Incorporated speech as follows:

This bill implements a number of recommendations contained in the Victorian Law Reform Commission's report on *Disputes Between Co-owners*. The bill will improve access to justice by co-owners of land and goods by introducing simpler and less expensive processes for the resolution of disputes between co-owners.

Co-ownership exists when two or more people have an interest in property, either land or goods, that entitles them to possess the property at the same time.

Co-owned property can be sold or divided with the agreement of all the co-owners. However, if co-owners disagree or if a co-owner cannot agree to sell because he or she is not an adult or lacks legal capacity, a process is required to authorise sale or division. In addition, other disputes may arise between co-owners such as a co-owner wanting to recover the costs of improving or maintaining the property from other co-owners.

Co-ownership disputes between spouses are normally resolved under the Family Law Act 1975 while domestic partners normally resolve these disputes under part IX of the Property Law Act 1958. Other co-owners who wish to end co-ownership of land must rely on part IV of the Property Law Act 1958. Under part IV co-owners of land must apply to the Supreme Court to resolve these disputes unless the value of the property in dispute is less than \$200 000 in which case the County Court may hear the claim.

Concern about the formality, expense and delay of requiring these matters to be heard in the Supreme or County courts was evident in submissions received by the Victorian Law Reform Commission. Concerns were also raised about the relevance of part IV. Part IV is based on English partition laws passed in the 16th century. The laws were amended in the 19th century to give the court power to order sale of the land in limited circumstances. The language of the legislation is now archaic. Furthermore, part IV is based on circumstances that are no longer relevant. During the 16th century, land was largely used for agricultural purposes and at that time it may have been appropriate for physical division of the land to be the main remedy for co-owners wanting to end co-ownership. However, today, co-owners are more likely to want the land to be sold and the proceeds divided between them.

This bill repeals and replaces part IV to address these concerns. The proposed bill will transfer jurisdiction over co-ownership disputes from the Supreme and County courts to the Victorian Civil and Administrative Tribunal (VCAT).

The bill provides VCAT with the power to provide flexible remedies to address the issues that arise in these disputes. VCAT will have a broad discretion to determine whether the co-owned property is sold or divided. In line with the recommendations of the Victorian Law Reform Commission, the sale of co-owned property will be the primary remedy ordered by VCAT but VCAT also has the power to order division of land if it is just and fair. In addition VCAT will have power to make orders relating to payment of compensation and accounting between co-owners.

VCAT will also have the power to appoint trustees to oversee the sale or division of the land. It is expected that VCAT will appoint trustees where there are circumstances of violence between the co-owners or where some of the co-owners are minors or are incapable of looking after their own affairs. VCAT will be able to direct the trustees as to the terms and conditions of the sale and to distribute the proceeds in any manner VCAT sees fit.

The Family Court will continue to have jurisdiction over disputes over property between spouses and the Supreme and County courts will continue to have jurisdiction over property disputes between domestic partners under part IX of the Property Law Act 1958. The bill also makes it clear that the courts retain jurisdiction over disputes over co-owned property if the dispute arises in the context of a dispute under the Partnership Act 1958 or a testator family maintenance claim under the Administration and Probate Act 1958.

The courts will also have jurisdiction in any proceeding that has commenced in the courts and the issue of co-ownership of land or goods arises in the course of the proceeding. In addition, the courts will also have jurisdiction to hear a co-ownership dispute if there are special circumstances. Special circumstances will exist when the dispute is complex or when the dispute, or a substantial part of the dispute, does not fall within the jurisdiction of VCAT.

It is expected that two of the major groups that will benefit from the transfer of jurisdiction are family members who have been left property by will and people who have purchased property as co-owners for investment purposes.

Section 85 of the Constitution Act

Hon. J. M. MADDEN — I wish to make the following statement under section 85(5) of the Constitution Act 1975 of the reasons why it is the intention of this bill to alter or vary this section.

Clause 3 of the bill proposes to insert new section 187(3) into the Property Law Act 1958. Section 187(3) states that it is the intention of new section 187(2) to alter or vary section 85 of the Constitution Act 1975. New section 187(2) provides that if the chattels that are the subject of an application are goods that come within the meaning of part IV of the Property Law Act 1958 the person must make their application under part IV. The effect of subsection (2)

is to remove jurisdiction over disputes between co-owners over certain types of goods from the Supreme Court and give jurisdiction to VCAT.

The reason for removing this jurisdiction from the Supreme Court is to ensure that applications that relate to both land and goods can be dealt with in VCAT under part IV of the Property Law Act 1958. Disputes may arise as to whether certain items are fixtures, and so form part of the land, or are chattels to be dealt with under section 187. As VCAT will have jurisdiction in relation to both land and goods, it will not be necessary to determine whether the chattel is a fixture or goods and whether VCAT has the jurisdiction to deal with it. This will allow co-ownership disputes over land and goods to be dealt with at the same time without the need to determine whether the goods in dispute are a fixture or a chattel. Providing VCAT with the jurisdiction to hear co-ownership disputes over goods ensures that co-owners have access to an accessible and affordable dispute resolution mechanism.

Clause 5 of the bill proposes to insert new section 234 G into the Property Law Act 1958. Section 234G states that it is the intention of section 234C to alter or vary section 85 of the Constitution Act 1958. New section 234C limits the jurisdiction of the Supreme Court to hear an application under part IV unless —

the matter which is the subject of the application relates to a proceeding under —

part IX of the PLA (division of property on the breakdown of a domestic relationship); or

part IV of the Administration and Probate Act 1958 (testator family maintenance claims); or

the Partnership Act 1958; or

in any proceeding which has commenced in the Supreme or County courts the issue of co-ownership of land or goods arises in the course of that proceeding.

The effect of section 234C is to remove jurisdiction of the Supreme Court to hear an application under part IV for the sale or division of land or goods or an application for accounting in accordance with section 28A of the Property Law Act 1958 that does not come within these specified categories or unless the special circumstances referred to in section 234C(4)(b) and (5) exist.

The reason that the Supreme Court's jurisdiction to hear disputes between co-owners is limited is to ensure

that these disputes can be dealt with in a more accessible and affordable forum for dispute resolution.

Incorporated speech continues:

In conclusion, I wish to thank the Victorian Law Reform Commission for the work they undertook in preparing the report that underpins this bill. The aim of the commission in preparing the report was to simplify and clarify the laws relating to co-ownership of property, to make the sale or division of land and goods easier and to set out mechanisms for resolving disputes when they arise. This bill reflects those aims. It will provide more accessible dispute resolution processes and broaden the remedies available to co-owners when co-ownership comes to an end.

I commend the bill to the house.

Debate adjourned for Hon. C. A. STRONG (Higinbotham) on motion of Hon. E. G. Stoney.

Debate adjourned until next day.

SPORTS ANTI-DOPING BILL

Second reading

Debate resumed from 4 October; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. B. N. ATKINSON (Koonung) — The Sports Anti-doping Bill is not opposed by the Liberal Party. Opposition members have taken the position of not opposing the legislation rather than supporting it because of a couple of concerns about the process involved. The first of those concerns is the limited amount of consultation with sports organisations. Interestingly it is provided in the bill that consultation will occur after the legislation is passed by Parliament. We find that rather odd. Our second concern is that the minister will have an opportunity under this legislation to change the protocols associated with drug testing — essentially at his whim when it is all boiled down — without further scrutiny by Parliament. We believe it would have been more appropriate had the bill allowed at least some reference back to Parliament in the event that the regime for drug testing was to be subject to any significant alteration.

This legislation primarily introduces a regime that is consistent with the overall federal regime for anti-doping. It draws very much on the policies of worldwide agencies by ensuring there is a process of integrity in relation to drug testing. It also certainly ensures that Australian agencies — the national agencies associated with drug testing — have clarification of their jurisdiction in testing in Victoria,

which will possibly be quite important with the Commonwealth Games coming up next year. Having said that, I am not entirely sure this legislation is necessary, because federal legislation already covers most of the points established in the bill.

Whilst I have accepted assurances from the minister's advisory staff that this legislation will clarify those jurisdictional issues, I would have thought that in any event there was no major evidence there might be a jurisdictional problem. Most of the major sports bodies have already signed up with the federal government and agreed to meet the criteria on anti-doping laws. They will make sure their athletes are tested by the Australian Sports Drug Agency in line with international practice. From that point of view I would think most of the sports likely to be covered by Victorian legislation are already covered by agreements with the federal government and that the jurisdictional issues are well beyond doubt.

Notwithstanding that, the one provision in this bill that it is important to establish very clearly in people's minds, if nowhere else, is the fact that state facilities will not be available to drug cheats in future — in other words, this legislation makes it very clear that the state can deny funding or deny the use of facilities, even for training purposes, to athletes who have been found to have breached anti-doping guidelines. It will apply to athletes who have effectively cheated by using performance-enhancing substances, or in certain cases recreational drugs, which contravene the drug protocols that have been established between the sports bodies and the federal government in line with international conventions.

The provision in the bill preventing drug cheats from using Victorian facilities is a valid one, because it represents a very real sanction for drug cheats. Inevitably the penalty that might apply to a drug cheat applies only for a relatively short period of their sporting career, and if it were not for this provision, in some cases cheats might have been able to continue to access training facilities to enhance their skills. When an athlete returned from the sin bin, having been banned for drug cheating, they could have resumed their sport at a very high level courtesy of Victorian taxpayers and the facilities provided by them.

I do not think that is appropriate. If people cheat, if they try to use drugs in sport that are clearly designed to enhance their performance, then they ought to face significant sanctions, and this legislation certainly puts those in place. To that extent it is also consistent with federal laws.

I note that earlier this year a debate went on with several of the sports codes, notably rugby and Australian Rules football, about their signing on to the national code as required by Senator Rod Kemp, the federal minister for sport. The Victorian Minister for Sport and Recreation, the Honourable Justin Madden, was quite silent about his position on that ongoing debate, which lasted some weeks. Certainly we, as the Liberal Party in Victoria, supported the signing of those agreements by the sports associations and we encouraged the Australian Football League to sign on, which it ultimately did.

In the case of the Australian Football League I suppose it might well have argued that it does not receive a lot of government funding for its activities — it is largely self-sufficient — and provides funds to other levels of football throughout Australia. It is to be commended for the enterprise it runs and its ability to support the advancement of the sport by the promotion and funding of particular programs. Some of those programs involve some fairly innovative areas such as racial tolerance, anger management and so forth. As I said, the withdrawal of funds was not really an issue with the AFL, but this legislation would suggest that the availability of some state facilities might well be withheld from the AFL or certain clubs or individuals in the AFL if it did not continue to comply with drug testing regimes that were signed up to under the agreement.

I also understand it was the AFL's position that it believed it had a better system of testing than was advocated by the federal minister. There were some aspects of its position that were not as effective as the federal minister's position, and because it was an individual sport there was always the prospect that the AFL, if it were not signed on to the national position, could have varied its policy from time to time and become involved in areas of coverage in its drug policy that were simply not consistent with national and international conventions. It was important that it come into line with the national position. Notwithstanding that, there was obviously nothing at that time, nor has there been since, to prevent the AFL from continuing with its drug testing programs where it believes the programs are in addition to the requirements of the national code and in order to have a more rigorous regime in place. There is nothing to stop that occurring, and we would certainly encourage that.

Fortunately in Australia the incidence of drug cheats is relatively low. It is my observation that people who have been caught out as drug cheats face a considerable amount of humiliation and shame. We have had a number of people in the sport of cycling. We have had

Shane Warne, in circumstances which he would argue were perhaps inadvertent, but nonetheless the sporting association was certainly of a view that the transgression was such that he ought to be banned from the sport for a period. We have also had in some of the other sports — weight-lifting and some of the martial arts — incidents of illegal drug use or drug use associated with performance-enhancing drugs.

As I said, those incidents have been relatively few and far between in Australia. That is partly because of peer pressure and partly because already many of the sports associations have very strong training regimes and protocols in place and pursue excellence in sport without resorting to performance-enhancing drugs. Indeed, nearly all the sports associations signed on very quickly to the code established by Senator Rod Kemp, the federal sports minister. I have consulted all the sports associations about the legislation before the house and all the major sports associations have indicated that they are supportive of the legislation or at least have no objection to the legislation. In other words, the consultation by members of the opposition has shown that there is support for the legislation. It is a great pity that the government did not go to the same extent of consulting those sports associations earlier on.

I am advised by the minister's advisory staff that the intention is — and, as I said, there is provision for it in the legislation — that there will be consultation with the sports association in the preparation of a code for drug control in sport that the minister will establish under the legislation. That seems to be a bit like shutting the gate after the horse has bolted in that the code will not be subject to the scrutiny of Parliament. We have an assurance in the legislation that the code will be consistent with the Australian Sports Drug Agency and international protocols on the use of drugs in sport — that is, that the code will not go outside the established conventions used in international sport. Nonetheless, members of the Liberal opposition are concerned that the code of conduct will be established later and is not part of the documentation available to the house as members consider the legislation. That document will be able to be varied in the future by the minister at his whim. I acknowledge that the legislation suggests that he will continue to consult if down the track he is considering changes to the code, but members of the opposition do not consider that to be a great assurance in the context of scrutiny by Parliament.

I should put on record as well that whilst I and my colleagues in the Liberal opposition have no thought of supporting drug cheats in any way — in other words, we are strongly opposed to the use of performance-enhancing drugs in sport and people who

cheat in sport — I am also very mindful of the need for people to go through fair and due process in such matters. Where people have failed a drug test, they should have every opportunity to clear their names in a fair and proper process. In other words, they should not be subject to sanctions or even the court of public opinion in a humiliating or shameful way when in fact there may not have been a deliberate or actual transgression of the drug code.

It is possible that in some instances some people, on investigation of an abnormal initial drug test, might be found to have a valid explanation and be cleared of cheating. I am concerned to ensure that athletes do have that opportunity, that in fact they are considered to be innocent until proved guilty. That clearly relies very much on due and proper process. One of the concerns I have about the minister's code of conduct going forward is that that should not impinge on the rights of athletes, notwithstanding that we want to eradicate the illegal and improper use of drugs in sport.

As I said, I am not so much concerned about the legislation. By and large in principle the opposition supports the legislation, with the two reservations that I have indicated to the house. The legislation is at least consistent with federal legislation. I am a bit surprised that the government has not sought to bring along some of the other state jurisdictions in developing the legislation, that it has in some ways taken a unilateral position. Perhaps only Queensland legislation has any consistency with what is proposed in this legislation and, indeed, with what exists in the federal legislation. The bill at least gives us an opportunity to tidy up the previous legislation covering the use of drugs in sport here in Victoria, the Sports Drug Testing Act 1995. That is certainly a more prescriptive piece of legislation than the bill before the house today. To that extent, this may well be in some respects a step forward although, as I said, my concern continues that the minister will have a significant amount of leeway under the legislation, particularly given that the code of conduct has not yet been promulgated.

The minister's advisers have indicated to me that the code is at a fairly advanced stage of writing, which I also find interesting because that was the part of the legislative process that was to be subject to consultation with the sports bodies. In that context I wonder whether they will be presented with a *fait accompli* or this will be a genuine consultation process. The legislation is a bit populist in some respects. If the bill is passed and the Sports Drug Testing Act 1995 is repealed we will have done away with some of the prescriptive elements of that act, but there will be some rather quaint provisions in the legislation, such as requiring the

minister to publish information on the Internet and so forth. That is fair enough. Certainly the opposition supports the wide availability of information on the policies adopted by the government. It just seems a bit odd to have it so prescriptively laid down in legislation when other aspects have been overlooked. Again, it seems to be a case of shutting the gate after the horse has bolted in that the Parliament will have determined the fate of this bill only to find at some subsequent time that the government will change its policy on a web site rather than bringing the legislation back for scrutiny by Parliament.

As I said, members of the opposition will not oppose the bill. We are not happy to see the great sporting image of this country tarnished by drugs cheats at any time. We look forward to the Commonwealth Games, which has bipartisan support. We look forward to a drug-free Commonwealth Games and to Australian athletes competing in those events and in all sports. As members are aware, Victoria is very much a sports-loving state. We look forward to athletes in all sports competing to the best of their ability without the support of drugs and, indeed, in pursuit of sporting goals consistent with the national and international sports protocols on the use of drugs in sport.

Hon. D. K. DRUM (North Western) — I am pleased to contribute to the Sports Anti-doping Bill. Initially I thought this bill might have been about the Honourable Robert Mitchell but when I read it more closely, it had nothing to do with the Labor Party factions trying to get rid of a member for Central Highlands Province. Members now know it is about drug taking in sport.

When we consulted with many of the major sporting associations that will be brought into line through Victoria having its own drug code, their first reaction was, 'Why do we need this?'. They believe that the current regime which comes under a national control was quite adequate but the government had deemed it necessary to have its own drug code and therefore it has introduced this bill, which will effectively create its own code in line with the national code. The bill will re-enact with amendments the law relating to anti-doping in sport and confers functions on the Australian Sports Drug Agency (ASDA). It will continue to be the main body doing the drug testing, which is the current situation.

The objects of the bill include ensuring that ASDA is fully able to fulfil its anti-doping obligations in relation to Victorian athletes and also to participate in the development of a Victorian sports anti-doping policy. Clauses 6 to 8 will effectively establish the Victorian

anti-doping policy, and provide that the policies must be published on an appropriate web site by the government. Those guidelines will also be required to be published in the *Victoria Government Gazette*. Clauses 9 to 11 specify the functions of ASDA under the act, including providing information about the use of drugs and doping methods in sport, about testing procedures and about the consequences should a Victorian athlete return a positive result or should they not comply with the testing procedures.

There is a history in Australia of a relatively clean nation, but we have had certain athletes, on arriving at athletic venues and seeing that the testers are present on any given day, dropping their kit bag and simply hightailing it across the oval, over the fence and last seen running off into the mountains. We have had a few of those situations and if one does not comply, there has to be a very strong sense of guilt associated with those people. There was the situation at the Greek Olympic Games where the Greek athletes were involved in a potentially fake motorcycle accident to try to avoid detection.

Mr Somyurek — An allegedly fake motorcycle accident.

Hon. D. K. DRUM — It was an allegedly fake motorcycle accident, Mr Somyurek, that is correct.

Providing that the athletes conform they will be okay, and this bill will also create the situation where ASDA may only perform its functions or exercise its powers under the bill in relation to a Victorian athlete when there is an agreement in place between ASDA and the athlete's Victorian sporting association or organisation. That is an important part of this bill — the relationship between ASDA and each of the sporting associations is going to have to be worked out primarily at the start of the relationship.

Tennis Victoria will actually have to work out with ASDA which of its up-and-coming promising tennis players are going to be included in the drug-testing net because as we know, tennis is an Olympic sport so whilst we need to keep all our sports clean, certainly an arrangement is going to have to be struck up between ASDA and each of the various sporting organisations throughout Victoria as to whether or not they will have a testing regime. If they are to have a testing agreement, how extensive will that agreement be, where will the pool of players, athletes or contestants come from, and what sort of method will be used to test many of the up-and-coming athletes?

In some situations the athletes rise from relative obscurity to winning gold medals at Commonwealth Games and Olympic-standard competition in a very short space of time. We have seen the Irish swimmer who came from relative obscurity, won two gold medals and retired before the world could blink and realise what had actually happened. Obviously whenever those types of feats occur, there is some scepticism about the relative merits of their feats and whether the athletes were quite clean when the medals were won and the world records were broken.

The bill has come in at a very opportune time. There are a number of situations which are trending down a nasty path. The use of caffeine tablets among Australian Football League footballers is now quite commonplace. I was a little alarmed to read that almost 60 per cent of the AFL players have been taking No Doz, obviously trying to give footballers a bit of a clearer head, greater alertness; and also that 58 per cent of the players had been taking caffeine tablets.

I was further alarmed when I read that Brendan Gale, the chief executive of the AFL Players Association, said this is not an issue and he does not think it will result in little AFL Auskick players lining up at the chemist. I think that was a worrying statement, because surely Mr Gale must get out and about and see the way suburban and regional footballers mimic their idols at the AFL level.

It does not take long for the newest pair of boots or the newest fad in jumpers or gloves to become popular through the different levels of sport, and country and metropolitan sportspeople will jump on anything they believe can improve their game. If they find out that 58 per cent of Australian Football League footballers are taking caffeine tablets, you can bet your bottom dollar that footballers right around the state and right around the country will follow their lead. And if AFL footballers are doing it, we will find that the soccer and hockey players will do it, and there will then be a situation where, if it is good enough for one set of elite sportspeople to take caffeine tablets, then it will spread throughout the greater sporting industry at all levels, from the elite to the semi-elite and right down to amateur levels. It is something that we need to be aware of.

We also need to be a bit concerned about the AFL's reluctance to agree to the World Anti-Doping Agency (WADA) code. I was glad to see that the AFL's chief executive officer, Andrew Demetriou, was brought into line on that. I was most disturbed that he was hanging back from joining the national code relating to illicit drugs such as marijuana and cocaine. Now the situation

is much harsher for athletes caught with those sorts of drugs. I have strong concerns about the increasing use of recreational drugs and amphetamines by our elite sportspeople. As they earn increasing amounts of money there is no doubt that there will be a dramatic increase in the prevalence of recreational drugs and amphetamines, and people like Andrew Demetriou need to crack down on that trend. If we have to test outside of competition times, then we must do it.

We have to be harsh and inflexible with athletes. We have a strong social obligation to these young men who think they are bulletproof and who think they can take drugs, when in fact they are like the rest of society. When they take amphetamines they have no idea what they are taking or what side effects might be experienced. I am glad to see that the AFL has now been brought into line with WADA and will take a tough stance not only with performance-enhancing drugs but also with some of the so-called recreational drugs.

I want to talk about some of the testing procedures. We need to be a little more understanding of some of the athletes who are tested. The Australian Sports Drug Agency has a strong preference for testing players immediately after competition or training. A little bit of commonsense needs to be used in testing procedures, because the simple act of giving a urine sample after competition or training can take a number of hours in many cases. I have seen players, having trained in the heat of Sydney and Perth, having to wait in the changing rooms, where they cannot leave the sight of the testing officers, for 7, 8 or 10 hours until they are able to return a urine sample. It would be commonsense to have players tested prior to competition or training.

A person being injected with anabolic steroids 5 minutes before competition is not going to get any benefit, so if that is what you are testing for, there needs to be a realisation that to test 10 minutes before an event or before training is easier and less time-demanding on the athlete. It can be downright demeaning to have a stranger watching you shower and going to the toilet and waiting until you can return a urine sample. I would like to think that ASDA is prepared to look at its procedures to see if there is a way to make it easier and better for all concerned.

A large part of the second-reading speech is dedicated to an education program which will form part of the Victorian sports anti-doping policy that the minister is required to prepare. I imagine the minister will be able to copy a large portion of the national drug code and make it part of Victoria's own. A large portion of the second-reading speech is devoted to the education

process for our young people. We are trying to address those teenagers — not just in Victoria but around the world — who are looking at taking drugs to enhance their body image. Some young men take anabolic steroids to help them get a better body, and that is part of the reason why we are looking at an education process as part of the bill.

While a lot of the second-reading speech is dedicated to the educational aspects of the bill, they are not contained anywhere in the bill itself, although I understand they will form part of that area of the bill under which the minister will put together Victoria's anti-doping policy. He will then have to make very specific reference to how the government will access the education system to make sure that our young people get the message about the evils, the side effects and all the negative aspects of drug taking, whether it be performance-enhancing drugs, body image drugs or recreational drugs. We need to make sure the minister's policy has a very strong and clear message and that there are guidelines about how it will be implemented in the education system, because that will be an enormous part of the government being able to achieve its goal.

In the United States of America 375 000 boys and 175 000 girls have used steroids at least once, and that is an enormous number. We need to be careful we do not go down a similar path. In England general practitioners have talked about the increased number of young men and adolescents turning to steroids for no other reason than Friday night vanity to try and make themselves look better for the weekend. It seems crazy that they would do that, but obviously if these drugs are going to enable people to train harder, recover more quickly and push more weights to make themselves look in better condition, then we need to be aware of some of the overseas trends and make sure we are right on the job of educating our youngsters to guard against those possibilities.

We also need to understand that when the policy is in place there will be a flow-down effect. We need to make sure that ASDA has a strong relationship with all the sporting organisations. Sometimes elite sportspeople are banned from their particular sports, but a kayaking association, for example, could easily accept a disqualified rower who has tested positive. A triathlete who tested positive could simply turn his hand to swimming, running or cycling. Each individual body will have to make a decision as to whether it will accept banned sportsmen and sportswomen from other sports. That will have to be clearly set out in the code, because with so many sports sharing similar aspects and the increasing amount of money involved in sports, there

will be a temptation for athletes banned by one association to attempt to compete in another sport. That will continue to come to the fore, so hopefully that will be clearly spelt out when the minister puts together the Victorian drug code.

The Nationals will not be opposing the bill. We have received an endorsement of the bill from Athletics Australia. We would like to thank Danny Corcoran and Rohan Robinson for their support. They are also concerned about some of the trends in the USA and Western Europe, and they believe this bill will help stop those trends from reaching young Victorian athletes. We support this bill and hope it has a positive impact on our youngsters. We hope that the education aspect of it will help prevent younger athletes from experimenting with performance-enhancing drugs and recreational drugs.

Mr SOMYUREK (Eumemmerring) — I rise to make a contribution in favour of the Sports Anti-doping Bill, which has as its purpose the re-enactment, with amendments, of the law relating to anti-doping in sport, the conferral of functions upon the Australian Sports Drug Agency (ASDA) and the repeal of the Sports Drug Testing Act 1995. In other words the purposes of this bill are to implement a legislative framework to facilitate the extension of the national anti-doping program to all levels of Victorian sport when deemed necessary and to support the intent of the code at the subelite level of sport through a policy and education-based approach. This legislation has become necessary as a result of the introduction of the code and the ongoing amendments to the commonwealth legislation.

At the outset I would like to make a few comments before I get back to the bill. Anti-doping is a very significant issue on a number of levels. Whilst the success of our athletes in international arenas instils a great deal of pride and a feeling of prestige in us as a nation and in the athletes individually, having athletes caught for using performance-enhancing drugs disgraces the athletes and the nation from which they come. The prize is quite big, but there is a huge downside to it. Australians do not deserve to be disgraced in the international arena.

Not only does doping disgrace the reputation of the nation but it also puts into question the successful performances of other, clean athletes. For example, the Chinese had gone through a period of great success in the swimming pool when a couple of them were caught using performance-enhancing drugs.

Mr Smith — How were they caught?

Mr SOMYUREK — I presume they were guilty, Mr Smith. However, not all of them were caught and I assume the swimmers who were not caught were clean. We sit here today and we are cynical — as Mr Smith is cynical — about whether a lot of the Chinese swimmers who were not caught but were successful were not clean because their compatriots who were caught were competing whilst using performance-enhancing drugs.

A couple of speakers have cited the Greek example. When those Greek athletes were caught using performance-enhancing drugs it was a huge psychological blow to Greece as a nation, and that is what these types of actions can do. The whole nation had its hopes pinned on those athletes competing and potentially winning, but through their stupidity they not only staged an accident but were subsequently shown to have taken performance-enhancing drugs. The Greek people are honourable people, and they were appropriately enraged by this. They were indignant, and so they should have been. We do not want that type of thing happening in Australia.

Another issue I would like to touch on is a point Mr Drum referred to a second ago, and that is the use of anabolic steroids, not by elite athletes to enhance performance but by others to enhance appearance, the aesthetic aspect of anabolic steroids. These drugs are not to be misused. They have huge repercussions as far as health is concerned, such as liver disease and testicular cancer, which can be fatal conditions, not to mention the heightened sense of anger — I have come across the term ‘steroid rage’ in my reading, although I cannot think of the source at the moment — and that is not good for society as a whole.

The Family and Community Development Committee, chaired by my colleague Mr Bob Smith, did a good job in inquiring into issues relating to the development of body image among young people and associated effects on their health and wellbeing. I read the report and contributed to debate on it in Parliament but it was skewed in favour of female body image. It was a helpful report, but unfortunately not enough space was allocated to male body image. Male teenagers are under the same pressures as females. They manifest their behaviour through things such as taking steroids, whereas females might stop eating. The feedback I got from Mr Smith is that he came across anecdotal evidence that steroid abuse is a problem, but unfortunately not enough people came forward to justify more space being allocated to steroid abuse in the report. I would encourage any other committee or institution to research steroid abuse. As Mr Drum said, education is very important. The UK study Mr Drum

referred to is also something members should have a look at with a view to supporting the allocation of more resources to identify the issue of steroid abuse with our young population.

I return to the bill. Mr Drum also asked why the Victorian bill was required. The Australian Sports Drug Agency is currently restricted in its functions by the definitions contained in the commonwealth Australian Sports Drug Agency Act 1990. The act relates to athletes representing, or having been assessed by their sport as having potential to represent, Australia or receiving assistance from the commonwealth. It does not specifically relate to athletes at the next level of competition, being those who represent a state or region or are receiving assistance from a state government.

Mr Gavin Jennings interjected.

Mr SOMYUREK — I am telling the house why the bill is required, Mr Jennings. While other mechanisms can extend testing to below the defined national level of competition, the commonwealth act does not yet cover all athletes participating in sporting competitions. The code stipulates that all persons competing in organised sport under the authority of a sports organisation are expected to be available for testing. The Sports Anti-doping Bill accordingly extends ASDA’s authority to all Victorian athletes involved in organised sporting competitions. Should Australia next year become a signatory to the United Nations Educational, Scientific and Cultural Organisation international convention against doping in sport, the commonwealth may well be able to amend the Australian Sports Drug Agency Act 1990 to cover athletes participating at any level of competition in all jurisdictions. I am sure that answers Mr Drum’s question as to why the bill is required, and I am sure he was paying attention assiduously.

Mr Atkinson asked whether the minister consulted widely. I will endeavour to answer that question as well. I say to Mr Atkinson that extensive consultation on anti-doping matters was undertaken in 2001. During the review of the drugs in sport policy and the Sports Drug Testing Act, this process culminated in the public release of an exposure draft report in October 2001. A final report was delivered by the drugs in sport reference group in 2002 following further feedback from sports organisations. Consideration of the report and the reference group’s recommendations were suspended following the release of the draft world anti-doping code in late 2002. The bill now brings together the key elements of the review findings with contemporary anti-doping controls under the code and

the recently amended commonwealth legislation and national policy expectations.

In summary, this bill ensures that doping control procedures required under the codes may be implemented in Victoria as needed without any potential deficiency arising as a result of differences or contradictions between the commonwealth and Victorian legislation. It makes certain that Victoria implements and maintains a sports anti-doping policy consistent with the code, which is supported by appropriate education and information programs to make sure the underlying objectives are achieved. I commend the bill to the house.

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I want to make a brief contribution on the Sports Anti-doping Bill in my capacity as opposition spokesman for the Commonwealth Games. As Mr Atkinson pointed out, the Liberal Party will not oppose the legislation. The genesis of the legislation arises from the need to clarify constitutionally the role of the Australian Sports Drug Agency which has existed for quite a period and is covered by the Sports Drug Testing Act which will be repealed by this legislation. The bill also put in place a drug policy which the Minister for Sport and Recreation has the power to implement. The basis of the legislation is to provide constitutional clarity for the national agency but also to provide the minister with a new framework under which to act.

The Liberal Party has two criticisms of the bill, and Mr Atkinson articulated those well in his contribution. The first was the lack of consultation on this legislation. I note Mr Somyurek, in his contribution, quoted from a press release or notes from advisers talking about how consultation took place in 2001. It was apparent from the briefing that Mr Atkinson and I had from the minister's adviser and departmental bureaucrats that consultation with respect to this bill had not taken place.

Hon. B. N. Atkinson — They didn't think it was necessary!

Hon. G. K. RICH-PHILLIPS — Yes, they did not think it was necessary. Given the rhetoric of the government about consultation, it should be undertaking consultation when it says it is.

The second criticism the opposition has of this bill is that it gives the minister the power to introduce an anti-doping policy without necessarily having broad consultation with the sports sector and, more importantly from my perspective, without further

reference to the Parliament. It is always of concern when Parliament is asked to consider legislation that provides power to a minister to effectively regulate or legislate without further reference to Parliament. There is no mechanism by which, once the minister has introduced the anti-doping policy, Parliament can review or reject whatever form that policy takes.

Parliament should be very cautious of that when passing this sort of legislation, because it effectively transfers from the Parliament to the executive the power to make what in effect are laws. They are not termed that but the impact they will have on the community for people participating in sport is the same as Parliament passing a law but with that power having been devolved to the minister rather than it remaining with the Parliament.

As we head to the Commonwealth Games it is important that we place on the record the fact we oppose the use of drugs in sport, whether they are performance-enhancing drugs or what are commonly termed recreational drugs. We as a Parliament and a community need to send a very clear message that the use of drugs in sport is unacceptable. At times that message is clouded and confused. I wonder as a community and as leaders in the community whether that message is really one of lip service rather than commitment to the message.

I want to talk briefly about two recent examples of that which lead me to question whether we are really committed to our opposition to drugs in sport. The first is the example raised earlier regarding the Australian Football League. About two months ago the commonwealth government, through the federal Minister for the Arts and Sport, the Honourable Rod Kemp, insisted that the Australian Football League sign up to the World Anti-Doping Agency code of drug use. It was very disappointing that the AFL had to be dragged kicking and screaming to sign up to the code.

We had a public petulant performance by Andrew Demetriou, the chief executive officer of the AFL, at the press conference with Senator Kemp when he made it very clear that it was not the desire of the AFL to be there or to sign up to the code, but it was only by virtue of the threat of the withdrawal of federal funding to the AFL that it came to the table on that issue.

As an aside I must say I question the need for the AFL to be receiving funding from the commonwealth government. It is the single largest sports business in Australia. It is an enormous enterprise and is very successful. It turns over hundreds of millions of dollars annually across the peak organisation and the clubs. I

question in the first instance the need for it to receive federal funding. Putting that aside, it was only the threat of the withdrawal of that funding that led to the AFL signing up to the code under pressure from the commonwealth government.

The second example where I question the commitment of the community and perhaps the media to the anti-drugs in sport message was the Shane Warne incident. It was discussed earlier in the debate how two years ago Shane Warne used a banned substance and a penalty of 12 months suspension was imposed upon him by the cricket governing bodies. That sentence was subsequently served. I was disappointed to see media comment around that time seeking to play down the offence and the fact that cricket administrators had found a case to answer and had imposed a penalty.

More recently we have seen calls that the person should be promoted to be captain of the Australian cricket team. That message is inconsistent with the message of not supporting the use of drugs in sport. We have somebody who has very publicly been in a situation where they have been penalised by the sport's governing body for the use of drugs in sport. It is inconsistent for the media to be promoting that person to captain the Australian cricket team. It is not something that would be acceptable in any other field of endeavour such as business or politics, and it is not acceptable for the media to be talking him up like that. Whatever the talents of the individual, it is inappropriate as a result of that to go down that path.

If we are serious about our message of opposing drugs in sport we need to be serious about the way we treat cases where people have been found to have abused the policies of their respective sports. Next March Victoria will host the 18th Commonwealth Games. It is important that we send a clear message now that we regard the use of drugs in sport as unacceptable. Parliament needs to send a very clear message, and this debate this morning is an opportunity to do that. I encourage members to make clear their views on this matter. The debate on and passage of this legislation will send a clear message that the use of drugs in sport in Victoria is unacceptable.

Hon. J. H. EREN (Geelong) — The bill has been well covered by the previous speaker so I will be brief. I am pleased to be speaking in support of the Sports Anti-doping Bill. I do not think anybody likes cheats, especially in sport, and that is why we are debating bill today. I am certainly no expert on sports cheats, but I can remember back in the 1980s when anabolic steroid use was rife in sports around the world. We all remember visions of the female Olympic athletes from

other countries with moustaches and bigger arms, legs and shoulders than some of our Australian male athletes. It became a joke, and it was obvious that drugs were being used to increase these alleged athletes' chances of bringing home gold medals.

It was not only at the Olympics that we had to contend with drug cheats. They were present in almost all types of sports, and honest athletes were becoming increasingly disenchanted with having to compete with them. That is why laws were introduced around the world to put a stop to drugs in sport. Unfortunately cheating is still around, but I believe we have made great progress in stamping it out.

It is not only the hard performance-enhancing drugs like steroids that are of concern to me but also the more acceptable and softer performance-enhancing drugs that are becoming the norm in our sporting society. Mr Drum touched on this in his speech earlier. I say that because some months ago I was amazed that on the Channel 9 *Footy Show* a prominent footballer in the Australian Football League said that he pops No Doz pills before a game. For those who do not know what No Doz is, it is a wholly concentrated caffeine pill which apparently keeps you awake and alert. Clearly the player took the No Doz pills with the clear intention of enhancing his performance. I was watching the show with my sons who are 16, 17 and 19 years of age and who are very involved with sport, particularly soccer. I had to explain to them that obviously too much caffeine in your body is not good for you, but luckily my kids are very sensible and understand that.

In the days after those comments were made on the *Footy Show*, it was revealed that the player was not the only one doing that but that in fact many more players consume high doses of caffeine before a game. Although it is not on an illegal substance surely its use in such large quantities would not be good for you physically, not to mention the message that it sends to all young sportspeople in our community. I am concerned that this is becoming the norm in our sporting community. It is not only pills that are of concern, because anybody can walk into a milk bar or a local store and purchases drinks like Red Bull, V and other similar drinks which contain very high doses of caffeine. This is a very concerning trend.

The bill will provide a framework for Victoria to facilitate the extension of national anti-doping programs to all levels of Victorian sport when that is deemed necessary, and to support the intent of the code at the subelite level of sport through a policy and education-based approach. With these new laws we can hopefully create a culture in Victoria so that

sportspeople from the youngest to the most elite understand that drugs are not on. I feel for those athletes who get up before sunrise to train each and every day of the week, week after week and year after year to reach their goals only to have to contend with opponents who use steroids and other performance-enhancing drugs. How grossly unfair it must feel for someone to push themselves to be the best at their sport naturally and then have some cheat beat them by unnatural means. That is why I am so supportive of this bill.

In earlier times, after watching the Los Angeles 1984 Olympic Games on television and seeing the champion tuna fisherman, Dean Lukin, win gold for Australia in weightlifting, I was inspired and was subsequently very keen on weightlifting. I spent many hours at the gym training to do my best. I never wanted to use drugs and never did, because I felt that would defeat the purpose. Sport is supposed to make you a healthier person, and drugs do not make you a healthier person. I must admit that I did take my daily doses of vitamins and minerals, not to mention my protein drinks. Those drinks were essential in that type of sport, because you obviously consume a lot of energy lifting weights and you need to replenish that. I loved the drinks I made with lots of milk, banana, honey and nuts, but they were the only enhancing products that I consumed, which was very healthy for me. I liked the fact that if I trained hard and long enough I could lift as much as the other bloke without worrying about the harmful effects steroid use could have on my body.

Some 12 months into it I realised that under the circumstances I was not going to compete in the Olympics because weightlifting was a much harder sport than I thought — and I was not a tuna fisherman. I continued as an amateur weightlifter so I never really got to the point where I could compete at a major level, where I imagine steroid use would have been at epidemic proportions. We have laws like the bill we are debating today so that young people understand that you cannot cheat your way to the top, because if you try to cheat your way to the top you are likely to get hurt — and people do get hurt from using performance-enhancing drugs.

Steroids can do terrible things to your liver, your reproductive system and your physical and mental wellbeing. You get severe acne on your back and shoulders, to name just one effect. It can also make men look like women and women look like men. Too often we hear about roid rage. Performance-enhancing drugs cannot be good for you if they make you extremely agitated and aggressive most of the time, but people still use them because they think they will make them perform better, when the absolute opposite is true.

There is nothing sporting about using performance-enhancing drugs. Those who take these drugs either do not care or do not know about the consequences of taking them. The bill will tell the world that in the lead-up to the Commonwealth Games, which are to be held in less than six months time, Victoria will not tolerate and will have no patience with drug cheats. This is a good bill and a sensible bill. I commend it to the house and wish it a speedy passage.

Motion agreed to.

Read second time.

Third reading

Mr GAVIN JENNINGS (Minister for Aged Care) — By leave, I move:

That the bill be now read a third time.

I thank all members for their contributions to the debate.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

CRIMES (CONTAMINATION OF GOODS) BILL

Second reading

Debate resumed from earlier this day; motion of Hon. J. M. MADDEN (Minister for Sport and Recreation).

Hon. PHILIP DAVIS (Gippsland) — In rising to speak on the Crimes (Contamination of Goods) Bill I firstly indicate to the house that the opposition supports the bill and is acting cooperatively with the government to expedite its passage because we regard this matter as most urgent to protect the economic wellbeing of our community. I will go to the reasons for this amendment in a moment, but first let me say that the bill purports to amend the Crimes Act in relation to contamination of goods offences and adds recklessness as a fault element of those offences.

While opposition members support the bill, we have two reservations about the government's handling of the matter. Firstly, the government has been slow to respond to what was identified on 6 May as a

deficiency in the Crimes Act as a result of what is known as the Hahnheuser case. The facts of that matter have been well reported in the popular press and referred to in this Parliament on previous occasions, but I will remind members of the case.

As I am advised, the facts are that on Wednesday, 19 November 2003, Animal Liberation Victoria claimed it had placed pig meat into the feed of 70 000 sheep bound for export to the Middle East. The sheep were being kept at a feedlot at Portland. The Australian Quarantine Inspection Service conducted tests on the animals before they were allowed to be exported, which delayed and increased the costs to those involved in that export operation. Ralph Hahnheuser was charged under section 249 of the Crimes Act, which is headed 'Contaminating goods with intent to cause public alarm or economic loss'. It states:

- A person must not contaminate goods with the intention of —
- (a) causing public alarm or anxiety; or
 - (b) causing economic loss through public awareness of the contamination.

Mr Hahnheuser was acquitted of the charges at a hearing of the County Court in Geelong, and I understand that effectively the acquittal was not based on an argument about the facts. Indeed the facts were admitted. Mr Hahnheuser made it clear he had placed shredded ham in the sheep feed, which caused some problems with the integrity of the process of exporting those sheep to the Middle East and difficulties for quarantine arrangements. However, Mr Hahnheuser's defence was, in effect, that he did not intend to cause economic harm but simply to raise public awareness about his campaign to stop the live sheep export trade. Those are the simple facts of the case.

What is not in dispute is that this was an act of sabotage which has had profound implications for primary producers in Australia and Victoria, but there are implications for other industries in which such protest action could take place and such a defence could be restated. One can think very readily of examples where there are regular protests against legitimate businesses that transact business under a licence from the Crown — for example, in the forest industry such a protest causing economic loss could be defensible under that interpretation of the Crimes Act because the offender may plead a defence of not intending to cause economic harm.

As soon as this case was resolved and amidst the reporting of the facts of the matter and the dismissal of the case, most responsible people said explicitly that

this loophole needs to be fixed. Indeed the Victorian Farmers Federation, naturally representing its constituency, was very quick to comment publicly that this deficiency in the Crimes Act should be amended and the loophole closed, as of course did the opposition and The Nationals. The comments I made both in the public arena and in the Parliament went to the context of the particular case but importantly identified that if this loophole were not dealt with there would be potential for a serious escalation of what I describe as economic terrorism.

I took issue with the government and on 10 May called on it to deal with the matter. On 17 May I raised the matter in the Parliament for the attention of the Attorney-General in the other place, and here we are on 6 October finally dealing with what is one of the smallest and simplest bills that has come before the Parliament in this session. The bill itself is unremarkable and does not perhaps deal with the matters as effectively as the bill which was introduced as a private members bill by the Leader of The Nationals several weeks ago. I have absolutely no doubt that, notwithstanding the calls on the government by opposition parties, by the farmers federation and by other responsible commentators to amend the Crimes Act, the only reason we have this bill before us today is so that the government could pre-empt consideration of the bill brought in by The Nationals, which is before the house.

Ms Mikakos — Not true!

Hon. PHILIP DAVIS — I take up the interjection from Ms Mikakos on the other side of the house. 'Not true', she says. I would like to hear shortly from the learned member why it has taken so long to settle this matter and bring legislation into the house when, to be frank, it was blindingly obvious to everyone that these amendments were required.

In any event I need not criticise the general approach the government has taken. Issues have been raised by others in another place about the effectiveness of the amendments that have been introduced. I daresay we will not really know until these provisions are tested how effectively the amendments in the bill will ensure a successful approach to discouraging further actions of economic vandalism in the future, but I am sure it is the government's intention to comprehensively deal with the deficiency which presently exists in the Crimes Act.

Having said that, I look forward to hearing from The Nationals why their amendments are superior. I will not presume to set out their case for them. I imagine it is arguable that the high-jump bar that has been set by the

definition of recklessness in the bill — which is in fact undefined — in such a way that it is explicitly open to the courts to determine what ‘reckless’ means — —

Honourable members interjecting.

Hon. PHILIP DAVIS — It seems to me that the approach the government has taken leaves a great deal to the courts to interpret whereas the approach The Nationals were proposing was a much simpler, clearer direction from the Parliament to the courts about how to deal with this matter of economic terrorism. Having said that, let me confirm that the opposition does not wish to delay passage of this bill at all. We have urged that it be introduced, and we support its passage. There has been voluminous encouragement for that in correspondence between Victorian Farmers Federation and me, the Minister for Agriculture in the other place and me and the Attorney-General in the other place and me. All seem to be in common accord, with the farmers federation and the opposition parties wanting to move with greater haste.

Therefore I adjure members to fully support these amendments to the Crimes Act, but also express a word of caution. I am not sure that the amendments go sufficiently far in closing the loophole that has been proven by the Hanheuser case.

Hon. P. R. HALL (Gippsland) — In the last six years I have used a number of adjectives to describe this government. Looking back through *Hansard* I see I have used words like ‘deceitful’, ‘underhand’, ‘arrogant’, ‘smug’, ‘hypocritical’, ‘champion spin doctors’, ‘heartless’ and ‘ignorant’. While all of those adjectives remain valid, today I am going to add two new descriptors for it in respect of this bill — that is, vain copycats. Members of the government are copycats in the sense that as soon as The Nationals introduced a private members bill to address this issue of contamination of goods so did the government. The government is vain in the sense that it cannot stand a small, hard-working party like The Nationals — government members criticise us for our size all the time — taking any credit whatever for legislation going through this Parliament.

The private members bill listed in the notice paper as item 3 under general business, orders of the day and the bill before the chamber now would bring about exactly the same outcome. The intent of the two bills is the same. The government does not want to debate the private members bill today and instead has introduced its own bill and wants to take credit for it. Saying it is vain perfectly describes this government. It cannot stand anybody being given a little credit for introducing

sensible legislation in this chamber. We could well have been debating that private members bill. I have also described the government’s action as churlish. That is another descriptor we can apply.

An honourable member — Churlish?

Hon. P. R. HALL — Yes, churlish. On 17 August this year I made a second-reading speech in this house on a bill called the Crimes (Contamination of Goods Offences) Bill and today, almost two months later, I am making a speech in the second-reading debate on the Crimes (Contamination of Goods) Bill. I suggest to you, President, that if I sought leave to incorporate my second-reading speech for 17 August as my contribution to the second-reading debate on this bill you would not rule me out of order because what I had to say in that second-reading speech is as valid today as it was two months ago. Members of this government are vain copycats. They are also lazy, I might add, because they have taken so long to get to where we in The Nationals got two months ago. As the Leader of the Opposition said, the opposition was calling for action three or four months ago — it has taken four months for the government to get where we are today with this legislation.

Let me turn to some of the comments of the minister in the second-reading speech. He said in part, and I quote, ‘We introduce this bill as a matter of urgency’. I nearly choked when I read that! For a representative of this government to stand straight-faced and claim that it has responded to this issue as a matter of urgency is appalling. I do not understand how the government has the cheek to suggest that this is acting as a matter of urgency.

Let me describe the events. The events leading to the introduction of this bill and The Nationals’ earlier private members bill took place on 19 November 2003 when an irresponsible twit called Ralph Hahnheuser deliberately contaminated the food and water systems of a Portland feedlot in the circumstances adequately described by the Leader of the Opposition in his contribution to the debate. This amounted to a direct economic loss for the people whose property was contaminated of something in the order of \$1.25 million. Moreover, this twit was proud of his actions. He had filmed himself and issued a press release to announce the economic damage and loss he had inflicted on Victorian primary producers.

He was duly charged under section 249B of the Crimes Act but subsequently was found not guilty by a jury sitting in Geelong on 6 May 2005. Everybody conceded that he should not have got away with it — his acquittal

was a pure technicality, a loophole in the law and a deficiency in the Crimes Act that allowed this twit to get away with his actions.

Consequently, as the Leader of the Opposition said, opposition parties in this Parliament called for some action by the government — and I acknowledge that the Liberal Party called for some action early in the piece, as did The Nationals. We were waiting for some response to that call but we got none; so it was that on 21 July 2005, Peter Ryan, Leader of The Nationals in another place, gave notice of a motion to introduce legislation to address this problem.

Given the way each of the houses operate, The Nationals sought the opportunity to introduce a private members bill in the Legislative Council because we knew that at least we would get to debate it; and we did so on 17 August. Only then did the government act, and if it had not been for the private members bill there is no doubt in my mind that we would not be debating this issue today. Members of the government would have sat on their hands and done nothing.

The fact is that government members have been embarrassed into taking some action, and only their vanity prevents them from acknowledging in the second-reading speech the efforts of The Nationals in this regard. If there was one ounce of decency in the blood and the bones of members of this government, they would have at least acknowledged The Nationals' introduction of a private members bill into both the Legislative Assembly and this chamber; but, no, they have not got even an ounce of decency.

Everyone I have spoken to on this issue agrees that no-one should be allowed to deliberately contaminate goods in order to cause damage, either materially or economically, so The Nationals will support legislation; in particular this bill, going through Parliament. We are not as vain as this government and we are prepared to support legislation which is good for the state. We are prepared to support it no matter which party introduces the legislation. Given that the government has the numbers and gets its bill debated before we have an opportunity to debate ours, of course we will support this legislation.

I must add, though, in comparing the methods employed on both of these bills, we are not convinced that this piece of legislation drafted by the government is as good as or likely to be as effective as that proposed by The Nationals. This bill inserts the word 'reckless' in certain clauses of the Crimes Act. Ultimately courts will debate extensively whether actions are reckless or not. Some lawyers will have a great picnic with that.

We are concerned that these amendments do not tighten the legislation sufficiently enough and will leave escape holes for people who may be involved in such actions as deliberate contamination. As a result, some clever lawyers may well squirm their clients' way out of charges against them.

This way of dealing with the problem is in contrast to the way The Nationals proposed to address it. Our bill involved expanding on the definition of 'intention' from which the courts could make judgment, rather than creating a new term, about which I am sure there will be extensive definitional debate in any future court proceedings. We do not believe this is a better way of doing things than was proposed in our private members bill, but given that in this house and in the Parliament the government has the numbers and its members are so vain they are not going to accept what we have proposed, we are left with no choice other than to support this bill which addresses what is an important issue that should have been addressed some months ago.

In passing I take the opportunity to make some comments on the state of agriculture generally in Victoria and Australia as a whole, because this bill directly addresses an issue that concerns agriculture. It is fair to say that in years gone by people described Australia's wealth as being born on the back of sheep, and that is pretty much still true today — although the sheep's back has been broadened a bit because the agricultural enterprises in this country are now probably much broader and more diverse than in the past.

Few people in our society still appreciate the significance and value of agriculture to this state. That includes the Bracks government which pours precious few dollars into supporting our primary producers. Many of the public do not have much idea about the value of agriculture as an industry in this state, either. Things are continually made hard for primary producers by governments and by public opinion. Farmers are criticised for their use of water, yet without that water what would we eat and what would we wear on our backs? We are farmers; we are the primary producers who produce all of the food and fibre for consumption in this country.

People criticise any removal of native vegetation despite the fact that farmers have probably planted more trees than any other industry group. This is apart from the timber industry because every tree taken by the timber industry is replaced by new plantings. Farmers have gone about planting trees; they acknowledge the importance of vegetation on their properties. However, at times vegetation will need to be

cleared for the sake of the economy and for the installation of new and more efficient irrigation systems for example. Yet primary producers are condemned all the time for the taking of any native vegetation whatsoever.

People complain about the price of food products without any realisation that very little of that cost is being returned to producers in the form of a farm gate price. I might add that, typical of their disregard, ignorance and neglect of farmers, is the cacophony we are hearing from members opposite. They are sitting there, laughing in their little groups, taking no interest in a bill that is so important to the agricultural industry in Australia. Look at them! They just sit there and talk — no interest whatsoever — —

Mr Somyurek interjected.

Hon. P. R. HALL — That is absolute rubbish, Mr Somyurek, and you know it! You sit there, having a great old time with no interest whatsoever in agriculture. That is typical of your government's attitude towards agriculture in this state. You have no regard for it whatsoever. Let me make some comments — —

Honourable members interjecting.

Hon. P. R. HALL — You can keep on being buffoons; it is typical of you guys who sit there on the government benches.

Mr Smith — We are the ones bringing in the laws.

Hon. P. R. HALL — Yes, the old vanity that I spoke about at the start of my speech, the arrogance and the vanity of this mob that now occupies the government benches. 'What are you doing about orange dumping?', asked Mr Smith by way of interjection. What are we doing about orange dumping! That typifies the way people simply do not understand the issues associated with primary production. Farmers are getting very minimal returns for the products they produce. They cannot get enough money on the market to harvest and transport their products to market — they simply cannot do it. And not only are people not prepared to pay, they are complaining about oranges being dumped! It is a fact that if they do not have a market for their product or they cannot get it to market at an economical rate then you cannot expect farmers to somehow provide a subsidy or go broke trying to produce. You have no understanding of those issues whatsoever. The drought has hit — —

Hon. T. C. Theophanous interjected.

Hon. P. R. HALL — Do you want a debate? Take the opportunity of formally debating rather than making your inane interjections, Mr Theophanous. This is what you practice all the time.

Hon. T. C. Theophanous interjected.

Hon. P. R. HALL — You have the right of reply on the third-reading debate. Stand up and make a substantial contribution if you have the courage or the brains to. I do not think you have either.

I want to mention the drought and how it has impacted on the agricultural sector in this state and see if the clowns still laugh.

The number of Victorian farms —

because of drought —

has also fallen by more than 11 per cent in the past decade from 36 656 farms in 1997 to 32 463 last year ...

Its figures show gross farm product was valued at \$5.76 billion in 2003–04 compared with \$6.86 billion in 2001–02 —

and they were Australian Bureau of Statistics figures that were contained in an article in the business section of the *Age* of 15 August this year. There has been significant economic hardship for producers in Victoria because of drought conditions in recent years. The article goes on to state:

The gross value of agricultural production — the value of farm produce in the economy once it has been processed, packed, transported and stored — was \$7.5 billion in 2002–03, the height of the drought.

This was 19.6 per cent lower than the \$9.28 billion in 2001–02 before the drought.

Pretty tough times, and at the very least these farmers can ill afford to have idiots like Mr Hahnheuser contaminating a foodlot as occurred two years ago down in Portland. It has been a tough time for people who are primary producers.

I want to mention a couple of stats about the live sheep trade. In Australia the live sheep trade has been going on for something like 30 years, predominantly to the Middle East. Having read various articles about the live sheep trade, I can say it generates employment opportunities for somewhere around 9000 people and export income of around \$500 million per year to Australia, so by any measure this is a fairly significant industry. Yet fools like Hahnheuser and people associated with the People for the Ethical Treatment of Animals group deliberately, without using any brains at all, engage in an exercise of trying to sabotage

agricultural industries in Australia. I cannot understand how anyone could have any regard for those people. They are out to deliberately sabotage a very important industry in Australia.

The government should have acted earlier to address that problem at least in part. It is disgraceful that it has taken the government four months to do something. It has done so only because its members have been embarrassed by the presentation of a private members bill in this chamber. That is the only reason that we are standing here debating this bill today. As I said, of course The Nationals will support the bill. It makes sense. The intention of the bill was flagged by The Nationals on 21 July in the Assembly and again on 17 August in this chamber by way of a private members bill. This is happening today but I say to the government: it should have happened four months ago.

Ms MIKAKOS (Jika Jika) — I am very pleased to be able to rise and speak in support of the Crimes (Contamination of Goods) Bill, which is consistent with the Bracks government's commitment to delivering a safe and just society here in Victoria. The bill is also demonstration of the government's commitment to be tough on criminals who infringe the rights of Victorians and the government's very strong support for the agricultural sector.

Unlike the Kennett government that considered regional Victoria to be the toenails of the state, the Bracks government has put back into regional Victoria an unprecedented level of services. Regional Victorians would well remember the slashing of services and the closure of hospitals, schools and railway services — which were all done with the support of the members of the then National Party, I should add. Mr Hall's party was complicit in all those actions. It is a bit rich for him to stand here today and seek to belittle the work that the Bracks government has done since 1999 in delivering to regional Victoria. Regional Victorians know that full well, which is why we have seen a significant number of Labor Party members elected to Parliament to represent different parts of regional Victoria. Regional Victorians can see that the government is delivering an unprecedented level of services to that community.

Let me be clear about one thing: the Bracks government will not tolerate the contamination of livestock or other attacks on the agricultural sector. That includes the live sheep export trade to the Middle East, which the government recognises is a very important part of our economy and very important to the livelihood of many farming families in Victoria.

The Crimes (Contamination of Goods) Bill seeks to amend the contamination of goods offences in sections 249 to 251 of the Crimes Act 1958. Section 249 relates to contaminating goods with intent to cause public alarm or economic loss; section 250 relates to threatening to contaminate goods with intent to cause public alarm or economic loss; and section 251 relates to making false statements concerning contamination of goods with the intent to cause public alarm or economic loss.

Those contamination offences were introduced back in 1998, following several high-profile cases involving a snack food company and a pharmaceutical company. In those cases, however, the fault element was straightforward: the perpetrators of those offences did seek to cause public alarm or economic loss. The amendments in the bill seek to address a loophole that has been identified in the current legislation which was highlighted in a recent case about which many members have already spoken in some detail, so I will not go over that case again. The bill seeks to amend the fault element of the contamination offences from intentionally, which is a subjective test, to intentionally or recklessly, which is a much easier test to meet. That is consistent with the provisions of the model criminal code. The government is, of course, seeking to achieve national consistency in the law as much as is possible. I note that the current maximum penalty — which is 10 years imprisonment or 1200 penalty units or both — will remain the same and that it is considered appropriate for the worst class of offences in this category.

Much has been said by members opposite about the length of time that it has taken the government to introduce the bill. It is important to highlight that when the government become aware of the loophole it consulted, collaborated and acted. The outcome of that process is the introduction of a bill which provides a measured and sensible response. It will ensure that the livestock and export industries are protected from similar threats in the future. The government's collaboration with the Victorian Farmers Federation was very positive. That is not just a claim made by me but is also acknowledged by the Victorian Farmers Federation. I will put on the record some quotes from a Victorian Farmers Federation media release dated 6 September, which states:

The Victorian Farmers Federation has congratulated the state government on its recent announcement that it will amend the Crimes Act 1958 to close a loophole that currently allows extreme activists to cause significant damage to an industry without penalty.

VFF president, Simon Ramsay, said the VFF has been working with government on this issue for the past few months and have communicated our concerns that activists can use wilful indifference and reckless disregard to the consequences of their actions as a defence.

It goes on to quote him as saying:

Not only will this amendment protect the billion dollar live export trade, but it will ensure that activists are accountable, by law, for the economic consequences of their actions ...

The amendment will also ensure legitimate businesses are protected from premeditated, disruptive and destructive acts by individuals in the pursuit of publicity for their own agendas.

The media release goes on to quote him as saying:

We have a duty to protect what is a safe and lawful trade and the VFF commend the state government on their quick and decisive action ...

The Attorney-General, Rob Hulls, and the agriculture minister, Bob Cameron, have both been very supportive of our position in the need for changes to the act, and we appreciate their quick response to our request.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Emergency services: superannuation

Hon. C. A. STRONG (Higinbotham) — My question is directed to the Minister for Finance and concerns the reverse takeover of the Emergency Services Superannuation Scheme (ESSS) by the underfunded state superannuation office. The minister has clearly failed to convince emergency services workers that their concerns over this proposal are not justified, but he nevertheless seems determined to press ahead to meet some arbitrary time line. If the minister is right in his assertion of no disadvantage, why does he not defer this proposal and allow adequate time to reach agreement with emergency services workers?

Mr LENDERS (Minister for Finance) — I thank Mr Strong for his question and again welcome his road-to-Damascus view on these issues. Mr Strong has completely changed his view. He has done a total flip-flop, and I could use every single swimming and diving analogy possible to describe his stance since his time as part of the Liberal government which closed off defined benefit superannuation schemes to public servants, required public servants to pay a greater amount into their defined benefit schemes if they wished to remain in them and affected the benefits. But

leaving that minor issue of inconsistency on Mr Strong's credentials aside, he has put forward a proposition that if the government has a proposal — and this is a quite simple proposal to amalgamate two superannuation schemes — and there is a debate about the proposal, the government should not proceed.

Firstly, let us cast our minds back to recent history, when multiple emergency services superannuation schemes were merged into a single scheme. At the time that was seen as a good move in the community as a way of enhancing benefits and was supported by all sides of Parliament. If Mr Strong cares to actually read the second-reading debate at the time he will notice that the idea of amalgamation was seen as a good one. He should reflect upon that.

Secondly, the proposition is a sound one — to amalgamate the schemes and define savings through a single computer system, single building, single call centre, single annual report, single auditor and a single board to find savings that can usefully be deployed elsewhere. It is a challenge for me to convince emergency services workers that this is in their interests. It is a challenge for me because superannuation is an issue near and dear to everybody's heart in the community — it affects their retirement, it affects their families and is a sensitive issue. It certainly is a challenge to convince Mr Strong, but it is interesting for him to suggest that it is not responsible to try to set a time line for concluding the debate, coming as he does from a party that says we consult all the time and never act.

Mr Strong should also look at the communiqué from the three emergency services unions to their members back in August, which actually said that October was a reasonable time to conclude these discussions. I want to conclude the discussions. I want to get agreement on this. We think it is a sound proposition. There is a lot of emotion about it and a lot of strong member feeling, and it is a challenge for me to deal with that. I say to Mr Strong that if he is serious about participating in this debate, he can make a positive contribution. Absolutely inconsistent with every position he has ever taken, Mr Strong has backflipped and changed his position. He is playing politics with this, and sadly I do not think anybody in the emergency services union will find his contribution of any assistance. What they want is assurances that their benefits are safe and will not be plundered by a future Liberal government, like they were plundered during the Kennett years.

We will have a dialogue. I am confident of a good outcome, and we will continue to discuss with the unions and their members how we can resolve their

issues and have a good outcome for the members and for the Victorian community.

Supplementary question

Hon. C. A. STRONG (Higinbotham) — It is clear from the minister's answer, along with all the normal vitriol, that the minister does not intend for 1 minute to back off the arbitrary date which he has set. I therefore ask if the minister has sought the advice of the Minister for Police and Emergency Services in the other place on the ramifications of his headlong haste?

Mr LENDERS (Minister for Finance) — This question should be addressed to my colleague the Minister for Sport and Recreation, who could give a far better analogy of all the antics of someone who dives off a swimming pool board.

Mr Strong and those around him spend all their time criticising this government for being indecisive. In July this proposition was taken to the Trades Hall superannuation committee. There have been multiple meetings where we have sought to discuss and get input before we come to Parliament later this year with a measured piece of legislation. I would suggest that Mr Strong reflect very carefully on his words and whether he is consistent in whatever else he has argued in this place. This government has a policy of listening and acting. We have been listening since July; we are in negotiations on this and we have put to the community a reasonable time line for a response. We will negotiate up until the end of that time to see if we can resolve the outstanding differences. I think Mr Strong is alarmist and unhelpful.

Environment: greenhouse gas emissions

Ms ARGONDIZZO (Templestowe) — My question is for the Minister for Energy Industries. Can the minister advise the house of any recent events and initiatives by the Victorian government that will enhance the capability of Victoria's coal industry and electricity generators to further reduce greenhouse gas emissions over time?

Hon. T. C. THEOPHANOUS (Minister for Energy Industries) — I thank the member for her question. Members of the house may be aware that carbon capture and storage (CCS), or geosequestration as it is sometimes referred to, is one of the policies that the Bracks government is seeking to implement in its greenhouse challenge for energy policy which was announced in 2004. The Victorian government is a world leader in the development of CCS technology. For instance, the government set aside \$4 million in the

last budget to support Australia's first research trial of CCS to be conducted by the Cooperative Research Centre for Greenhouse Technologies. It is part of the government's \$103.5 million energy technology innovation strategy (ETIS) which is a key component of the Victorian greenhouse strategy action plan.

The Victorian government is putting its money where its mouth is in relation to developing new technologies and new demonstration plants to ensure that brown coal production of electricity is done in the most greenhouse friendly ways possible by developing those technologies and doing so with this important project. This is a \$103.5 million strategy, and I would simply say to the opposition that it should keep its hands off it in respect of trying to find funds to fund its half-baked half-tolls policy because this project is extremely important in securing a future for the Latrobe Valley. It is also very important in securing our place as a world leader in greenhouse gas reduction in this industry.

I can report to the house that in the last two weeks there have been statements from both the federal government and the Australian Conservation Foundation supporting, in principle, carbon capture and storage. In respect of the Australian Conservation Foundation, this is an important step and an important concession because it recognises that carbon capture and storage is a legitimate way of reducing the amount of greenhouse gas emissions that make their way into the atmosphere. And so I welcome that support from the Australian Conservation Foundation. We welcome the support of the federal industry minister, Ian McFarlane, and the Australian government for the active development of CCS in Australia and the in-principle support that has been given in this regard.

Victoria is in a unique position to be able to put these programs into place because we have extensive coal resources which are located next to an area identified as a world-class place to sequester carbon in the Bass Strait. There is a potential for billions of dollars of investment to take place in this important new technology. The ETIS program is an important part of getting that investment up, and I certainly hope that the opposition has no plans to scrap this \$103.5 million in order to fund its half-baked half-tolls policy.

WorkCover and Transport Accident Commission: payments and dividends

Hon. BILL FORWOOD (Templestowe) — I direct my question without notice to the Minister for WorkCover and the TAC. I refer to the 2004–05 financial report tabled today, and in particular to the investment income table 2.4, which shows that tax

equivalent payments, mainly from the insurance agencies, were \$445 million — or \$262 million higher than budget — and that dividends were \$500 million. I ask: what were the amounts of tax equivalent payments and dividends paid by each of the Transport Accident Commission and WorkCover in the 2004–05 year?

Mr LENDERS (Minister for WorkCover and the TAC) — I welcome Mr Forwood’s question, and, as I said the other day, I think Mr Forwood is one of the most assiduous and conscientious members of the opposition. He knows his material better than almost anybody else, and he trawls through to find any bad news in what is happening under the WorkCover scheme. He trawls through for bad news and has finally given up and is now trawling for the good news and trying to make it bad news.

Who in this place would have thought that the Bracks government, which was accused by the opposition of being financially irresponsible — could not run a chook raffle and all the rest of it — is now being accused of being too successful and for turning the Victorian WorkCover Authority (VWA) scheme into one that is running at a surplus? I welcome Mr Forwood’s question: I look forward to his questions.

I will take on notice his request for the exact statistics he is looking for, but the premise behind his question is that there is something wrong with the VWA or the Transport Accident Commission scheme running at a surplus. Let us work this out. This government does not want these schemes to run at a surplus for the sake of it; far from it. We want to keep these schemes running, so that in the case of the VWA we are paying decent benefits to workers, are running a decent occupational health and safety inspectorate so that injuries come down, and are keeping premiums manageable for employers. Those are our goals — not some artificial hollow log for a future day like members of the Kennett government used to keep under their beds. We want to use taxpayers funds very well and to the maximum so that we leverage out safe workplaces, decent premiums and decent benefits.

It is important to get the balance right, and Mr Forwood is correct to allude to it. Parliament should scrutinise these things. But getting the balance right means that we are not a risky proposition on this side of the house. We have cut the premiums for the VWA in the last two consecutive years. We are not going to put the fund back into deficit like it was when we inherited it. We do not want to put the fund in a position like it is in New South Wales or South Australia, nor do we want to get it into a situation like it is in Queensland; no injured person would want to live in Queensland.

We are getting the balance right. This government, under the great stewardship of my predecessors in this portfolio, the Honourables Bob Cameron and Rob Hulls in the other place, has managed to increase benefits in the WorkCover scheme. We have twice managed to reduce premiums in the WorkCover scheme, and we will continue to monitor the scheme vigilantly, whether it be claims management, benefits that we provide which should be generous benefits, or premiums we provide that should be modest premiums.

I welcome Mr Forwood’s question. I will not give him the specifics, but, yes, the fund has been running at a surplus and, yes, it has been paying equivalent tax payments — and we will continue to monitor these figures as they become available. We are delivering safe and affordable workplaces, because that is important to make Victoria a good place to live, work and raise a family.

Supplementary question

Hon. BILL FORWOOD (Templestowe) — I look forward to the minister getting back to me with the particular statistics. In the minister’s response he said he is vigilantly monitoring the scheme. Is he therefore asking the house to believe he does not know the amount of dividends paid by either organisation or the amount of tax-equivalent payments made by either organisation in the 2004–05 year?

Mr LENDERS (Minister for WorkCover and the TAC) — A lot of figures come across my desk on a daily basis. I have a sense of what the figures are, but it would be very churlish of me to take a punt on it and misinform Mr Forwood and the house. I assure Mr Forwood and the house that, as I said in response to the main question, we monitor these closely. Tax-equivalent payments are not something the government seeks to get out of the Victorian WorkCover Authority, but we want to be particularly prudent so that we do not have the VWA getting back to where it was in the dark days of the Kennett government, when premiums were slashed to unrealistic levels so that they had to be ratcheted back up again for employers and benefits had to be slashed, including any access to the common law. We are acutely conscious that we need to manage these prudently. I take Mr Forwood’s point. I see a lot of figures, and these funds have been performing as I would hope. We will accurately and openly report those figures in due course to the Parliament as is required.

Consumer affairs: telemarketing

Hon. S. M. NGUYEN (Melbourne West) — My question is to the Minister for Consumer Affairs. Can the minister advise the house how Victorian families are impacted by telemarketing and what action the government is taking to protect them?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I thank the member for his question. Certainly there has been a lot of media speculation and discussion about unwanted calls from telemarketers. I assume that everyone in this house has experienced a telephone call at dinner time just as they are about to sit down for a meal or when they are trying to share some quality family time, because we do not have a lot of time with our families. The phone rings, and it is yet another unsolicited call.

Members will be aware that in 2003 my ministerial colleague the Minister for Finance, then the Minister for Consumer Affairs, legislated to regulate telemarketing by including it in the Fair Trading Act. The government of New South Wales also did that. During the original debate in 2003 members raised issues about the impact of telemarketing on families, but they were also concerned about the impact of regulation on business. Indeed the house was told that 44 000 people were employed in the industry and 2700 were employed in the regional centres of Geelong, Ballarat, Bendigo and the Latrobe Valley. These concerns were the same as those expressed during the consultation process that was undertaken during the preparation of that legislation. The government chose to strike a balance between the need to provide the appropriate protection for consumers and the needs of the industry.

In Victoria we now have a range of protections for consumers. We have specified calling hours, and we also have, very importantly, a cooling-off period for those who have been caught up in telemarketing and need to extract themselves when they have got themselves in over their heads. When the legislation was brought into the house a commitment was made to work with New South Wales to harmonise our laws. To keep that commitment I issued a discussion paper seeking feedback on how we could better align our legislation whilst ensuring that we are offering the best possible protection to consumers and that it is appropriate protection. Responses to that paper are sought by 14 October. If members have a bit of spare time over the next eight days, I urge them to put in a submission. The paper covers a range of issues and topics, from the hours that telemarketers can ring right

through to those who should be exempt from the regulation.

Both the New South Wales Minister for Consumer Affairs and I called on the federal government to establish a do-not-call register. This was reinforced by the Ministerial Council on Consumer Affairs. Over a year ago the federal government undertook to investigate it. We have seen nothing, yet the industry supports it, consumer groups support it, the federal privacy commissioner supports it and governments around the country support it. It is time for action now. It is time for a do-not-call register. It needs to be national. It needs to be done soon — it needs to happen right now!

Hazardous waste: Lyndhurst

Hon. D. K. DRUM (North Western) — My question is to the Minister for Major Projects. Is the \$92 million refurbishment of the central Dandenong project, announced by the minister last week, in any way conditional upon the existing Lyndhurst toxic facility being closed down?

Mr LENDERS (Minister for Major Projects) — It is an interesting question from Mr Drum, and I could spend a long time repeating the answer I gave in the house on Tuesday about the great attributes of Dandenong. I suggest Mr Drum read *Hansard*. The simple answer to his question is no.

Supplementary question

Hon. D. K. DRUM (North Western) — Is the minister therefore in a position to give an assurance to the communities of the Calder corridor and the Mallee that the new toxic waste facility will not be built until the existing landfill at Lyndhurst is filled to capacity?

Mr LENDERS (Minister for Major Projects) — The long-term containment facility proposed for Nowingi is one that will go through an environment effects statement (EES) process shortly, and there are a lot of things that the panel will need to consider. I remind Mr Drum, and he knows as do Mr Bishop and most members, that this is not an easy decision for government or community.

The commitment — the election promise — of the Bracks government in 1999, after we dealt with the irresponsible Liberal-National decision on Werribee, was that we would find a long-term containment facility so we no longer needed to have open landfill in Victoria.

We are seeking to find a way to construct that. We are going through a process to see whether the site in Nowingi is suitable. We are carrying out our election commitments to deal with waste in a responsible way for the future of Victoria, and we will work through the EES process.

Aboriginals: Ballarat art facilities

Hon. J. H. EREN (Geelong) — My question is to the Minister for Aboriginal Affairs. Will the minister advise the house of recent initiatives by the Bracks government to provide business and employment opportunities for indigenous people in the Ballarat region?

Mr GAVIN JENNINGS (Minister for Aboriginal Affairs) — I thank Mr Eren for his question, for his concern about the wellbeing of Victorian Aboriginal people and indeed for giving me the opportunity to highlight a number of endeavours to which the Bracks government is committed to ensure there is greater participation in social and economic activity within this state by members of the Aboriginal community.

Members of the chamber know that in *A Fairer Victoria*, a major plank of this year's budget, we made a number of commitments to improve the quality of life of Victorian Aboriginal people by creating new job opportunities, particularly opportunities involved in the protection of cultural heritage. Aboriginal people will be encouraged to be trained and will be supported to provide first-class economic tourism potential for their cultural heritage in a way that will add to jobs within Aboriginal communities right around Victoria.

A major feature of the budget in terms of our commitment to south-west Victoria and those communities through the Bunjil trail is the creation of an interconnection of prime tourism attractions ranging from the Grampians right down to the coast that makes sure the Aboriginal people are involved in the design, implementation and delivery of world-class tourism facilities.

I am pleased to report to the house today another initiative. In Ballarat the Bracks government has supported the creation of a new art centre known as Kirrit Barreet, which is a local Aboriginal name, or the 'creation space'. The creation space will create an opportunity for Aboriginal artists in Victoria to come together to develop their work. A workshop is associated with the centre, thus creating an excellent exhibition space that will enable a number of Aboriginal artists to have their works recognised and, most importantly, sold to improve the quality of their

own lives and those of their families. At the moment 30 artists are involved in the workshop.

The centre itself is in a prime location, only 500 metres down the road from Sovereign Hill in Main Road, Ballarat. It is run by the Ballarat Aboriginal Cooperative — a very important cooperative that provides support to Aboriginal people in the region. It involves other key stakeholders through Ballarat in terms of the Ballarat city and Ballarat tourism opportunities. They are very much behind this centre, because members of the Ballarat tourism industry know that of all the hundreds of thousands of people who come to Sovereign Hill in any given year, only 14 per cent are international visitors. The vast majority of people who go to Sovereign Hill are from Victoria and around Australia — and that is important — but very few are international travellers.

We also know that 80 per cent of international tourists to Victoria want to have an exposure to Aboriginal cultural heritage and Aboriginal art, so there is a ready market. The Aboriginal art centre attached to Sovereign Hill will bring new markets not just to Ballarat but to Sovereign Hill, something that was previously unheard of and not thought about. That is one of the reasons the Bracks government is clearly supportive of this arts initiative in Ballarat. It is very keen to improve the quality of international standard attractions right throughout the south and south-west of Victoria as building blocks of a viable economic tourism trail that will bring international travellers to and benefit everyone in Victoria by supporting this cultural heritage and the artistic endeavours of Aboriginal people. The Bracks government is clearly supporting Kirrit Barreet in Ballarat.

Retirement villages: legislation

Hon. ANDREA COOTE (Monash) — My question without notice is to the Minister for Consumer Affairs, the Honourable Marsha Thomson. The Retirement Villages Association and the Victorian Association for Health and Extended Care are exceedingly concerned about section 26(2) of the Retirement Villages Act 1982. Will the minister meet personally with both of those organisations to discuss their concerns?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I make myself available as a minister to meet with lots of people all the time. As a matter of fact I consider myself to be very accessible through meetings not only with associations but with industries, individual companies and individual consumer associations and groups. I go out to the community and,

my diary permitting, meet and will meet with people and be responsive to the requirements and needs to do so.

In relation to the retirement villages legislation, the government went through an extensive period of consultation that was undertaken by the member for Mount Waverley in the other place under the leadership of the then minister, Mr Lenders. We are undergoing a very extensive period of consultation with regard to the regulations that will underpin that legislation. During that time everyone will have the opportunity to listen to, partake and give their views in relation to the development of those regulations as required. I do not respond to invitations for requests for meetings in the house. I suggest that people take the opportunity to ring my office and arrange an appointment.

Supplementary question

Hon. ANDREA COOTE (Monash) — The minister must have been so busy with everyone else that she ignored the request the organisations put in on 12 September. Both of these groups want a meeting with you, but you have not even answered them. Will the minister acknowledge that the proposed legislation will adversely effect owners and operators of retirement villages in Victoria?

Hon. M. R. THOMSON (Minister for Consumer Affairs) — I remind the member that it is not proposed legislation but an act of Parliament that was passed by this house. As I indicated before, there has been extensive consultation, and where it is possible for me to meet with those who seek meetings I do so, but not via the Parliament of Victoria.

Housing: Wendouree West neighbourhood renewal

Ms CARBINES (Geelong) — My question is to the Minister for Housing. Will the minister inform the house how the Bracks government is delivering for rural Victoria through its highly successful efforts to strengthen Victorian communities and is addressing disadvantage through its great neighbourhood renewal program, especially at Wendouree West in Ballarat?

Ms BROAD (Minister for Housing) — I thank the member for her question and for her interest in the Bracks government's continuing efforts to create a fairer Victoria, fairer communities and opportunities for people right across Victoria, including in the regional area of Wendouree West in Ballarat. The Bracks government believes everyone deserves a decent

community to live in and decent opportunities in their lives.

I am pleased to report to the house that one of the many examples of innovative and successful approaches being undertaken in neighbourhood renewal is to create more effective employment and learning pathways in the Best in the West Property Services enterprise. This is an employment and learning initiative in Wendouree West, a community with a high concentration of unemployment. Neighbourhood renewal is all about equality of opportunity and tackling the problems of disadvantaged communities. That is why the Bracks government has invested more than \$150 million in neighbourhood renewal projects right across Victoria, including regional Victoria. Through these projects neighbourhood renewal has delivered more jobs, safer streets and better homes. It has delivered more than 1000 places in the community jobs program throughout Victoria, as well as improvements to more than 2500 properties.

In Ballarat the Best in the West Property Services enterprise has employed successful graduates from a 15-week community jobs program designed to teach a broad range of vocational skills, including painting, fencing and tiling as well as many others. As a result 12 local people have been employed in the enterprise over the past 12 months. Following on its success in maintaining Office of Housing properties, the Best in the West Property Services enterprise will compete for commercial work in the future. That is a great outcome. There are other enterprises also being established in Wendouree West in Ballarat. They include a telemarketing enterprise as well as an information and communications technology enterprise.

Neighbourhood renewal is using the development of local enterprise, supported by accredited training and employer personal support services as a critical tool for re-engaging the community in the world of work, particularly people who have a long experience of unemployment. We in the Bracks government will continue our work with the people of Victoria to address disadvantage through our strong commitment to neighbourhood renewal and many other programs through our A Fairer Victoria policy. We are giving Victorians in disadvantaged areas the resources they need to transform their communities so they can be proud of them as well as taking advantage of new opportunities that they have not had access to in the past. This is in marked contrast to the opposition, which would cut neighbourhood renewal programs to pay for its half-baked half-toll policies.

Hon. Bill Forwood — On a point of order, President, yesterday you said you would not tolerate your rulings being flouted regarding members straying outside proper answers to their questions. I wonder what action you will take against the minister, who flouted your ruling again.

Ms BROAD — On the point of order, President, once again the opposition can relax, because I have completed my response. This was referred to in question time with no objection from the other side, so clearly the opposition accepts it.

Hon. Bill Forwood — On the point of order, President, yesterday you made it clear that you would not tolerate people stepping outside the guidelines. I ask what action you propose to take?

The PRESIDENT — Order! As I indicated to the honourable member yesterday, what action I take is a matter for me.

Local government: councillors

Ms HADDEN (Ballarat) — My question without notice is to the Minister for Local Government, Ms Broad. I refer to the minister's announcement on 11 August that she had suspended Glen Eira council and appointed an administrator to run the municipality until the election of a new council in November, and to the earlier Surf Coast shire investigation and commission of inquiry in 2002. The minister has urged all current and potential councillors standing at the November elections to heed these findings of the Glen Eira investigation report and the Surf Coast shire report. Why then did the minister not include the 2004 Phillips Fox probity investigation report into the Hepburn Shire Council as well as the Auditor-General's report into the Glenelg Shire Council, which were tabled in Parliament?

Ms BROAD (Minister for Local Government) — In response to the honourable member's question, the removal of a council is a very serious matter and is certainly something I, as local government minister, and the Bracks government take very seriously. That is why in the changes to the Local Government Act introduced by this government we have included very clear criteria that a local government minister and any future minister or government should take into account in making a decision about the removal of any council.

In circumstances where regrettably this has happened, and the honourable member has referred to instances, I believe it is very important that the whole local government sector examine the reasons for those

councils being dealt with in the way they have been. In the case of the Surf Coast Shire Council the council was not removed. It was given every opportunity to address the problems it had. It got on with the job of doing that, I am pleased to say, and it has made terrific progress in rectifying the difficulties it had. In the case of Glen Eira City Council, as all members in this house will now be well aware, regrettably the council decided that it had no intention of addressing the problems it was having, and that is the reason it was removed.

The act makes very clear what the criteria are for a minister removing a council, and it is the case in relation to the further matter which the member has raised that clearly those criteria set down in the act were not met. This is a matter which the member has raised previously in the house. I believe it has been properly addressed not only by me but by other responsible ministers. I do not believe there are any further issues which require my action as Minister for Local Government.

Supplementary question

Ms HADDEN (Ballarat) — When the Auditor-General of Victoria has given a damning report on any council in Victoria, when is the minister going to provide professional briefings and accredited training to all councillors to ensure that they are responsible for ensuring they contribute to orderly and good governance of their respective municipalities?

Ms BROAD (Minister for Local Government) — I am pleased to say that this government places priority on providing access to suitable training opportunities for councillors. I have been pleased to work with both peak bodies, the Victorian Local Governance Association and the Municipal Association of Victoria, and with Local Government Professionals as the organisation representing professional officers in local government, all of which are involved in making available training opportunities to improve standards in local government. These are matters this government strongly supports, and will continue to support, as will my department.

Occupational health and safety: workplace initiatives

Mr SMITH (Chelsea) — My question is for the Minister for WorkCover and the TAC. Can the minister advise the house of how the Bracks government is delivering for regional Victoria and of any new occupational health and safety initiatives that will reduce the risk of injury in the shearing industry and other agricultural industries?

Mr LENDERS (Minister for WorkCover and the TAC) — I thank Mr Smith for his question and his ongoing interest in farm safety, particularly drawing back to his days as secretary of the union organising shearers. He has an ongoing interest in it.

Hon. Philip Davis interjected.

Mr LENDERS — I take up the interjection by the Leader of the Opposition on that issue. I am sure Mr Smith is thoroughly familiar with shearing, having represented those workers, but Mr Davis should also look to my colleague Ms Broad, who has been a well-known rouseabout in many shearing sheds.

I welcome the chance to talk about safety in agriculture. The Bracks government does not shirk working with industry and with farmers and their employees in finding ways of making agriculture safer. We do not shrink from that because it is a serious issue. There have been far too many deaths and serious injuries on farms in Victoria for too long for a government to turn a blind eye to it.

I am pleased to say that it is not only the government that is doing this, we are now working in partnership with farmers. I was recently in Hamilton where I had the privilege of being with the Victorian Farmers Federation and the Australian Workers Union on the same platform talking about farm safety. We were very fortunate that we were at the home of Michael and Kathy Blake. I met Michael and Kathy when the member for Lowan in the other place kindly introduced them to me in Parliament House one day. They are people who are absolutely committed to safety on their farm. It is an amazing farm. They have all the possible practical modern appliances to make machinery safer. It was great to be there and great to see it working in partnership.

Also last week I had the great privilege of being in Poowong in South Gippsland at the Dairy Expo in Mr Philip Davis's electorate, and I felt absolutely at home. It is interesting that on this side of the house Mr Viney and I grew up milking cows, as did Mr Vogel on the opposite side, so the three of us share this experience. Mr Bishop has put up his hand as well as a dairy farmer.

What was great about being in Poowong at the Dairy Expo was seeing what you can do with state-of-the-art applications to make a dairy safer. I launched *A Practical Guide to Safety in the Dairy*. This was not something constructed by a group of public servants from Melbourne, it was constructed by a partnership of dairy farmers, WorkSafe inspectors, members of the

public sector and dairy companies working to come up with a practical guide. Having spent most of my early life milking cows, I looked at it with a critical eye to see how practical the guide was.

I found the guide absolutely practical. It asked farmers to find the hazard, assess the hazard, fix the hazard — three simple steps. Some of my experience in farming was a bit out of date, because we have moved from long, wide walk-through dairies with eight bales in them since I have been there. There is a chapter in the guide on zoonoses. I asked myself what zoonoses were, showing that despite an agricultural background I had reason to be glad there were practical guides on issues like zoonoses explaining how to deal with them.

I commend the farmers who were involved in it, the WorkSafe inspectors, the employers and the employees. I congratulate everybody who is trying to get a practical guide in place that lets us deal with things in practical ways so that farmers help other farmers, employers help employees and employees help employers to take a fresh view and make our farms safer. Often the hidden danger is something you do not see unless there is a fresh set of eyes. I welcome Mr Smith's question. The best news is that agricultural injuries and deaths are going down in Victoria.

Hon. Bill Forwood — On a point of order, President, I refer you to page 40 of yesterday's *Daily Hansard*, which reports an exchange that took place after the Minister for Housing finished an answer by saying:

... half-baked half-tolls policy.

Mr Philip Davis took a point of order on that, and in your ruling, President, you said:

I ask ministers in responding to the question that is put to them to keep within their portfolio responsibilities.

Later I also took a point of order, and in relation to that you, President, said:

On Mr Forwood's point of order as to whether the minister was straying outside her portfolio area, I have asked ministers to keep within their portfolio areas. On this occasion, at the conclusion of the remarks the minister did stray outside that. I ask ministers to keep within their portfolio responsibilities.

I followed by asking what you, President, would do if this was flouted in the future, and you said that it was up to you. At the end of the question the minister finished answering a few moments ago she did exactly the same thing as she did yesterday. She finished with those words and sat down and said, 'Well, I have finished my answer, you are too late'.

You have made it clear, President, that how you will act is up to you. The point of order I wish to raise is: do you intend to act at all when a minister, the same minister two days in a row, flouts a ruling that you have given more than once in this place?

Ms Broad — On the point of order, President, given that the honourable member in raising his point of order has referred to me on a number of occasions, the fact of the matter is, since he has so carefully studied *Daily Hansard*, that yesterday I did not use the same words that I used today. In fact yesterday I did not refer to the opposition at all. I referred to The Nationals, but I did not refer to the opposition. That was the conclusion some opposition members drew for themselves, not surprisingly.

Today I did refer to the opposition in my concluding remarks, so my remarks today were somewhat different. As to whether they were straying, to use the member's word, which he is concerned about, I believe we have had clear rulings in this house in relation to ministers' answers. The rulings have been very consistent: ministers are entitled to give answers to questions that are responsive to the questions that have been asked. That is exactly what I have done yesterday and today.

The PRESIDENT — Order! Again I remind the Honourable Bill Forwood and all other members that they shall not debate points of order. A member can raise a point of order, then I shall rule on it.

Hon. Bill Forwood — On the point of order, President, I draw to the house's attention your ruling yesterday afternoon, where you said:

On this occasion, at the conclusion of her remarks the minister did stray outside — —

The PRESIDENT — Order! Could the member add to it, not repeat it?

Hon. Bill Forwood — She was just lying!

Honourable members interjecting.

Ms Broad — Withdraw.

The PRESIDENT — Order! Even though we are in the middle of a point of order, a precedent — a ruling by my predecessor — was established in this house earlier: a point of order can be raised when a member of the house has used offensive language. The minister has asked the member to withdraw. I ask the member to withdraw.

Hon. Bill Forwood — I happily withdraw. I remind the house that the comments the minister made 1 minute ago were completely inaccurate.

The PRESIDENT — Order! With respect to the point of order raised by the Honourable Bill Forwood, he has to be very careful when he asks me what I am doing because that is very close to reflecting on the Chair. It is not taken lightly, so the member needs to be very careful of that. I am not going to go over all my rulings of yesterday. I have made the situation clear to the house about overt criticism and about ministers responding to questions. As I indicated to the member, I will deal with the minister and members. The time for questions without notice has expired.

QUESTIONS ON NOTICE

Answers

Mr LENDERS (Minister for Finance) — I have answers to the following questions on notice: 1552, 2193, 2796, 2802, 3029, 3115, 3125, 3127, 3797, 4604, 4949, 5021, 5090-94, 5097, 5098, 5137, 5145-49, 5151-53, 5156, 5158-63, 5167, 5169-80.

CRIMES (CONTAMINATION OF GOODS) BILL

Second reading

Debate resumed.

Ms MIKAKOS (Jika Jika) — As I was saying before the lunch break, the Victorian Farmers Federation has congratulated the Bracks government for its quick and decisive action in introducing the Crimes (Contamination of Goods) Bill. We saw during the course of the debate the Honourable Peter Hall get extremely touchy on the subject of the government introducing legislation to address this issue. It is probably a reflection of the touchiness that The Nationals feel at the Victorian Farmers Federation's very strong support of the government's decisive action in this area. We have seen the opposition criticise the government for taking too long to introduce this legislation; at the same time we have seen the opposition take more than 300 days to announce its half-baked half-tolls policy.

By comparison, the four months it has taken the government to take action in this area — following the conclusion of the court proceedings in the Hahnheuser case, which concluded last May — is akin to moving with lightning speed. We have taken action following

the completion of a court case which made apparent the deficiencies in the legislation — legislation, I should add, that was introduced by the Kennett government. We have listened to the concerns of regional Victoria and we have acted.

I strongly refute the claims made by the Leader of The Nationals in relation to this government's commitment to regional Victoria. Before lunch I made the point this government has delivered unprecedented levels of service back into regional Victoria. In an article of 3 August the *Herald Sun* reports what The Nationals leader in the other place, the member for Gippsland South, Peter Ryan, said would happen if The Nationals were to hold the balance of power after the next election. It says they would:

... as expected, be voting to get rid of the Bracks government.

The Nationals have announced they will support the Liberal Party to form government after the next election. Again The Nationals are selling out the interests of the constituents they seek to represent —

Hon. D. K. Drum — How do you work that out, Jenny?

Ms MIKAKOS — You are selling out the interests of regional Victorians because you are linking yourselves to the half-baked half-tolls policy of the Liberal Party, which is seeking to abolish the Department of Primary Industries and slash services and programs that actually deliver to regional Victoria and to the farmers because that is the only way it will be able to deliver the EastLink policy.

That is typical of The Nationals, which has always tied its interest to that of the Liberal Party, having been complicit in the Kennett years in seeing services slashed in regional Victoria. During this government Victoria has become Australia's largest state for agricultural production. Victoria's production was \$8.7 billion in 2003-04, which was 24 per cent of the total Australian production.

Also, a quarterly rural survey by Rabobank Australia has found that the confidence of Victorian farmers has continued to grow, increasing at the highest rate since the survey began five years ago.

The PRESIDENT — Order! Ms Mikakos will speak through the Chair — and that also means looking at the Chair.

Ms MIKAKOS — During the term of the Bracks government we have seen unprecedented services provided for regional Victoria and continued growth

and confidence in the agricultural sector in this state, so I refute the claims made by the Leader of The Nationals during his contribution to the debate about this government's commitment to regional Victoria.

The Honourable Peter Hall introduced a private members bill on 17 August, and I will make some brief comments on that bill. The government took the view that that bill was deficient and that the legislation being debated today takes a more appropriate position in addressing this issue. The Nationals' bill proposed amending the contamination of goods offences to extend the current definition of 'intention' so that any person who deliberately contaminated feed or engaged in similar conduct would be guilty of an offence if the person knew or ought to have understood that such behaviour would result in economic loss. Members may know that there are four well-understood fault elements with respect to criminal offences. These range from intention, which is a subjective test and the hardest to prove, to knowledge, recklessness and negligence, which are objective tests and easier to prove.

The test of the phrase 'ought to have understood' fits somewhere below the lowest fault element of criminal negligence and incorporates the common-law test of foreseeability. This imposes criminal liability on the basis of an objective test. It is particularly inappropriate, given that there has been no provision made for a lower alternative penalty in The Nationals' bill, that the maximum penalty is, as I indicated earlier, 10 years imprisonment for an offence with such a broad fault element. We do not believe this is consistent with general criminal law principles. Contamination offences are offences against property and do not warrant a departure from general criminal principles by applying a less orthodox fault element. Members of the government therefore took the view that The Nationals' bill was ill considered, and we have amended the legislation to include recklessness, as it is a more widely accepted and understood fault element that is commonly used in relation to criminal offences.

In conclusion, we are very aware that the export of live sheep brings massive economic benefits to the state, and we support the right of sheep farmers to sell their livestock to whoever they please, including markets in the Middle East. This bill prevents a legal loophole from being exploited and helps to safeguard the viability of Victoria's livestock and shipping industries. It is quite clear that the Bracks government is protecting the interests of Victoria's farmers. It has listened and it has acted. The Victorian Farmers Federation (VFF) actually commends us for acting quickly and decisively.

Hon. D. K. Drum — No, it doesn't!

Ms MIKAKOS — Yes, it does. Mr Drum was not listening to my quote from the media release. He needs to re-read the VFF's media release. It has commended us for acting quickly, decisively and appropriately. We have struck the appropriate balance in the legislation. The Nationals' bill was an ill-considered bill, but the government has struck the appropriate balance. I commend the bill to the house.

Hon. W. R. BAXTER (North Eastern) — I want to make a contribution to the debate on this bill, because it is worth placing on the record the extraordinary tardiness of the government in acting on this matter. There is no doubt that one of our great export industries — the live sheep trade — was put at grievous risk by Mr Hahnheuser and his totally irresponsible actions that were surely opposed by everyone except for a few zealots who do not care what sort of economic ruin they wreak upon individuals or the community at large. The reaction of the community when Mr Hahnheuser was found not guilty by the jury in Geelong was one of incredulous wonderment. Whilst I do not want to criticise the jurors, because presumably they reached a decision on the evidence they felt they had before them, it was clearly not in keeping with community expectations. One would have expected the government to move immediately to amend the Crimes Act so that the industry did not remain exposed. If we had in this state a minister for agriculture who had any empathy at all with the farming community he would have made absolutely certain that the next time this Parliament was in session his colleague, the Attorney-General, would introduce legislation to rectify this matter.

It is extraordinary, when one thinks about it, that when Mr Hahnheuser went to court he was able to convince the jury that somehow or other he was not guilty as charged on the basis of a defence that he was simply protecting the sheep from some perceived damage. How did he go about protecting them? He fed them meat. To start with, sheep are not carnivores, they are herbivores. For anyone to believe that he was seriously advancing the cause of the sheep by feeding them a product that does not normally form part of their customary diet shows the extraordinary lengths he went to to weave such a publicity stunt that he was able to advance his ill-considered cause in the media by acting in such an extreme way.

Mr Hahnheuser then went on to form a political party and stand for the Senate in South Australia at the last federal election. He lost his deposit, and rightly so. It was an indication that Mr Hahnheuser's ideas and his

views hold very little sway at all in the community. It was almost criminal of this government to let so much time go by before it was forced into acting, particularly by The Nationals giving notice in the other place of a private members bill and introducing a private members bill in this place, but also by the actions of the Honourable Philip Davis and other members of the opposition, who have been most active in working with the Victorian Farmers Federation in endeavouring to get this government to act.

But what did we see in response to this legislation? We saw the same response we see every time there is a bill dealing with agriculture in this house. You either see empty government benches — such as the ones I am looking at now — or you see giggling and laughing, which we saw before lunch when Mr Hall was on his feet. That is this government's attitude to farmers. It is replicated by its Minister for Agriculture in another place, who takes no interest whatsoever in the portfolio for which he is responsible.

Ms Mikakos has left the chamber and cannot find time to remain for the debate despite the fact she gets paid to be the Parliamentary Secretary for Justice.

Hon. Andrea Coote — She never can!

Hon. W. R. BAXTER — That is right, Mrs Coote. After having re-read the second-reading speech — which as Mr Dalla-Riva constantly notes is her usual *modus operandi* in this place — she then alleged that The Nationals' private members bill was somehow or other deficient and the government bill superior. I think that is entirely debatable.

In this bill the government is inserting the word 'reckless'. I hope it works, but when one looks at the use of the term 'reckless' in the courts and how it has been interpreted over the years, particularly in the rulings of three judges not so long ago, it does not give one a great deal of confidence that ratbags like Mr Hahnheuser and the misguided legal experts who assist them are not going to find a way around this one as well. What The Nationals were proposing in our private members bill would have been a much better test and provided much greater safeguards to the primary producers of this state and to the live sheep exporters and protected the vast amount of capital that is tied up with those activities.

I wish the legislation well, but I am not confident that it is anywhere near as strong as it should be. It is not as strong as the proposal put forward by The Nationals. Presumably the reason the government did not accept our proposal is the reason Mr Hall advanced before

lunch: the government is simply too vain to accept that someone else might have a good idea. It has scabbled around and come up with another way of doing it. It is the second best way. I hope I am proved wrong, but I fear that I shall not be.

I think it needs to be noted that the escapade of this twit, Mr Hahnheuser, cost the exporter \$1.3 million. It is a wonder this did not send it to the wall. It cost farmers, transport companies, feed companies and other people money as well. To a degree, it has damaged our reputation overseas, because a lot of misinformation has been published.

People for the Ethical Treatment of Animals is an American-based organisation funded by misguided people that makes extraordinary, extravagant and plainly wrong claims about animal welfare in this country. I noticed in the rural press this week that the wool industry has already spent more than \$8 million endeavouring to correct the misinformation that organisation is peddling around the world. Organisations like this are doing extraordinary damage to the farmers of this nation. This organisation is undermining our export income and all for nought, because what it is saying is absolutely plain wrong. In the first instance it wants to expose millions of sheep in this country to a horrible and dreadful death by being eaten alive by crawling maggots, and in the second instance, and more particularly, it wants to turn all of us into vegans, which is part of its long-term aim, and to do away with — —

Hon. Andrea Coote — It was a policy of the Greens in the last federal election.

Hon. W. R. BAXTER — Indeed, Mrs Coote. It also wants to do away with all human slaughtering of animals for food consumption.

Hon. D. K. Drum interjected.

Hon. W. R. BAXTER — Perhaps that is right, Mr Drum — they want to do away with humans, possibly. But if individuals want to adopt such extreme attitudes and such a restrictive and unhealthy diet, that is for them to decide. They do not have any rights whatsoever to impose such extreme views on the rest of the community, and certainly not by undertaking the terrorist actions in which they have both engaged and in more recent times threatened to do in an even more catastrophic fashion in the future. It is time that governments stood up to such organisations. I am very disappointed that this government has had to be brought screaming and kicking to do something about fixing a deficiency in the Crimes Act which was identified more

than four months ago and which exposed the great wool and meat industries in this nation, upon which we all still depend for our very high standard of living, and that it has been so tardy in acting upon it.

Mr SMITH (Chelsea) — I am pleased to speak on this bill. I would like to make a number of points, particularly in rebuttal of arguments put forward by our friends in The Nationals. For some reason Mr Hall was quite upset during his contribution. I do not know why. Maybe the finalisation of the boundaries of the electorates had something to do with his demeanour. During his contribution he accused members on this side of being frivolous or laughing at the issue or whatever. Nothing was further from the truth. We were not even discussing the particular bill.

The fact is that this government does understand the importance of agriculture to the state of Victoria and its economy. It is a vital part of the Victorian make-up. Numerous pieces of legislation have been brought into this house that demonstrate the fact that members of the government appreciate the contributions farmers make and their importance to Victoria. One is the child protection Working with Children Bill, particularly in its application to children working on farms. Despite the protestations by a number of farmers to me, members of the government were convinced — and I am still convinced — that the government did the right thing in seeking to protect the interests, health and wellbeing of children on farms. That is particularly so when the statistics show that every 10 days one child dies on a farm in Australia. That is a shocking statistic. The government has done something about it, even though some people protested about the bill.

The Nationals are complaining about being gazumped — that is what they are complaining about. They consider this to be in their territory and that members of the government had no right to do something in an area that they consider to be their domain. The fact is that this government governs for all Victorians and members of the government saw the need for the legislation when — I have to think very carefully so that I am not too strong in my description of Mr Hahnheuser — a whacko like Mr Hahnheuser did the sorts of things he did. It is incumbent on any responsible government to do something about that sort of action to ensure that it is not repeated and the damage incurred by the industry and the overall economy does not recur to the extent that it did.

I am aware that some 70 000 sheep that were about to be exported were contaminated by some sort of ham. It does not make a great deal of sense, when you think about it, that an animal liberationist or activist would

feed an animal to an animal. Go figure that! It does not make too much sense to me. He admitted that he did it. I was a little concerned when he was acquitted of the charge. Many ordinary folk would struggle to understand the logic of a legal system that allows someone who is clearly guilty of perpetrating that sort of crime, particularly given the impact it had on the rural industries and the state's economy, to get away with it.

However, on most occasions the law is very difficult for the layman to interpret. Whether we like it or not, magistrates deal strictly with the law and sometimes they are not able to factor in commonsense in making their decisions. However, the government was able to do something about it in the form of this legislation. The Victorian Farmers Federation, which is, let us be honest, the industrial wing of The Nationals here in Victoria, lobbied the government to do something about it. To be fair, The Nationals genuinely raised their concerns about the matter to protect their constituent base. It was very reasonable for them to do so and the government accepted it. The government has done something about it; the bill reflects that. When I saw Mr Hahnheuser being interviewed on TV I thought, 'Well, he's not the brightest candle in the chandelier'. However, he did an extraordinary amount of damage to the industry.

Members of the government would like to think that despite the concerns of The Nationals that we have not gone far enough, the amendments in the bill will do something to prevent what happened recurring. Members of The Nationals consider that the government has not gone far enough. If the government legislated exactly as The Nationals wanted, the bill could have gone anywhere. The argument could have been extrapolated to include a number of instances. Members heard Mr Baxter talk about extending the bill to include some sort of terrorist activity. One of my fears and that of others is that the bill could be extended to cover anyone who takes any sort of action at all against farmers or produce or whatever. For instance, there might be a picket line at the ports where — —

Hon. Andrea Coote interjected.

Mr SMITH — I am a bit familiar with picket lines. What was proposed could have been used by a conservative government to prevent genuine union activity. In the government's view the proposed amendments went too far. Adding 'recklessly' to the offence provisions is enough. Whilst, as I said, commonsense is sometimes hard to find in the law, it is much easier to prove that someone was reckless than that they had done something intentionally.

Reference was made to some of the animal activist groups, particularly People for the Ethical Treatment of Animals, an international body whose members go well beyond the pale. They are putting a major industry in this country at risk in their attacks on the wool industry. Mulesing I think is the process — —

Hon. B. W. Bishop — Mulesing!

Mr SMITH — I am not as familiar with sheep as some people in here are! When those people are seen in action it makes you wonder just where they are coming from. The other day I read that because of threats made to her one of our more famous international supermodels was attempting to withdraw from a contract that she signed recently to promote fur coats. She considered that it just was not worth putting her family at risk. Where are these people coming from? How irresponsible! We should pay them no heed at all.

The bill makes important amendments, and it has been well thought out and communicated to all interested parties. As I said, a great deal of consultation has been undertaken with the industrial wing of The Nationals, the Victorian Farmers Federation. Its members are very happy with what the government is doing. I dare say graziers are very happy with what we are doing, but some members are not because maybe they will not get all the kudos they expected to get for it — but this is more than that; it is more than kudos. I referred earlier to our concerns about what The Nationals were proposing. The key concern is about a couple of words in its proposal, that 'similar conduct' could be an offence. What does that mean? It is a lawyer's picnic. The government simply could not accept what they were saying, and it was tightened up. The Attorney-General is really on the ball with these things and has done a very good job. This is good legislation, and I have no qualms at all about commending it to the house.

Ms CARBINES (Geelong) — I am very pleased to speak in support of the Crimes (Contamination of Goods) Bill. In doing so I congratulate both the Attorney-General, the Honourable Rob Hulls, and the Minister for Agriculture, the Honourable Bob Cameron, in the other place for their preparedness to act on the legitimate concerns that have been raised with the government about the deliberate contamination of goods.

As the house has heard and as has been well publicised across the state, but also in contributions to the debate this morning and this afternoon, the bill arose from an incident that occurred a couple of years ago when a member of Animal Liberation Victoria, in a stupid

attempt to stop the live sheep export trade from this state, contaminated the feedlot of some 70 000 sheep with ham. Regardless of whether one agrees with the live export of sheep from this state, the action by that man from Animal Liberation Victoria was stupid, dangerous and irresponsible. It did his cause no good; in fact, it endangered not only the lives of the sheep but also the significant export industry of live sheep from Victoria.

Since that time two years ago, when the incident occurred, the agricultural industry and the Victorian Farmers Federation have been calling on the government to look at ways to ensure that we maximise the chances of people who are charged with such crimes being found guilty and that they not be able to get off the charge through virtue of a legal loophole.

The VFF and the agricultural industry were very disappointed with the outcome of the trial earlier this year in which the accused was acquitted of the charges brought against him. The charge was that he intended to cause economic loss or public alarm. All members of this place agree that his actions were irresponsible, inappropriate and posed a serious threat to an industry which is important to the economy of our state, particularly in regional Victoria. What we disagree on is how best to achieve an outcome so that the legal loophole which was exploited by those defending the accused is not able to be used again.

Since May the government has been working very closely with the VFF and other stakeholders to ensure that this legal loophole is closed. Through this bill the government proposes an attempt to safeguard the future viability of Victoria's live sheep export business. The bill amends the fault element of the contamination offences from intentionally causing public alarm or economic loss, which is a very subjective change to intentionally or recklessly causing public alarm or economic loss, which we believe will be much easier to prove.

It is a sensible outcome; it is one that has been considered very seriously by our government. We have taken on board the concerns raised by the agricultural industry and the VFF across the state and found a way forward which we think will close the legal loophole that was exposed earlier this year when the accused came to trial.

It is very important that this bill be supported by every member of this chamber, because we would all agree that it is important to minimise any risks to our live export industry. It is very important that we send a very

strong message to anyone who misguidedly seeks to use the contamination of goods as a campaigning tool.

We want to send a very serious and clear message to the people, that they will be seriously dealt with by the law; and no matter what one thinks of the live sheep export trade, contaminating feedlots is not going to change that industry in this state. The action was very stupid action and deserved very serious punishment. We are determined that by amending the act we will close the legal loophole; in the future people will not be able to exploit the charge and then escape prosecution.

We have had enormous support in our work from the Victorian Farmers Federation. It issued a press release on 6 September, entitled 'Win for country Victoria: Crimes Act to be amended' in which the VFF congratulated the government on its announcement that it would amend the Crimes Act to close the loophole that the house has been discussing this afternoon. A press release from the new president, Simon Ramsay, who comes from my part of the world in the south-west of Victoria, says:

Not only will this amendment protect the billion dollar live export trade, but it will ensure that activists are accountable, by law, for the economic consequences of their actions ...

The press release further says:

We have a duty to protect what is a safe and lawful trade, and the VFF commends the state government on their quick and decisive action ...

I repeat 'quick and decisive'. The press release continues:

The Attorney-General, Rob Hulls, and the agriculture minister, Bob Cameron, have both been very supportive of our position in the need for changes to the act, and we appreciate their quick response to our request.

There are not many times when the Bracks government gets a resounding endorsement from the Victorian Farmers Federation, but here we are. This is proof positive of the VFF's support for the way in which we have responded to this very serious concern. All of us in this chamber agree it was an irresponsible action on behalf of the person from Animal Liberation Victoria which posed a serious threat to our live sheep export trade. We heard from Mr Baxter that it caused a loss of over \$1 million to the exporter, so it has hit our economy hard. If Animal Liberation Victoria wants to win the argument on live sheep exports, it will never do it by contaminating feed. It has a hope of winning the argument only if it puts a clear, concise and reasoned argument to the Victorian people in order to gain support. I urge it never to go down that path again. It was absolutely stupid.

This bill is important. It is a clear demonstration of the Bracks government listening to legitimate concerns raised by stakeholders — by farmers, by the agricultural industry and by the Victorian Farmers Federation. It is a clear demonstration of our preparedness to listen to those concerns and act decisively. I commend the bill to the house and wish it a speedy passage.

Motion agreed to.

Read second time.

Third reading

Ms BROAD (Minister for Local Government) —
By leave, I move:

That the bill be now read a third time.

In doing so I thank honourable members for their contribution to the second-reading debate.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

ADJOURNMENT

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

That the house do now adjourn.

Princes Highway–Tivendale Road, Officer: traffic lights

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — I wish to raise a matter for the attention of the Minister for Transport in the other place. It relates to the Tivendale Road–Princes Highway intersection in Officer in my electorate. This matter has been brought to the minister's attention previously. For a long time now the residents of Officer have sought the installation of a fully signalised intersection at Tivendale Road and Princes Highway. It is an intersection that carries a lot of local traffic. There is a primary school in Tivendale Road and a lot of children cross the road at the pedestrian crossing, but the intersection is clearly in need of upgrading to full signalisation. It has been the site of a number of minor accidents, but accidents nonetheless, where vehicles have suddenly stopped at the intersection, causing collisions. This happens on almost a daily basis.

This matter was raised earlier this year with the Minister for Transport. Instead of providing the signalisation the community is seeking, the government installed warning lights approximately 100 metres back from the pedestrian crossing and dropped the speed limit from 80 kilometres an hour to 70 kilometres an hour. I have been advised by members of the community that this has made the situation worse, because as the warning lights come on indicating that the pedestrian crossing traffic lights are about to change from green to red vehicles accelerate to get through before the lights change. This road carries a lot of heavy vehicles, and until the Pakenham bypass is completed it is the main connector between Gippsland and metropolitan Melbourne, so all traffic uses this road. I am advised by the crossing supervisor at Tivendale Road, Margaret Searle, that the situation is worse as a consequence of those flashing lights being installed by VicRoads approximately two months ago.

I raise this issue to again emphasise to the Minister for Transport that full signalisation of that intersection is required. The temporary measure he has put in place has not worked and has made the situation worse. I call on him to act immediately to ensure that the intersection at Tivendale Road is fully signalised as soon as possible.

Planning: rural zones

Hon. PHILIP DAVIS (Gippsland) — I raise a matter for the attention of the Minister for Planning in the other place. It concerns the minister's unilateral decree that a new planning system is to be introduced into rural municipalities statewide. I refer, of course, to the implementation of farming zones. The minister has issued a directive advising that all councils in Victoria will be required to implement new rural zoning arrangements which were on foot and developed by the previous planning minister.

It appears that the current minister has resolved not to take note of the concerns which have been raised right across the rural community about the implications of these new zoning arrangements and has ignored the fact that many thousands of country Victorians will see the value of their properties significantly diminished as a result of the restrictions that will be placed upon them by the translation from the existing planning scheme into the new planning scheme.

I note that the Leongatha *Star* newspaper of 6 September has a headline 'Value of rural land slashed'. It states:

Hundreds of thousands of dollars is expected to be wiped off the value of farms in South Gippsland following an

announcement this week by state planning minister, Rob Hulls, that the introduction of the controversial 'New rural zones' legislation is imminent.

A very well-attended public meeting was held in Leongatha on 28 September, at which my colleague the shadow planning minister in the other place, Ted Baillieu, and I were speakers, as was Simon Ramsay of the Victorian Farmers Federation. The meeting was a reprise of one held some 15 months ago, and many hundreds of South Gippsland residents attended to protest vehemently and express their opposition to these new arrangements. I am concerned that the minister has ignored representations from the South Gippsland shire and members of the community. I ask that he take into account in particular the impact of these new planning arrangements in respect of South Gippsland because of its particular circumstances. I further ask that the minister meet with the South Gippsland shire as requested, which he has so far avoided doing.

Eastern suburbs: rooming houses

Hon. C. D. HIRSH (Silvan) — I have received a letter I wish to raise with the Minister for Housing. I want her to act on the problem I am going to outline in whatever policy way she can, because the problem is very serious. The secretary of the Maroondah Citizens Advice Bureau, Jean Hill, has written to me. The bureau is getting more and more young men coming in wanting food parcels because they are not managing. These are young men on Centrelink benefits who are moving into rooming houses in the outer east. People are buying up large houses and renting out rooms to young people who cannot afford anything else. The amounts charged are exorbitant, ranging from \$130 to \$200 per room per week. Those figures do not include food; they are just for a room.

Those young people, many of whom have an intellectual or other disability and cannot work, are finding themselves without enough money to live, as \$200 a week is an exorbitant amount to pay for a single room. Jean Hill, the secretary of the bureau, said:

It is a situation of which society should be ashamed — that such people who cannot look after themselves are being exploited ...

I want the minister to investigate the problem of exorbitant rooming house rents, because I believe it is a problem not just in the Ringwood area but that high rents are being charged in private rooming houses throughout the metropolitan area.

The Victorian government just signed a \$408 million deal for homeless people. While the people to whom I am referring are not homeless, if they cannot afford

their rent they either do without food or become homeless. I want to see something happen. Either more rooming houses should be built in the public sector in the outer eastern region to enable a proper cost rent to be charged for these young people or the minister should look at some form of control over these private rooming houses so that they cannot continue to exploit vulnerable young people in our society.

Sport and recreation: sportsgrounds

Hon. B. N. ATKINSON (Koonung) — I raise a matter with the Minister for Sport and Recreation through the minister at the table, the Minister for Housing. It concerns the allocation of facilities for cricket and football, particularly in the metropolitan area, but it no doubt has implications right through Victoria. The football and cricket governing bodies have for a number of years worked together on the allocation of ground facilities — it is basically a six-month rule. However, there has been concern lately that the agreement has come under pressure. Cricket clubs in particular are facing increased demand from football clubs for those ground facilities.

The Whitehorse City Council recently decided to allocate the Box Hill cricket ground to the Box Hill Hawks Football Club, which is a feeder club for the Hawthorn Football Club. A similar problem exists at Coburg and a number of significant clubs in the Victorian Football League. I am not necessarily opposed to these changes, but I am certainly mindful of the concerns that have been raised with me by Cricket Victoria about its ability to get access to grounds for the cricket finals. I am also mindful, given my portfolio responsibility for sport and recreation, that Victoria is under-represented in the national cricket teams and has been under-represented for many years. We need to consider every aspect of the provision of cricket facilities in Victoria to ensure that we provide opportunities for players.

I would like the Minister for Sport and Recreation to convene a meeting between the cricket and football governing bodies and develop a strategy that will ensure that Football Victoria in particular is able to develop an elite, state-based competition without impinging unnecessarily on the provision of an effective and elite state-based cricket competition in Victoria. The minister needs to intervene because the bodies are unable to resolve some of these issues, and state and local government policies are associated with the use of these facilities. I request that the minister convene a meeting of both the governing bodies — Cricket Victoria and Football Victoria — to discuss

how the allocation of ground facilities may proceed forthwith.

Western Port Highway: upgrade

Hon. R. H. BOWDEN (South Eastern) — I seek the assistance of the Minister for Transport in the other place through the minister at the table, the Minister for Housing. It is to do with the increasing community concern in the area I represent, the northern Mornington Peninsula in particular, about a section of the Western Port Highway commencing with its intersection with the Cranbourne-Frankston Road and continuing south towards Hastings, a distance of approximately 18 kilometres.

In recent years there has been a dramatic increase in the volume of traffic on that section of the road, and in recent months there have been at least two very dangerous accidents involving heavy trucks that have overturned. Those accidents have caused an increasing amount of community concern, notwithstanding the inconvenience to the residents in that area and the travelling public.

The mix of traffic is quite dangerous. In that section of the Western Port Highway there are heavy vehicles, farm vehicles, commuter vehicles, delivery trucks and agricultural appliances all in a single-lane arrangement running north-south. If you look at the population numbers in the area comprised by Cranbourne, Somerville, Baxter, Pearcedale and Frankston, which is the pool that generates a lot of the traffic, you can see on those numbers alone what the volume of traffic will be.

The population pool that needs that regional artery is very concerned about safety on the road. For a long time it was suggested that the duplication of the Western Port Highway south of the Cranbourne-Frankston Road intersection was very desirable. The question for a government of either persuasion is about timing. I respectfully suggest to the minister that the time is now right for the proper planning and scheduling of a significant upgrading of that road.

There have been a whole series of unfortunate and very sad fatalities over a long period of time at nearly all the intersections between the crossroad I mentioned down to Hastings. There is a need to improve the road. Safety is the paramount concern of the residents. On a 24-hour basis there are heavy vehicles, even in the small hours of the morning. On occasions there are large numbers of vehicles, including heavy trucks involved with the chicken industry. My question is: will the minister take an initiative and refer to VicRoads for its early, positive

action the need to commence a program of duplication of the Western Port Highway?

Cheltenham and Regional Cemeteries Trust: chief executive officer

Hon. D. McL. DAVIS (East Yarra) — My matter for the adjournment debate tonight is for the attention of the Minister for Health in the other place. It concerns the Cheltenham and Regional Cemeteries Trust and the cemetery that it administers. As the house will be aware, a series of investigations into the trust have been carried out by the Auditor-General and the department. It is true to say the department was slow to act on some financial matters the Auditor-General reported on to the Parliament recently.

By way of further background, a number of issues surrounded that report. Annual reports of the department going back to 2001-02 made reference to a number of transactions the department appeared quite slow to investigate. There was sign-off on those annual reports, but the Auditor-General later conducted a series of investigations. The minister moved earlier this year, just a few months ago, to sack the board. There is a series of questions about the process that operated there.

I am informed there has been the appointment of a new chief executive officer at the Cheltenham and Regional Cemeteries Trust — namely, Ms Vicki Pridmore, who was until recently employed as a director in the portfolio services branch at the Department of Human Services. I am concerned about the process that has been followed in this appointment. In that sense I seek from the minister some clarification as to how that process of appointment has operated: whether there was a process of advertisement, whether there was a process of interview, who conducted those interviews and who made the recommendations as to what occurred at the cemeteries trust, a trust for which the minister has responsibility. I also seek from the minister an investigation into how this appointment occurred and how she — —

Hon. Andrew Brideson — Too many questions.

Hon. D. McL. DAVIS — I have only asked for one action, Mr Brideson, and the adjournment, as you know, is about asking for the minister to act. I am asking specifically that the minister investigate the appointment process and ensure that it has been followed according to the law and that there has been no appointment that would cause concern to the community.

Hon. Andrew Brideson — I was just pretending I was the Chair.

The PRESIDENT — Order! I think the temporary Chair might have helped Mr Davis out a little bit there. He is not allowed to ask a question, and I think he asked five leading up to his comment about asking the minister to investigate. The rest is superfluous. It is only the request for the minister to investigate that meets the guidelines of the adjournment. That is the part the minister might choose to take some notice of. It is in the hands of the minister to respond or not in due course.

Youth: homelessness

Hon. A. P. OLEXANDER (Silvan) — I am also seeking the assistance of the Minister for Housing, the minister on duty in the chamber this afternoon. The issue I raise was also raised by my colleague in Silvan Province, the Ms Hirsh: youth homelessness. I often do not agree with the position taken by Ms Hirsh, but on this occasion I very strongly agree with the request she has made of the minister to investigate the situation facing young men in rooming houses in the outer east.

The issue I raise with the minister, while related, is somewhat different. Youth homelessness affecting young people in general in the outer east of Melbourne is a serious and growing problem and one which support agencies have been struggling to cope with. It is not a situation that affects only Maroondah; it is also present in Knox, Yarra Ranges and Whitehorse. For example, a report into youth homelessness in the shire of Yarra Ranges suggests that a far greater collaborative effort is required to prevent young people from being forced onto the streets. In a detailed examination of the problems faced by youth who are trying to find accommodation in that shire but which are also typical of the rest of the region, the Housing Young People Action Team said that the need for affordable housing was acute. The HYPAT report was compiled by representatives of the shire, Anchor Community Care, Community House and Centrelink, and it has been distributed to all state MPs and community groups, schools and private enterprises in the region.

The report found that in Yarra Ranges alone there were over 170 young people at risk of homelessness. Of those, 57 per cent were living with a family member or a friend because they could not find appropriate or affordable accommodation, and others were in rooming houses. HYPAT members warned there were almost as many young people currently living in cars, abandoned buildings or at schools within that shire alone. The problem they have identified is that the myriad organisations which seek to assist these young people

cannot effectively collaborate with each other and coordinate their activities across the region. They also have a problem, as this group has identified, in accessing available sources of funding, particularly from the state government.

I ask the minister for specific action. Will she convene, through the Office of Housing, a steering group in the eastern region to facilitate that collaboration and funding source?

Fuel: prepayment scheme

Ms HADDEN (Ballarat) — I wish to raise a matter for the attention of the Minister for Police and Emergency Services in the other place, the Honourable Tim Holding. The matter concerns the serious issue of what is commonly called petrol drive-offs, which is now having an even bigger impact on small business operators in my electorate, especially in Ballarat. The current sky-rocketing prices of petrol, diesel and autogas have seen the price of petrol in Ballarat at about \$1.38 a litre and the price of autogas at about 56 cents a litre. A prepaid petrol system would involve customers prepaying for their petrol during the hours of 10.00 p.m. to 5.00 a.m. or 6.00 a.m.

One of Ballarat's Victoria Police crime prevention officers, Senior Constable Peter Rieley, together with Mr Nuri Birer who is a very active small business service station operator in Ballarat, have been proactively looking to address this petrol drive-off illegal activity for the last few years. The fear among service station owners in Ballarat in particular is that petrol drive-offs will escalate in number with the ever-increasing price of fuel, with the added problem that the offending vehicles are often unregistered and all too often have stolen registration plates affixed to them.

We know it is hard enough for small businesses, especially service station operators with their small margins, to make a reasonable living, without having petrol drive-offs, which is an illegal activity, occurring on a prolific basis. In fact, the operators who have contacted me say they are losing between \$70 and \$100 a day because of petrol drive-offs.

The action I seek is for the minister to implement urgently in Ballarat, for participating service station operators, a pilot program like the successful prepaid pilot program implemented in the Frankston area a couple of years ago and recently in Bacchus Marsh.

Responses

Ms BROAD (Minister for Local Government) — The Honourable Gordon Rich-Phillips raised a matter for the attention of the Minister for Transport in the other place seeking the signalisation of an intersection at Officer in his electorate. I will refer that to the minister.

The Honourable Philip Davis raised a matter for the Minister for Planning in the other place about concerns regarding implementation of farming zones and sought a meeting with South Gippsland shire to take into account concerns and impacts of those farming zones. I will refer that request to the planning minister.

Ms Hirsh raised a matter for my attention concerning a letter she received from the Maroondah Citizens Advice Bureau about very high rents being charged by private rooming houses and about what that is doing to the capacity of people affected, amongst other things, to feed themselves. That is a very serious matter indeed. I am pleased to advise the member that it is because of these concerns that the government believes investing in government rooming houses is a priority. That is why acquiring rooming houses is an important part of the government's housing acquisition program. In relation to the letter that she has received and the concerns expressed in it, I will certainly undertake to investigate the matters raised in the correspondence and advise her of the outcome of that investigation.

The Honourable Bruce Atkinson, who advised me that he had to leave for a meeting, raised a matter for the attention of the Minister for Sport and Recreation about access arrangements to sporting grounds for cricket. He requested that the minister convene a meeting of stakeholders to develop a strategy to address these issues. I will forward that request to the minister.

The Honourable Ron Bowden raised a matter for the attention of the Minister for Transport in the other place concerning increased traffic volumes on the Western Port Highway. He requested that the minister refer to VicRoads for its consideration the duplication of the highway at the earliest opportunity for safety reasons. I will forward that request to the transport minister.

The Honourable David Davis raised a matter for the attention of the Minister for Health in the other place concerning the Cheltenham and Regional Cemeteries Trust. He requested that the minister investigate the processes around the appointment of the chief executive officer, and I will refer that question to the minister.

The Honourable Andrew Olexander raised for my attention youth homelessness in the eastern region and the need for access to more supported affordable housing, particularly for young homeless men or men at risk of homelessness. I am pleased to say that the government agrees that there is a need for more supported affordable housing for a number of groups, including this group. That is why we have such a strong commitment to the supported accommodation assistance program. It is why we have committed to contributing additional state funds over and above that program and why we have committed resources to the youth homeless action plan. We recognise that it is not only about funding but about service cooperation between service providers and integration with service delivery. I have been requested to ask the Office of Housing to convene a meeting of involved organisations in the eastern region to facilitate better cooperation and further integration of service delivery in that area. I will certainly raise that matter with my department, and advise the member accordingly.

Finally, the Ms Hadden raised a matter for the attention of the Minister for Police and Emergency Services in the other place concerning petrol prices and non-payment for petrol use. She requested that the minister consider implementation of a prepaid petrol scheme in her electorate. I will refer that request to the minister.

Motion agreed to.

House adjourned 4.00 p.m. until Tuesday, 18 October.

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, 4 October 2005

Tourism: Melbourne Convention and Exhibition Trust — advertising

2124. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Tourism): In relation to the Melbourne Convention and Exhibition Trust's advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed as follows:

The Melbourne Convention and Exhibition Trust (MCET) does not enter into a contract each time that advertising is undertaken. Rather, a booking is made either directly by the MCET Sales and Marketing team with the relevant publication or through the Trust's advertising agency for this period, White and Partners. MCET's contract with White and Partners was awarded in May 2001 for three years and was the result of a public tender process.

Between 1 July 2002 and 30 June 2003, the following advertising bookings were made either by MCET or White and Partners:

- Associations Meetings International - July, Sept. 2002, and October 2003 issues
- World Wide Conventions Centres Directory - 2003 and 2004 issues
- Meetings and Incentive Travel - February 2003 and April 2003 issues
- Mice.net Magazine - February/March 2003 issue
- Opera Australia - August 2002 issue
- Quorum Magazine - September/October 2002 and June 2003 issues
- The Age Newspaper - 11, 13, 20 & 25 February & 6 March 2003 issues
- Biotechnology News - February and May 2003 issues

The total cost of the advertisements for 2002-03 was AUD\$54,811.85 (for local publications) and USD\$29,086 (for international publications).

The purpose of all the advertisements was to attract business events to the Melbourne Exhibition and Convention Centre (MECC) and to profile the meeting facilities that the venue offers.

Premier: Australia Day Committee (Victoria) — advertising

2168. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance (for the Premier): In relation to the Australia Day Committee's (Victoria) advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed that:

The Australia Day Committee has a very small allocation of funds for advertising. This is mainly conducted through programs and flyers that are designed and printed through the Design Studio, Department of Premier and Cabinet.

Paid advertising generally consists of only one press advertisement (through Optimedia) for the Herald Sun annual 4 page lift out (which is sponsored by the Herald Sun) to thank Australia Day sponsors. This advertisement and the lift out are typically on the Wednesday preceding Australia Day.

In the period indicated a further advertisement was taken, in The Age and the Financial Review, to promote the annual Australia Day Luncheon.

Radio advertising is mainly conducted through sponsorship (with 3AW) and is a general awareness campaign. The National Australia Day Council co-ordinates national press and TV promotions (mainly through Community Service Announcements).

Australia Day engages a sessional publicist each year. Four different publicists have conducted the work in the last 4 years. The total amount available for this purpose and including the cost of the launch of the Australia Day program in 2003 was \$20,000 (including GST). There is no ongoing contract. The publicist engaged in 2003 was Ree Izzet Pty Ltd. The publicist was engaged on a fixed term, fixed cost basis (mid October to mid February 2003).

Agriculture: Melbourne Market Authority — advertising

2189. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Melbourne Market Authority's advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed that:

The list below describes the advertising undertaken by the Melbourne Market Authority between 1 July 2002 and 30 June 2003.

General Marketing Expenditure

- (a) (i) Monthly for each issue, (ii) \$1500 per month (approx) with total expenditure of \$14,268 for the period, (iii) Melbourne Markets information page and related generic advertising, and (iv) on-going or single advertisements.

- (b) National Marketplace News, Good Fruit and Vegetables, Southern Farmer, North East Farmer. Monthly or single advertisements.
- (c) National Marketplace News, Agricultural Publishers P/L, Reliance Press P/L, North East Newspapers P/L.

Corporate Communications

- (a) (i) August 2002 through to June 2003, (ii) Variable from \$460 to \$2843, totalling \$10,363, (iii) Positions vacant, Advisory Committee nominations, Tenders, Good Food Show, (iv) normally single advertisement, sometimes repeated.
- (b) The Age, The Herald Sun, The Weekly Times
- (c) HMA Blaze P/L, The Herald & Weekly Times Ltd.

Spring Racing 2002

- (a) (i) October 2002, (ii) \$11,000, (iii) encourage the wearing of fresh flowers on race days, (iv) October 1 - November 20, 2002.
- (b) The Herald Sun, October 1 - November 20, 2002.
- (c) Racing Victoria Ltd.

Retailer of the Year

- (a) (i) Monthly July 2002 to June 2003 (approx.), (ii) variable totalling \$21,461, (iii) feature on retailer of the month in regional newspapers and National Marketplace News as part of an industry development program for retailers, (iv) single advertisement.
- (b) Monthly in various regional newspapers and National Marketplace News,
- (c) Optimedia Australia P/L, National Marketplace News.

Fresh Produce Promotion at Royal Melbourne Show

- (a) (i) September-October 2002, (ii) variable totalling \$6,677, (iii) retailers competitions and promotions, (iv) single advertisement.
- (b) Herald Sun, Weekly Times 10 and 11 September 2002, National Marketplace News October 2002.
- (c) Optimedia Australia P/L, National Marketplace News, Gollings & Pidgeon.

Promotion of the Farmpay Service

- (a) (i) Monthly July 2002-June 2003, (ii) variable totalling \$43,380, (iii) promotion of the Farmpay Service, (iv) monthly advertisement.
- (b) Radio-Country Roundup (approx monthly), TV-3 and Win TV (November 2002), Regional & Industrial Publications (October-December 2002), Good Fruit and Vegetables (September, November, January 2002), Northern Territory Horticulture Magazine (October, December 2002).
- (c) Pegasus Communications P/L, Agricultural Publishers P/L.

Tourism: Emerald Tourist Railway Board — media research and public opinion polling

- 2356. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Small Business (for the Minister for Tourism): In relation to the Emerald Tourist Railway Board's media research and public opinion polling conducted since 1 January 2002:

- (a) What is the title of each poll or item of research.
- (b) What is the date of approval and duration of the contract.
- (c) What is the cost.
- (d) Who are the personnel conducting the project.
- (e) Was it put to tender.
- (f) What recommendations were made.
- (g) Were any actions taken by the Department or Minister.

ANSWER:

I am informed as follows:

The responses are:

- (a) Customer feedback project with a questionnaire prepared by staff and handed out by volunteers; no external consultants were involved.
- (b) No contract was entered into.
- (c) It is estimated that it cost \$50 to copy the questionnaires.
- (d) Volunteer conductors; with analysis undertaken by the Board's CEO and Marketing Manager.
- (e) No.
- (f) The survey assisted with information to improve our level of service.
- (g) No.

Tourism: Emerald Tourist Railway Board — capital works funding

2586. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Tourism): In relation to the Emerald Tourist Railway Board's allocation of funds to major capital works, including major maintenance, replacement, and upgrades, what were the priority major projects that were approved for the year 2002-03 and were each of those priority projects achieved.

ANSWER:

I am informed as follows:

It is assumed that to qualify as major capital works, a project would have an annual value of more than \$100,000. Using this criterion, the Emerald Tourist Railway Board had three relevant projects:

1. Extension of the Belgrave Workshop – approved at the end of 2002-03 at a value of \$700,000. Works were completed in July 2004.
2. Restoration of Locomotive G42 – with approximately \$1.2m spent to 30 June 2003. Works were completed and the Locomotive launched in April 2004.
3. Rejuvenation of the track (Emerald to Lakeside) – \$100,000 allocated, and completed on time and to budget.

Tourism: Australian Grand Prix Corporation — external legal advice

2819. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Tourism): What has been the expenditure by the Australian Grand Prix Corporation on external legal advice since 1 January 2003 to date.

ANSWER:

I am informed as follows:

The expenditure by the Australian Grand Prix Corporation on external legal advice from 1 January 2003 to the date of the question, 8 June 2004, was approximately \$206,000, exclusive of GST.

Energy industries: Office of the Chief Electrical Inspector — office accommodation

3030. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to the Office of the Chief Electrical Inspector leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

As at the date the question was raised, the answer is:

On advice from the Office of the Chief Electrical Inspector, as attached:

Office of the Chief Electrical Inspector – Leases

Lease	Southbank	Ballarat	Nunawading
Location	Level 3, Building 2, 4 Riverside Quay, Southbank.	32A Doveton Street North, Ballarat (including one car space).	15A Ceylon Street, Nunawading (including 7 car spaces).
Expiry date	12 October 2009.	30 June 2009.	15 July 2004. The OCEI has exercised an option to renew for a further 3-year term commencing on 16 July 2004.
Cost per square metre per annum (unless otherwise stated)	Office - \$252 plus GST. Outgoings - \$97.49 plus GST. Basement – \$125 plus GST. Tenancy cleaning - \$9 plus GST. Fees for 8 car spaces are levied pursuant to a separate licence agreement.	Office - \$150 plus GST. Car space - \$1,000 gross, plus GST. Outgoings – variable amount levied each month.	Number of square metres is available at time of writing. Existing rental is \$18,244.20 p/a plus GST. Rental under new lease (starting 16/7/04) will be \$18,500 p/a plus GST. Outgoings paid by landlord.
Total cost over the term	Above amounts payable for 1,337 square metres over 7 year term plus annual reviews (combination of 5% increases and market reviews) plus GST.	Above amounts payable for 153.6 square metres over 5 year term plus annual reviews to CPI plus GST.	\$18,500 p/a over 3 years plus annual reviews to CPI plus GST.

Energy industries: Victorian Energy Networks Corporation — office accommodation

- 3035. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries: In relation to the Victorian Energy Networks Corporation's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

As at the date the question was raised, the answer is:

On advice from VENCORP, there is a lease arrangement for accommodation at level 2, Yarra Tower, World Trade Centre on Siddley Street in Melbourne. The expiry date is 28 February 2006. The cost per square metre is \$247. The total cost of the lease is \$2,426,077 which commenced on 1 March 2001.

Agriculture: Fisheries Co-Management Council and Fisheries Committee — office accommodation

- 3116. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Fisheries Co-Management Council and Fisheries Committee's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed that:

The list below describes the Fisheries Co-Management Council's lease of office accommodation currently held:

- (i) Level 6, 369 Royal Parade, Parkville Victoria 3052.
- (ii) 1 February 2006.
- (iii) \$185.00 per metre.
- (iv) \$98,200.

The Fisheries Committees do not lease any office accommodation.

Resources: Mines Act — fees and penalties

- 3631. THE HON. PHILIP DAVIS** — To ask the Minister for Resources: In relation to amendments made by the *Monetary Units Act 2004* to the *Mines Act 1958* and any subsequent Regulations:
- (a) What fees and penalties were amended.
 - (b) What was the value of each of the fees and penalties immediately prior to these amendments.
 - (c) What is their value following indexation on 1 July 2004.

ANSWER:

I am informed that:

A table of the penalties and fees established by the Act is attached. The table lists the fees by their section in the Mines Act 1958 and includes their values before and after indexation.

There are no regulations for the Mines Act 1958.

MINES ACT 1958 – PENALTIES

Section	Prior to 1/7/2004		After 1/7/2004	
	Penalty Unit	\$	Penalty Unit	\$
382(1)	10	1000	10	1022.50
382(2)	1	100	1	102.25
383(1)(g)	50	5000	50	5112.50
	10	1000	10	1022.50
385(1)	10	1000	10	1022.50
387(1)	1	100	1	102.25
400A(1) & (2)	1	100	1	102.25
400E(2)(h)	5	500	5	511.25
407(2)	1	100	1	102.25
410(7)	1	100	1	102.25
413(9)	1	100	1	102.25
419(2)	10	1000	10	1022.50
	1	100	1	102.25
420(2)	1	100	1	102.25
	1	100	1	102.25

MINES ACT 1958 – FEES

Section	Prior to 1/7/2004		After 1/7/2004	
	Fee	\$	Fee Unit	\$
386(3)(b)	5	50	5	51.15

Finance: minister’s office — alcohol purchases

4042. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance: 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:

As at the date the question was raised, the answer is:

The research required to provide a response to the question would place an unreasonable burden on the time and resources of the department.

Industrial relations: minister’s office — alcohol purchases

4052. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Industrial Relations): 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:

To provide details would be an unreasonable diversion of the Department's resources. However, if the member wants to better define or narrow his question further consideration will be given to same.

Energy industries: Office of Gas Safety — interstate and overseas travel

4099. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to interstate and overseas travel by the members and staff of the Office of Gas Safety 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 :

The Office of Gas Safety advises that there were no overseas trips taken by OGS staff in 2003/2004. There were 21 interstate trips involving 8 staff for committee meetings, safety case audits and the explosion at the Moomba gas plant. In providing this answer, I am counting two people travelling on the same trip as two trips.

The total cost has been estimated to be \$17,130. The OGS is not funded out of Consolidated Revenue, hence this cost is not an impost on the taxpayer.

Attorney-General: Judicial College of Victoria — interstate and overseas travel

4133. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Attorney-General): In relation to interstate and overseas travel by the members and staff of the Judicial College of Victoria in 2003-04:

- (1) How many trips were undertaken.
- (2) What costs were associated with the travel.

ANSWER:

I am informed that:

- (1) There were 5 interstate trips undertaken by staff and 1 overseas trip to new Zealand undertaken by staff of the Judicial College of Victoria in 2003-04.
- (2) Total costs associated with the travel for the year 2003-2004 was \$8,089.96.

Health: overseas trips

4637. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Health):

- (1) How many overseas trips were undertaken by executive level staff and base line staff of the Department of Human Services in 2003-04.

QUESTIONS ON NOTICE

- (2) What were the destinations.
- (3) What was the purpose of visiting each destination.
- (4) What costs were associated with the travel.

ANSWER:

I am informed that:

Details of overseas trips undertaken by executive level staff and base line staff of the Department of Human Services are attached.

APPROVED OVERSEAS TRAVEL JULY 2003- JUNE 2004		
Destination	Cost to DHS	Purpose of Trip
UK	\$7,085.00	Presented a workshop at: – The British Association for the Study of Child Abuse and Neglect Congress.
Poland & UK	\$16,717.72	Attended: – The IXth ISPCAN Regional European Conference; and – The Michael Sieff Foundation Conference. (NB: The visit also included meetings with selected key individuals in the UK.)
Thailand, Lithuania, Latvia Romania & Moldava	\$9,928.45	Met with staff from: – The Central Adoption Authority to discuss issues and current applications.
Germany	\$3,000.00	Attended: – The International Industrial Relations World Congress in Berlin.
USA	\$6,615.00	Presented work being conducted in Victoria and Australia in ‘Community Health’ at: – The HL7 17th Annual Plenary & Working Group Meeting.
Germany & Norway	\$700 for Conference fees only	Attended: – The International Industrial Relations Association Congress. (NB: Worksite visits also included.)
UK & France	\$20,130.86	Attended: – The 7th International Medical Workforce Conference; – The Health Leaders Network Study Tour. (NB: Additional attendance at other relevant meetings also included.)
Philippines, Hong Kong & Sri Lanka	\$6,888.14	Attended: – The 7th Global Consultation on Child Welfare Services. Met with staff from: – The Central Adoption Authorities on related adoption issues.
UK, Ireland & France	\$3,582	Undertook: – A Victorian Travelling Fellowship Program
USA	\$1,543.13	Attended: – The PeopleSoft CRM Customer Summit*; – Strategic briefings by a number of key ICT vendors in the Silicon Valley

QUESTIONS ON NOTICE

1308

COUNCIL

Tuesday, 4 October 2005

APPROVED OVERSEAS TRAVEL JULY 2003- JUNE 2004		
		<p>outside San Francisco.</p> <p>Visited:</p> <ul style="list-style-type: none"> - Peoplesoft; - TIBCO; and - Sun Microsystems. <p>(* Provided opportunity for discussions with senior PeopleSoft executives.)</p>
Fiji	Nil cost to DHS	<p>Trip was part of a Public Health Training Placement with:</p> <ul style="list-style-type: none"> - The Centre for International Health, University of Melbourne.
Philippines	Nil cost to DHS	<p>Presented a paper at:</p> <ul style="list-style-type: none"> - The 9th meeting of the Regional Commission for the Certification of the Eradication of Poliomyelitis in the Western Pacific Region.
Europe	\$1,300.00	<p>Participated in the:</p> <ul style="list-style-type: none"> - Workplace Study Tour to Europe sponsored by the VWA, to investigate better practices in the prevention of occupational stress.
India	\$2,593	<p>Attended:</p> <ul style="list-style-type: none"> - The International Meet on Adoption. <p>Visited:</p> <ul style="list-style-type: none"> - The Missionaries of Charity; and - The Holy Cross Social Centre. <p>Met with:</p> <ul style="list-style-type: none"> - The Australian High Commission.
France	\$39,000.00	<p>Scholarship awarded to attend the:</p> <ul style="list-style-type: none"> - Ecole Nationale d'Administration* (ENA) - (The National School of Government in France) - Length of scholarship 38 weeks. <p>(* Attendance at this course is equivalent to an MBA in Australia)</p>
USA	\$4,866.54	<p>Attended:</p> <ul style="list-style-type: none"> - The HL7 Working Group meeting.
UK	\$22,439.18	<p>Presented paper at:</p> <ul style="list-style-type: none"> - The Cambridge International Health Leadership Program 2004.
USA	\$13,023.44	<p>Undertook a study tour covering recent developmental work in:</p> <ul style="list-style-type: none"> - Neonatal Hearing Screening; - Biomedical & Cancer Research; - Emergency Disaster /Response & Recovery.
USA	\$3,197.64	<p>Attended:</p> <ul style="list-style-type: none"> - The PeopleSoft Product Advisory Council meeting.
Canada & USA	\$13,406.20	<p>Attended:</p> <ul style="list-style-type: none"> - The Broadband mission to Canada which included site visits with applicability to Health SMART in the USA.
Philippines & China	Nil cost to DHS	<p>Presented a paper at:</p> <ul style="list-style-type: none"> - The 14th meeting of the Technical Advisory Group (TAG) on the Expanded Programme on Immunisation and Poliomyelitis in the Philippines. <p>Travelled to China to represent DHS on:</p> <ul style="list-style-type: none"> - An Australian delegation to discuss a framework of cooperation around

APPROVED OVERSEAS TRAVEL JULY 2003- JUNE 2004		
		Communicable Disease Research and Surveillance.
UK	\$11,290.31	Undertook a study tour focussing on: – Cancer; – Ambulatory Care; – Service and capital planning (covering private finance and diagnostic treatment centres); and – Maternity Services.
Samoa	\$4,777.15	Supported the: – Re-unification of Escorted Child Protection Client with Parent.
China	\$416	Attended: – The Sun Microsystems Technical Conference.
France & UK	\$15,585.00	Presented a paper at: – The 12th World Congress of the International Association of the Scientific Study of Intellectual Disability. (NB: Trip also included visits and discussions with key people in the UK to inform policy & program implementation of key components of the State Disability Plan 2002-2012.)
Ireland & UK	\$13,115	Attended: – The OD Partnerships Network International Seminar on Engaging Local Communities. (NB: Trip also included visits to a selection of Health organisations.)

Tourism: Emerald Tourist Railway Board — communications staff

5022. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs (for the Minister for Tourism): As at 30 June 2005:

- (1) How many officers in the Emerald Tourist Railway Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed as follows:

- (1) One staff member is engaged by the Emerald Tourist Railway Board in communications to plan and conduct marketing and promotion programs for the Puffing Billy Railway.
- (2) The salary for this staff member is approximately \$80,000.
- (3) The job title for this position is ‘Marketing Manager’.

Tourism: Tourism Victoria — communications staff

5034. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs (for the Minister for Tourism): As at 30 June 2005:

- (1) How many officers in the Tourism Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed as follows:

- As of 30 June 2005, there are four equivalent full time communications staff (including public, corporate and media relations) in Tourism Victoria.
- The four staff comprises:
 - *Manager, Government and Corporate Communications – VPS 6*
 - *Senior Corporate Communications Officer – VPS 5*
 - *Senior Speechwriter – VPS 4*
 - *Government Relations Coordinator – VPS 3*

You will appreciate Tourism Victoria is a Government authority with a specific charter to develop and market Victoria as a tourist destination. Accordingly, there is also a number of marketing staff employed to liaise with international and national journalists, and provide media assistance to Victorian tourism operators.

Racing: Bookmakers and Bookmakers' Clerks Registration Committee — communications staff

5056. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Racing): As at 30 June 2005:

- (1) How many officers in the Bookmakers and Bookmakers' Clerks Registration Committee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am advised that:

The title of the agency in the question above should read 'Bookmakers and Bookmakers' Clerks Registration Committee'. As the financial year had not lapsed at the date the question was asked, accurate figures can only be provided as at the date the question was posted (17 June 2005). With reference to officers engaged in communications in the Bookmakers and Bookmakers' Clerks Registration Committee as at 17 June 2005, the answers to the questions are:

- (1) Nil. The Bookmakers and Bookmakers' Clerks Registration Committee utilises the services of the Department of Justice Corporate Communications Unit.
- (2) Not applicable.
- (3) Not applicable.

Premier: Office of the Chief Parliamentary Council — communications staff

5080. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Finance (for the Premier): As at 30 June 2005:

- (1) How many officers in the Office of the Chief Parliamentary Council are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Office of the Chief Parliamentary Counsel employs no staff in communications.

Arts: Arts Victoria — communications staff

5088. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Arts Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

- (1) As at August 2005, 2.5 (FTE) Arts Victoria staff are engaged in communications functions
- (2) 1 staff member is in the VPSG6 salary band and 2 staff members are in the VPSG5 salary band
- (3) The job titles of these staff members are:
 - Marketing & Communications Senior Manager
 - Senior Communications Officer
 - Senior Communications Officer

Arts: Australian Centre for the Moving Image — communications staff

5089. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Australian Centre for the Moving Image are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Australian Centre for the Moving Image employs its own staff, and there is no centralised portfolio database of employee details. In this context, it would be an unreasonable diversion of resources to obtain the details sought in this question. The Member may wish to contact ACMI directly.

Environment: Lake Mountain Alpine Resort Management Board — communications staff

5133. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Lake Mountain Alpine Resort Management Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Mount Baw Baw Alpine Resort Management Board — communications staff

5134. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Mount Baw Baw Alpine Resort Management Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: National Tennis Centre (Melbourne Park) Trust — communications staff

5139. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the National Tennis Centre (Melbourne Park) Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The National Tennis Centre (Melbourne Park) Trust ceased to exist in 1995.

Environment: Phillip Island Nature Park Board of Management — communications staff

5140. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Phillip Island Nature Park Board of Management are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

This question does not fall within my portfolio responsibilities and should more appropriately be directed to the responsible Minister.

Environment: Shrine of Remembrance Trust — communications staff

5141. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Shrine of Remembrance Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

This question does not fall within my portfolio responsibilities and should more appropriately be directed to the responsible Minister.

Environment: Yarra Bend Park Trust — communications staff

5142. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Yarra Bend Park Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

This question does not fall within my portfolio responsibilities and should more appropriately be directed to the responsible Minister.

Environment: EcoRecycle Victoria — communications staff

5143. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the EcoRecycle Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Goulburn-Murray Rural Water Authority — communications staff

5186. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Goulburn-Murray Rural Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Melbourne Water Corporation — communications staff

5190. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Melbourne Water Corporation are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Yarra Valley Water Ltd — communications staff

5192. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Yarra Valley Water Ltd are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Royal Melbourne Zoological Parks and Gardens — communications staff

5193. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Royal Melbourne Zoological Parks and Gardens are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Healesville Sanctuary — communications staff

5194. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Healesville Sanctuary are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.

- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Victoria's Open Range Zoo — communications staff

5195. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Victoria's Open Range Zoo at Werribee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Alpine Advisory Committee — communications staff

5206. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Alpine Advisory Committee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Victorian Mineral Water Committee — communications staff

5208. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Victorian Mineral Water Committee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Sustainability and Environment, built environment branch — communications staff

5209. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Built Environment Branch, Department of Sustainability and Environment are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

As at 30 June 2005, no communications staff were employed by the Built Environment Branch.

Environment: Sustainability and Environment, land stewardship and biodiversity branch — communications staff

5210. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Land Stewardship and Biodiversity Branch, Department of Sustainability and Environment are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

As at 30 June 2005, no communications staff were employed by the Land Stewardship and Biodiversity Branch.

Environment: Sustainability and Environment, resources and regional services branch — communications staff

5211. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Resources and Regional Services Branch, Department of Sustainability and Environment are engaged in communications, including public, corporate and media relations.

- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

- (1) As at 30 June 2005, 21.8 staff (FTE) were employed by the Resources and Regional Services Branch in communications roles.
- (2) The salary bands of these officers ranged from \$44,580 to \$161,937.
- (3) The job titles of these officers were Director Communications and Stakeholder Relations, Communications Officer, Regional Media Officer, Communications Advisers, Communications Managers and Regional Media Liaison Officer.

Environment: Sustainability and Environment, strategic policy and projects branch — communications staff

5212. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Strategic Policy and Projects Branch, Department of Sustainability and Environment are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

As at 30 June 2005, no communications staff were employed by the Strategic Policy and Projects Branch.

WorkCover: environmental tobacco smoke in the workplace — notices

5290. THE HON. BILL FORWOOD — To ask the Minister for WorkCover: In relation to environmental tobacco smoke in the workplace in 2003-04 and 2004-05, respectively:

- (1) How many improvement notices were issued.
- (2) How many prohibition notices were issued.
- (3) How many directions were issued.

ANSWER:

I am informed that, in relation to environmental tobacco smoke in the workplace:

- (1) One improvement notice was issued for 2003/04 and two improvement notices for the 2004/05.
- (2) No prohibition notices were issued for 2003/04 or 2004/05.
- (3) No directions were issued for 2003/04 or 2004/05.

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, 5 October 2005

Small business: fees and charges

1544. THE HON. PHILIP DAVIS — To ask the Minister for Small Business:

- (a) What are all the fees, fines, levies, charges and taxes that fall under your portfolio responsibility.
- (b) What was the level/rate of each of these in October 1999.
- (c) What is the current level/rate of each of these.

ANSWER:

I am informed as follows (as at 30 September 2004):

Fees: \$70 per party per day (towards an independent Mediator’s fees) to participate in mediation under the *Retail Leases Act 2003* and the *Small Business Commissioner Act 2003*.

Fines: With respect to fines, these are under the *Retail Leases Act 2003*, the *ANZAC Day Act 2003* and the *Shop Trading Reform Act 2003*. I invite the Honourable Minister to obtain this information by referring to the relevant Acts.

Penalties under the Retail Leases Act 2003

The penalties that may be incurred under the *Retail Leases Act 2003* are as follows:

Section	Offence	Maximum Penalty Unit - Current	Maximum Penalty Unit – October 1999
s.15	A landlord, or person acting on behalf of the landlord, not providing the tenant with a copy of the proposed lease at negotiation stage.	50	N/A
s.16	A landlord or tenant entering into a lease that is not in writing and signed by all parties.	10	N/A
s.23	A landlord, or person acting on behalf of landlord, seeking or accepting the payment of key-money.	50	N/A
s.25	A landlord failing to notify the Commissioner of the terms of the lease within 14 days of execution.	10	N/A
s.37(4)	During a rent review, a landlord failing to provide information about other leases in the same building to a valuer upon the valuer’s request.	50	N/A

QUESTIONS ON NOTICE

Section	Offence	Maximum Penalty Unit - Current	Maximum Penalty Unit – October 1999
s.38	A specialist retail valuer using or divulging information inappropriately.	50	N/A
s.61(3)	A tenant failing to provide a disclosure statement and details of information that may affect that disclosure statement, to a proposed assignee.	10	N/A
s.61(5)(b)	A landlord failing to provide a tenant with a current disclosure statement at the request of the tenant when the tenant assigns the lease.	10	N/A
s.67(1)	A landlord divulging a tenant’s turnover information inappropriately.	20	N/A
s.96(2)	A licensor failing to provide a disclosure statement and details of information that may affect that disclosure statement, to a proposed licensee.	10	N/A
s.103: amendment to s. 13 of 1998 Act – New clause 12A(4)	During a rent review, a landlord failing to provide information about other leases in the same building to a valuer upon the valuer’s request.	50	N/A
s.103: amendment to s.13 of 1998 Act – New clause 12B(1)	A specialist retail valuer using or divulging information inappropriately.	50	N/A
s.121(2)	A landlord failing to notify the tenant of a land tax assessment within 21 days of receiving the assessment.	10	N/A

Penalties under the ANZAC Day Act 1958

The penalties that may be incurred under the *ANZAC Day Act 1958* are as follows:

Section	Offence	Maximum Penalty Unit - Current	Maximum Penalty Unit – October 1999
s. 5(1)	Use of cinemas etc. on ANZAC Day	100	5
s.5(3)	Use of cinemas etc. on ANZAC Day	100	5
s.5A(1)	Other entertainment on ANZAC Day	100	5
s.5A(5)	Other entertainment on ANZAC Day	100	5

Penalties under the Shop Trading Reform Act 1996

The penalties that may be incurred under the *Shop Trading Reform Act 1996* are as follows:

Section	Offence	Maximum Penalty Unit - Current	Maximum Penalty Unit – October 1999
s.5(2)	Ordinary shop closing times	100	100
s.5(3)	Ordinary shop closing times	100	100
s.5A	Special exemptions for Easter Sunday closing	100	N/A
s.6C	Production of identity card	10	N/A
s.6G	Confidentiality	60	N/A

Agriculture: Murray Valley Citrus Marketing Board — advertising

2190. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Murray Valley Citrus Marketing Board’s advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed that:

The list below describes the advertising undertaken by the Murray Valley Citrus Marketing Board between 1 July 2002 and 30 June 2003.

All advertising was taken out directly with the Media company.

Date Approved/ Advertised	\$ Cost	Purpose	Duration	Media Company
15 August 2002	395.00	Subscription.	Once only	Nationwide Business Directory
10 June 2003	434.50	Subscription.	Once only	Nationwide Business Directory
30 November 2003	103.18	Notification of Annual General Meeting.	Once only	Sunraysia Daily
1 January 2003	274.06	Notification of Annual General Meeting.	Once only	Sunraysia Daily
1 April 2003	166.10	Notification of training day.	Once only	Sunraysia Daily
1 May 2003	182.71	Notification of training day.	Once only	Sunraysia Daily
30 November 2003	93.06	Notification of Annual General Meeting.	Once only	Northern Times

Energy industries: Office of the Chief Electrical Inspector — external legal advice

2797. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: What has been the expenditure by the Office of the Chief Electrical Inspector on external legal advice since 1 January 2003 to date.

ANSWER:

As at the date the question was raised, the answer is:

On advice from the Office of the Chief Electrical Inspector, the answer is \$56,634.

Tourism: Melbourne Convention and Exhibition Trust — external legal advice

2821. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Tourism): What has been the expenditure by the Melbourne Convention and Exhibition Trust on external legal advice since 1 January 2003 to date.

ANSWER:

I am informed as follows:

Total expenditure in relation to external legal advice from 1 January 2003 to 8 June 2004 (the date the question was asked) was \$179,236.

Multicultural affairs: VITS Language Link — external legal advice

3010. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): What has been the expenditure by VITS Language Link on external legal advice since 1 January 2003 to date.

ANSWER:

I am informed as follows:

\$5,995 (ex GST).

Tourism: Australian Grand Prix Corporation — office accommodation

3053. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Small Business (for the Minister for Tourism): In relation to the Australian Grand Prix Corporation's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed as follows:

(i) 220 Albert Road, South Melbourne.

(ii) 31 December 2006 (option to 31 December 2011).

(iii) Approximately \$155/sq metre (during the first year of the term).

(iv) Approximately \$2,277,000 (based on an assumption of 3 per cent CPI over the term of the contract).

Agriculture: Murray Valley Citrus Marketing Board — office accommodation

3122. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Murray Valley Citrus Marketing Board's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed that:

The list below describes the Murray Valley Citrus Marketing Board's lease of office accommodation currently held.

- (i) 58 Pine Avenue, Mildura, Victoria, 3500.
- (ii) The lease is ongoing.
- (iii) The cost is approximately \$100.00 per m2 per year.
- (iv) \$19205.00 per year.

Multicultural affairs: VITS LanguageLink — office accommodation

3244. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Aged Care (for the Minister for Multicultural Affairs): In relation to VITS LanguageLink's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed as follows:

1st floor, 371 Spencer Street, Melbourne is leased by The VITS LanguageLink until 31 October 2004. Under the present five year contract, the total cost of the lease is \$215,700 (plus GST where applicable).

Agriculture: fishing industry licence fees charges

3296. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): What was the cost of the licence fees in October 1999 for — (i) seafood safety; (ii) scuba diving; (iii) abalone access; (iv) lobster access; (v) scallop access; (vi) recreational fishing; (vii) commercial fishing; (viii) hatchery; and (ix) kennels, and what are the current costs.

ANSWER:

I am informed that:

The Bracks Government position on licence fees in the fishing industry is a reflection of our commitment to a profitable and sustainable approach to a balanced approach to resource management. Further in the Commercial sectors of the fishing industry it is an approach underpinned by an analysis and application of National Competition Policy measures which we note were supported by all parties in the parliament.

In respect of the specific issues in the question I am advised as follows:

- (i) In 1999 seafood safety fees were not collected as no seafood safety regime existed at this time despite sections of the industry having called for one for some time. Current seafood safety licences are administered

by Primesafe and cost between \$200 and \$800 for aquaculture and commercial fishery sectors (non-processing).

- (ii) The Department of Primary Industries does not issue scuba diving licences, with certification being conducted by various private sector operators.

The cost of renewal for commercial fishing licences in October 1999 and in 2004 was:

(iii) Abalone	1999	\$54,797
	2004	\$58,388
(iv) Rock lobster	1999	\$517 + \$17 per pot (for both Eastern and Western Zones)
	2004	Eastern Zone \$993 + \$2.50 per pot + \$10.50 per quota unit Western Zone \$1,840 + \$13.50 per pot + \$35.50 per quota
(v) Scallops	1999	\$1,767
	2004	\$1,046

- (vi) Recreational fishing licence costs in 1999 were \$5 (2 day), \$10 (28 days), \$20 (1 year) and \$20 (group). In 2004, the cost of a licence was \$5.50 (2 day), \$11 (28 days), \$22 (1 year) and \$22 (group).
- (vii) The above fees for commercial fishing licences include a licence fee, various levies and in the case of abalone a royalty.

Changes in fees for abalone, rock lobster and other access licences are a result of various factors including indexation, increases in federal Government's Fisheries Research and Development Corporation (FRDC) levy, increases in peak body levies (paid to Seafood Industry Victoria and the Victorian Aquaculture Council) and implementation of cost recovery in response to obligations under the Federal Government's National Competition Policy.

- (viii) The Department of Primary Industries does not issue either a hatchery licence or kennel licences.

Agriculture: Stock (Seller Liability and Declarations) Act — fees and penalties

3628. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to amendments made by the *Monetary Units Act 2004* to the *Stock (Seller Liability and Declarations) Act 1993* and any subsequent Regulations:

- (a) What fees and penalties were amended.
- (b) What was the value of each of the fees and penalties immediately prior to these amendments.
- (c) What is their value following indexation on 1 July 2004.

ANSWER:

I am informed that:

- (a) The attached table sets out the penalties (there are no fee units) under the Stock (Seller Liability and Declarations) Act 1993 (the Act) which were amended on 1 July 2004 under operation of the Monetary Units Act 2004. There are no regulations under the Act.
- (b) As set out in attached table.

(c) As set out in attached table.

STOCK (SELLER LIABILITY AND DECLARATIONS) ACT 1993

Penalties under the Act as amended by the Monetary Units Act 2004

Section	Section title	Penalty Units	Value prior to 1 July 2004	Value from 1 July 2004
6(3)	Consequences of breaching a section 5 condition	20 for first offence; 50 for second or subsequent offence	\$2,000 \$5,000	\$2,045 \$5,112.50
9(4)	Consequences of breaching a section 5 condition if carcass of stock partially condemned	20 for first offence; 50 for second or subsequent offence	\$2,000 \$5,000	\$2,045 \$5,112.50
11(2)	Seller may make an ongoing declaration as to quality	60 for first offence; 120 for second or subsequent offence	\$6,000 \$12,000	\$6,135 \$12,270
12(2)	Seller may make a one-off declaration as to quality	60 for first offence; 120 for second or subsequent offence	\$6,000 \$12,000	\$6,135 \$12,270
13(4)	Consequences of breaching a declaration	20 for first offence; 50 for second or subsequent offence	\$2,000 \$5,000	\$2,045 \$5,112.50
18A(3)	Other declarations as to quality of stock (<i>false declaration</i>)	60 for first offence; 120 for second or subsequent offence	\$6,000 \$12,000	\$6,135 \$12,270
18A(4)	Other declarations as to quality of stock (<i>not retaining declaration</i>)	5	\$500	\$511.25
20(3)	Procedure if a seller wishes to dispute the accuracy of a certificate	20 for first offence; 50 for second or subsequent offence	\$2,000 \$5,000	\$2,045 \$5,112.50
21	Procedure if seller disputes the amount claimed by buyer	20 for first offence; 50 for second or subsequent offence	\$2,000 \$5,000	\$2,045 \$5,112.50
28	Offences concerning the execution of warrants (<i>hindering lawful exercise of power</i>)	20	\$2,000	\$2,045
28	Offences concerning the execution of warrants (<i>not complying with requirements</i>)	5	\$500	\$511.25

Section	Section title	Penalty Units	Value prior to 1 July 2004	Value from 1 July 2004
Schedule: – 6(3) – 9(4) – 11(2) – 12(2) – 13(4) – 20(3) – 21(3) – an offence under the regulations	Offences for which infringement notices may be issued	3	\$300	\$306.75

Gaming: minister’s office — alcohol purchases

4065. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Gaming): 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 advised that:

I am informed that the research required to provide a response to this question would place an unreasonable burden on the time and resources of the Department.

Racing: minister’s office — alcohol purchases

4066. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for Racing): 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 advised that:

I am informed that the research required to provide a response to this question would place an unreasonable burden on the time and resources of the Department.

Energy industries: minister's office — alcohol purchases

4074. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: 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:

As at the date the question was raised, the answer is:

One component of the Ministerial office budget is hospitality expenses. From time to time hospitality is provided for functions held by my office. Hospitality expenses for my office are moderate.

Energy industries: Electric Line Clearance Consultative Committee — interstate and overseas travel

4108. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to interstate and overseas travel by the members and staff of the Electric Line Clearance Committee 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 :

The Electric Line Clearance Consultative Committee (ELCCC) is a statutory committee established under Section 87 of the *Electricity Safety Act 1998*. The ELCCC is managed and chaired by the Office of the Chief Electrical Inspector (OCEI).

The OCEI has advised that no persons appointed to the Electric Line Clearance Consultative Committee travelled overseas or interstate on behalf of the Committee during 2003-04. The ELCCC does not employ any staff.

Energy industries: Victorian Electrolysis Committee — interstate and overseas travel

4113. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries: In relation to interstate and overseas travel by the members and staff of the Victorian Electrolysis Committee 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:

The Victorian Electrolysis Committee (VEC) is a statutory committee established under Section 91 of the *Electricity Safety Act 1998*. The VEC is managed and chaired by the Office of the Chief Electrical Inspector (OCEI).

The OCEI has advised that no persons appointed to the Victorian Electrolysis Committee travelled overseas or interstate on behalf of the Committee during 2003-04. The VEC does not employ any staff.

Small business: Office of the Small Business Commissioner — advertising and credit card expenditure

4827. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs (for the Minister for Small Business): In relation to the Office of the Small Business Commissioner:

- (1) What was the advertising expenditure in 2003-04.
- (2) What was the credit card expenditure in 2003-04.

ANSWER:

I am informed as follows:

- (1) During 2003-04, the Office of the Small Business Commissioner spent \$544.60 on print media advertising for small business related Expos. The Office of the Small Business Commissioner's awareness campaign in 2003-04 was primarily delivered by 39 presentations to public meetings of small business, government agencies, industry and professional associations and the resulting media coverage that these events attracted.
- (2) The Office of the Small Business Commissioner does not have a corporate credit card.

Environment: Sustainability and Environment — communications staff

4947. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment):

- (1) As at 31 May 2005 how many officers in the Department of Sustainability and Environment were engaged in communications, including public, corporate and media relations.
- (2) What is the salary band of each of these officers.
- (3) What is the job title of each of these officers.

ANSWER:

I am informed that:

- (1) As at 31 May 2005, 19 staff (FTE) were employed by the Department of Sustainability and Environment in communications roles.
- (2) The salary bands of these officers ranged from \$28,667 to \$161,937.
- (3) The job titles of these officers were Director Communications and Stakeholder Relations, Communications Assistant, Communications Officer, Regional Media Officer, Communications Adviser and Regional Media Liaison Officer.

Tourism: Melbourne Convention and Visitors Bureau — conventions and conferences

4952. THE HON. GRAEME STONEY — To ask the Minister for Small Business (for the Minister for Tourism):

- (1) What are the names of conventions/conferences secured by the Melbourne Convention and Visitors Bureau (MCVB) from 1 June 2004 to 1 June 2005.
- (2) Are any conventions/conferences secured by private sector operators listed on the Bureau's list of conventions/conferences secured in Melbourne; if so, how many and by whom from 1 June 2004 to 1 June 2005.
- (3) What is the Bureau's process for advising conference service providers of potential conventions/conferences available for bidding.

ANSWER:

I am informed as follows:

As the Minister for Tourism, I have no statutory responsibility for the operations of the Melbourne Convention and Visitors Bureau which is a private company.

Tourism: Melbourne Convention and Exhibition Trust — communications staff

5023. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs (for the Minister for Tourism): As at 30 June 2005:

- (1) How many officers in the Melbourne Convention and Exhibition Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed as follows:

- One staff member is engaged by the Melbourne Convention and Exhibition Trust in communications;
- The salary band for this staff member is \$70,000 - \$80,000; and
- The job title for this position is 'Communication Manager'.

Arts: State Library of Victoria — communications staff

5095. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the State Library of Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The State Library of Victoria employs its own staff, and there is no centralised portfolio database of employee details. In this context, it would be an unreasonable diversion of resources to obtain the details sought in this question. The Member may wish to contact the SLV directly.

Arts: Museums Board of Victoria — communications staff

5096. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Museums Board of Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Museums Board of Victoria is comprised only of Governor-in-Council appointees and none are staff, officers or employees within the meaning of the *Public Administration Act 2004*.

Arts: Victorian Council of the Arts — communications staff

5099. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Victorian Council of the Arts are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Victorian Council of Arts does not employ any staff.

Environment: Alpine Resorts Coordinating Council — communications staff

5131. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Alpine Resorts Coordinating Council are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Falls Creek Alpine Resort Management Board — communications staff

5132. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Falls Creek Alpine Resort Management Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Mount Buller Alpine Resort Management Board — communications staff

5135. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Mount Buller Alpine Resort Management Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Mount Hotham Alpine Resort Management Board — communications staff

5136. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Mount Hotham Alpine Resort Management Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Caulfield Racecourse Trust — communications staff

5138. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Caulfield Racecourse Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

This question does not fall within my portfolio responsibilities and should more appropriately be directed to the responsible Minister.

Environment: Environment Protection Authority — communications staff

5144. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Environment Protection Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Scientific Advisory Committee — communications staff

5150. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Scientific Advisory Committee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Corangamite Catchment Management Authority — communications staff

5154. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Corangamite Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: East Gippsland Catchment Management Authority — communications staff

5155. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the East Gippsland Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Goulburn-Broken Catchment Management Authority — communications staff

5157. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Goulburn-Broken Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Victorian Coastal Council — communications staff

5164. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Victorian Coastal Council are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Victorian Environment Assessment Council — communications staff

5165. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Victorian Environment Assessment Council are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Central Coastal Board — communications staff

5166. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Central Coastal Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Western Coastal Board — communications staff

5168. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Western Coastal Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: South West Water Authority — communications staff

5181. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the South West Water Authority are engaged in communications, including public, corporate and media relations?
- (2) What is the salary band for each of these officers?
- (3) What is the job title for each of these officers?

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Western Region Water Authority — communications staff

5182. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Western Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officer.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: First Mildura Irrigation Trust — communications staff

5184. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the First Mildura Irrigation Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Gippsland and Southern Rural Water Authority — communications staff

5185. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Gippsland and Southern Rural Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Sunraysia Rural Water Authority — communications staff

5187. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Sunraysia Rural Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Wimmera-Mallee Rural Water Authority — communications staff

5188. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Wimmera-Mallee Rural Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: City West Water — communications staff

5189. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the City West Water are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: South East Water Ltd — communications staff

5191. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the South East Water Ltd are engaged in communications, including public, corporate and media relations.

- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Historic Buildings Management Committee — communications staff

5207. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Historic Buildings Management Committee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Historic Buildings Management Committee ceased to exist in 1999.

Environment: Sustainability and Environment, water sector group — communications staff

5213. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Water Sector Group, Department of Sustainability and Environment are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

As at 30 June 2005, no communications staff were employed by the Water Sector Group.

Environment: Sustainability and Environment — communications staff

5246. THE HON. RICHARD DALLA-RIVA— To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005

- (1) How many officers in the Department of Sustainability and Environment are engaged in communications, including public, corporate and media relations.

- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

- (1) As at 30 June 2005, 21.8 staff (FTE) were employed by the Department of Sustainability and Environment in communications roles.
- (2) The salary bands of these officers ranged from \$44,580 to \$161,937.
- (3) The job titles of these officers were Director Communications and Stakeholder Relations, Communications Officer, Regional Media Officer, Communications Advisers, Communications Managers and Regional Media Liaison Officer.

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, 6 October 2005

Agriculture: fees and charges

1552. THE HON. PHILIP DAVIS — To ask the Minister for Energy Industries (for the Minister for Agriculture):

- (a) What are all the fees, fines, levies, charges and taxes that fall under the Minister’s portfolio responsibility.
- (b) What was the level/rate of each of these in October 1999.
- (c) What is the current level/rate of each of these.

ANSWER:

I am informed that:

A full listing of all the fees, fines, levies, charges and taxes for the Agriculture portfolio is attached. The listing includes the rate of each of these as at October 1999 and their current rates.

AGRICULTURE		
Name of Fee or Charge	Amount / Rate October 1999	Amount / Rate 2003/04
SALES		
<u>Livestock Disease Control Regulations 1995</u>		
Permanent cattle tags	\$2.50	\$2.50
Pack of 10 temporary cattle tags	\$20.00	\$20.00
Temporary cattle tags - each one over 10	\$2.00	\$2.00
LICENCE/PERMIT		
<u>Livestock Disease Control Regulations 1995</u>		
Chicken hatcheries	\$155.00	\$155.00
Swill feeding of pigs	\$220.00	\$220.00
Premises for collection of semen (less than 100 bulls)	\$525.00	\$577.50
Premises for collection of semen (greater than 100 bulls)	\$1,575.00	\$1,732.50
<u>Agricultural and Veterinary Chemicals (Control of Use) Act 1992 - Exempt from indexation</u>		
Agricultural chemical user permit	\$38.00	\$38.00
Agricultural aircraft operators licence	\$560.00	\$560.00
Commercial operator licence	\$380.00	\$380.00
Pilot (chemical rating) licence	\$225.00	\$225.00
Combined pilot (chemical rating)	\$640.00	\$640.00
Permit to use an unregistered chemical product	\$1,540.00	\$1,540.00
Permit under section 8(2).	\$1,375.00	\$1,375.00

QUESTIONS ON NOTICE

AGRICULTURE		
Name of Fee or Charge	Amount / Rate October 1999	Amount / Rate 2003/04
Permit to use a chemical product other than directed	\$1,628.00	\$1,628.00
Permit to sell a restricted chemical	\$1,804.00	\$1,804.00
Permit to allow trading against an Order	\$1,276.00	\$1,276.00
<u>Domestic (Feral and Nuisance) Animals Regulations 1996</u>		
Domestic animals registration - Dogs	\$1.00	\$2.50
Domestic animals registration - Cats	\$1.00	\$1.00
Domestic animal business	\$10.00	\$10.00
<u>Prevention of Cruelty to Animals Regulations</u>		
Conduct a rodeo - licence for the first day	\$51.00	\$51.00
Conduct a rodeo - licence for each subsequent day	\$25.00	\$25.00
Permit to operate a rodeo school	\$26.00	\$26.00
Issue or renewal of a scientific procedures premises licence with less than 10 employees Note 1	\$276.00	\$585.00
Issue or renewal of a scientific procedures premises licence with greater than 10 employees Note 1	\$276.00	\$390.00
Issue or renewal of a scientific procedures fieldwork licence with less than 10 employees Note 1	\$276.00	\$585.00
Issue or renewal of a scientific procedures fieldwork licence with greater than 10 employees Note 1	\$276.00	\$390.00
Issue or renewal of a specified animals breeding licence	\$384.00	\$585.00
<u>Drugs, Posions & Controlled Substances (Industrial Hemp) Regulation 1998</u>		
62(1)(b) Application fee to cultivate and possess cannabis from seed which has been harvested from lw-THC cannabis	\$300.00	\$300.00
62(1)(c) Application to possess, process, sell or supply cannabis (free of leaves or < 0.1% THC)	\$300.00	\$300.00
Application for renewal of above licences.	\$95.00	\$95.00
REGISTRATION FEE		
<u>Livestock Disease Control Regulations 1995</u>		
Beekeeper registration - up to 60 hives	\$11.50	\$11.50
Beekeeper registration - each hive over 60	\$0.19	\$0.19
Ovine brucellosis accreditation - joining fee	\$125.00	\$137.50
Ovine brucellosis accreditation - reaccreditation fee	\$30.00	\$33.00
Ovine brucellosis accreditation - re-inspection fee	\$75.00	\$82.50
Registration of Veterinary Diagnostic Laboratories	\$225.00	\$225.00
FEE FOR SERVICE		
<u>Livestock Disease Control Regulations 1995</u>		
Provision of HGP register	\$100.00	\$110.00
<u>Plant Health and Plant Products Act 1995</u>		
Exam & verification of certificates and declarations	\$23.00	\$25.30
Inspection, certification of items moving into or within the state on site	\$35.00	\$38.50
Supervising the destruction and disposal of diseased plant material	\$35.00	\$38.50

QUESTIONS ON NOTICE

Thursday, 6 October 2005

COUNCIL

1343

AGRICULTURE		
Name of Fee or Charge	Amount / Rate October 1999	Amount / Rate 2003/04
Inspection, certification of items moving into or within the state at nre inspection depots	\$35.00	\$38.50
Preparation and auditing of compliance agreements - Level 1	\$100.00	\$110.00
Preparation and auditing of compliance agreements - Level 2	\$250.00	N/A
Preparation and auditing of compliance agreements	\$35.00	\$38.50
Preparation and auditing of compliance agreements - first 1/4 hour	\$35.00	\$38.50
Preparation and auditing of compliance agreements - overtime	\$35.00	\$38.50
<u>Drugs, Posions & Controlled Substances (Industrial Hemp)</u>		
<u>Regulation 1998</u>		
Sampling of cannabis plants & crops grown or products produced	\$35 / 30 min	\$35 / 30 min
Carrying out inspection, supervision or surveillance of cannabis plants or crops grown or products produced.	\$35 / 30 min	\$35 / 30 min
<u>Ministerial Directive</u>		
Developing and auditing compliance agreements and quality assurance arrangements	\$35.00	\$38.50
Interstate Certification Assurance Accreditation	\$75.00	\$82.50
CERTIFICATION		
<u>Ministerial Directive</u>		
Inspection and certification of plants and plant products and other items moving within or outside the state per 15 min	\$35.00	\$38.50
Inspection and certification of plants and plant products and other items moving within or outside the state per half day	\$420.00	\$462.00
Inspection and certification of plants and plant products and other items moving within or outside the state per full day	\$770.00	\$847.00
Inspection and certification of plants and plant products and other items moving within or outside the state - issue of certificate	\$8.00	\$8.80
For accreditation of nurseries to meet interstate quarantine requirements - fee per annum	\$75.00	\$82.50
For accreditation of nurseries to meet interstate quarantine requirements	\$35.00 / 15 min	\$38.50 / 15 min
Inspection and certification of non-commercial consignments	\$12.00 / 5 min	\$13.20 / 5 min
<u>ECA</u>		
Exporting livestock - certification services of Animal Health Officer per hour	\$80.00	\$88.00
Exporting livestock - certification services of District Veterinary Officer per hour	\$96.00	\$105.60
Exporting livestock - certification service of Senior Veterinary Officer per hour	\$102.00	\$112.60
<u>National Agreements</u>		
Interstate movement - certification service per 15 min	\$15.00	\$16.50
Interstate movement - certification service per km travelled	\$0.30	\$0.33
<u>Ag Society Requirement</u>		
Agricultural shows - certification service	\$10.00	\$11.00
<u>Sale of Land Act</u>		
Property health - sale of land - certification service	\$30.00	\$33.00
<u>Meat Industry Act 1993</u>		

QUESTIONS ON NOTICE

AGRICULTURE		
Name of Fee or Charge	Amount / Rate October 1999	Amount / Rate 2003/04
Export of meat - certification service	\$10.00	\$11.00
<u>Catchment & Land Protection Act 1994</u>		
Certificaiton (Land Management Notice) Conveyencing	\$15.00	\$15.00
FINES		
<u>Prevention of Cruelty to Animals Regulations</u>		
Breach of minimum cage floor areas for layer hens	\$500.00	\$500.00
Tail docking of dogs	N/A	\$1,000.00
Scientific establishment returns	\$500.00	\$500.00
<u>Agricultural and Veterinary Chemicals (Infringement Notices) Regulations 1994</u>		
Sale of chemical, fertiliser or stock food without a label	\$200.00	\$200.00
Non-compliance with a notice issued	\$200.00	\$200.00
Sale of chemical, stock food, produce or stock without notifying buyer of withholding period	\$200.00	\$200.00
Non-compliance with standards in manufacturing in selling fertiliser or stock food	\$200.00	\$200.00
Sale of chemical product, fertiliser or stock food in contravention of Order	\$200.00	\$200.00
Use of chemical product, fertiliser or stock food in contravention of Order	\$200.00	\$200.00
Commercial use of chemical product, fertiliser or stock food without commercial licence	\$200.00	\$200.00
Non-compliance with Order	\$200.00	\$200.00
Piloting an aircraft for aerial spraying without holding the proper licence	\$200.00	\$200.00
Unlicensed person allowing employee to pilot aircraft for aerial spraying	\$200.00	\$200.00
Aircraft operator allowing aerial spraying to be carried out without approved insurance	\$200.00	\$200.00
Unlicensed aircraft operator allowing aerial spraying to be carried out from aircraft	\$200.00	\$200.00
Non-compliance with contaminated stock Order	\$200.00	\$200.00
Failure by user of agricultural chemical products to keep records	\$200.00	\$200.00
Failure by aerial applicator or commercial ground applicator to make or keep records	\$200.00	\$200.00
Failure by aerial applicator or commercial ground applicator to certify records	\$200.00	\$200.00
Carrying out aerial spraying without proper equipment	\$200.00	\$200.00
Carrying out aerial spraying without other safety measures	\$200.00	\$200.00
Failure by vet to give or leave label or advice note after treatment	\$200.00	\$200.00
Failure by vet to keep records of sale	\$200.00	\$200.00
Failure by user of hormonal growth promotant to make accuracte record	\$200.00	\$200.00
Failure by user of hormonal growth promotant to make keep record	\$200.00	\$200.00
<u>Domestic (Feral and Nuisance) Animals Regulations 1996</u>		
Offence for not providing enclosure	\$500.00	\$500.00
Failure to display dangerous dog warning sign	\$200.00	\$200.00
Failure to display restricted breed dog warning sign	\$200.00	\$200.00
Dangerous dogs not wearing collar	\$200.00	\$200.00

QUESTIONS ON NOTICE

AGRICULTURE

Name of Fee or Charge	Amount / Rate October 1999	Amount / Rate 2003/04
Nonpayment of application fee for review of decision to declare dog a restricted breed dog	\$200.00	\$200.00
No notification of a change of address by owner of dangerous dog	\$200.00	\$200.00
Failure to apply to register a dog or cat	\$200.00	\$200.00
Registered dog or cat not wearing council identification marker	\$50.00	\$50.00
Unregistered dog or cat wearing council identification marker	\$50.00	\$50.00
Person other than owner removing, altering or defacing identification marker	\$50.00	\$50.00
Dog or cat on private property after notice of objection served	\$50.00	\$50.00
Dog at large or not securely confined to owner's premises during daytime	\$150.00	\$150.00
Dog at large or not securely confined to owner's premises during night time	\$200.00	\$200.00
Cat at large or not securely confined to owner's premises in restricted municipal district	\$50.00	\$50.00
Contravening Council Order relating to presence of dogs and cats in public places	\$100.00	\$100.00
Greyhound outside owner's premises not adequately muzzled or not effectively controlled by chain, cord or leash	\$150.00	\$150.00
Dog or cat being a nuisance	\$50.00	\$50.00
Not complying with order to abate nuisance	\$150.00	\$150.00
Failure to comply with requirement to muzzle or effectively control menacing dog	\$200.00	\$200.00
Conducting a domestic animal business that does not comply with the relevant Code of Practice	\$200.00	\$200.00
<u>Livestock Disease Control Regulations 1995</u>		
Certain diseases to be notified	\$500.00	\$500.00
Application of tattoos and application and removal of tags on sale and purchase	\$500.00	\$500.00
Tags to be returned where cattle or pigs are no longer kept at property	\$500.00	\$500.00
Slaughter at abattoir of cattle or pigs not properly identified	\$500.00	\$500.00
Carcase to remain identified	\$1,000.00	\$1,000.00
Restrictions on the use of vaccines for certain diseases	\$1,000.00	\$1,000.00
Treatment of dairy produce for use as livestock food	\$1,000.00	\$1,000.00
Cattle scale operator to record sale information and notify Secretary	\$500.00	\$500.00
Auctioneer of cattle outside of a saleyard to record sale information and notify Secretary	\$500.00	\$500.00
Auctioneer of cattle at a saleyard to provide information to saleyard operator	\$500.00	\$500.00
Saleyard operator to record sale information and notify Secretary	\$500.00	\$500.00
Note 1: These are new regulations that replaced the regulation from October 1999:		
"Issue or renewal of a scientific establishment licence"		

FISHERIES		
Name of Fee or Charge	Amount / Rate October 1999	2003-2004 Amount / Rate
<u>Fisheries Act 1995 & Fisheries Regulations</u>		
LICENCE / PERMIT		
Issue of a licence	\$31.00	\$36.00
Commercial Fishery access licence - Lobster	\$168.00	\$185.00
Commercial Fishery access licence - Scallop	\$168.00	\$185.00
Commercial Fishery access licence - Other	\$168.00	\$185.00
General Fishery Permit - General	\$94.00	\$105.00
General Fishery Permit - Developmental	\$246.00	\$278.00
General Fishery Permit - Morwong Delopment	\$246.00	\$278.00
Aquaculture Licence - Private	\$246.00	\$278.00
Aquaculture Licence - Crown	\$1,063.00	\$1,206.00
Transfer of an Aquaculture licence - Private/Crown	\$168.00	\$191.00
Transfer of a commercial fishery access licence - Abalone (Western Zone)	\$246.00	\$278.00
Transfer of a commercial fishery access licence - Abalone (Central Zone)	\$246.00	\$278.00
Transfer of a commercial fishery access licence - Abalone (Eastern Zone)	\$246.00	\$278.00
Transfer of Giant Crab Fishery (Western Zone) Access Licence	\$168.00	\$185.00
Transfer of Gippsland Lakes Fishery Access Licence	\$168.00	\$185.00
Transfer of Gippsland Lakes Fishery (Bait) Access Licence	\$168.00	\$185.00
Transfer of Mallacoota Lower Lake Fishery (Bait) Access Licence	\$168.00	\$185.00
Transfer of Purse Seine (Ocean) Access Licence	\$168.00	\$185.00
Transfer of Purse Seine (Port Phillip Bay) Fishery Access Licence	\$168.00	\$185.00
Transfer of Rock Lobster Fishery (Western Zone) Access Licence	\$168.00	\$185.00
Transfer of Rock Lobster Fishery (Eastern Zone) Access Licence	\$168.00	\$185.00
Transfer of Scallop (Ocean) Fishery Access Licence	\$168.00	\$185.00
Transfer of Snowy River Fishery (Bait) Access Licence	\$168.00	\$185.00
Transfer of Sydenham Inlet Fishery (Bait) Access Licence	\$168.00	\$185.00
Transfer of Trawl (Inshore) Fishery Access Licence	\$168.00	\$185.00
Transfer of Western Port/Port Phillip Bay Fishery Access Licence	\$168.00	\$185.00
Transfer of a commercial fishery access licence - Others	\$168.00	\$185.00
Fish Receivers' (Abalone) Licence	\$168.00	\$248.00
Fish Receivers Licence - Scallop	\$168.00	\$189.00
Fish Receivers' (Scallop) Licence	\$168.00	\$185.00
Transfer of individual fishery quota units - Abalone	\$168.00	\$189.00
Transfer of individual fishery quota units - Lobster Pots	\$30.00	\$36.00
Transfer of individual fishery quota units - Lobster Quota	\$30.00	\$36.00
Transfer of individual fishery quota units - Giant Crabs	\$30.00	\$36.00
Transfer of individual fishery quota units - Scallops	\$30.00	\$36.00
Recreational Fishing Licence - Year	\$20.00	\$22.00
Recreational Fishing Licence - Month	\$10.00	\$11.00

QUESTIONS ON NOTICE

Thursday, 6 October 2005

COUNCIL

1347

FISHERIES		
Name of Fee or Charge	Amount / Rate October 1999	2003-2004 Amount / Rate
Recreational Fishing Licence - 2 Day	\$5.00	\$5.50
Recreational Fishing Licence - Group	\$20.00	\$22.00
ROYALTIES		
Commercial Fishery access licence - Abalone (Royalty)	\$51,650.38	\$58,000.00
LEVIES		
Levy on a commercial fishery access licence-Abalone-West	\$10,350.00	\$22,733.00
Levy on a commercial fishery access licence-Abalone-Central	\$10,350.00	\$23,368.00
Levy on a commercial fishery access licence-Abalone-East	\$10,350.00	\$23,635.00
Levy on a bait (General) Fishery Access Licence	\$320.00	\$433.00
Levy on a commercial fishery access licence - Lobster - West	\$486.00 + \$17.00 / pot	\$1804.00 + \$35.50 / quota unit + \$13.50 / pot
Levy on a commercial fishery access licence - Lobster - East	\$486.00 + \$17.00 / pot	\$957.00 + \$10.00 / quota unit + \$2.50 / pot
Levy on a commercial fishery access licence - Scallop	\$1,736.00	\$1,010.00
Levy on a commercial fishery access licence - Other	\$320.00	\$509.00
Levy on general fishery permit - Morwong Development	N / A	\$3,344.00
Levy on a fish receivers licence - Abalone	\$8,280.00	\$9,978.00
Levy on a fish receivers licence - Scallop	\$1,552.00	\$1,866.00
Levy on an aquaculture licence - Private - Abalone	N / A	\$1,247.00
Levy on an aquaculture licence - Private - Eels	N / A	\$855.00
Levy on an aquaculture licence - Private - Marine	N / A	\$978.00
Levy on an aquaculture licence - Private - Ornamental	N / A	\$666.00
Levy on an aquaculture licence - Private - Salmonids	N / A	\$686.00
Levy on an aquaculture licence - Private - Wam Water Fin Fish	N / A	\$787.00
Levy on an aquaculture licence - Private Yabbies	N / A	\$425.00
Levy on an aquaculture licence - Private - Yabbies Multi Water	N / A	\$1,247.00
Levy on general permits to take fish from a jellyfish developing fishery	N / A	\$10,000.00
Levy on an aquaculture licence - Crown Land	\$838.00	\$1,437.00
Levy on an aquaculture licence - Crown Land - Abalone	N / A	\$1,382.00
Levy on an aquaculture licence - Crown Land - Eels	N / A	\$1,288.00
Levy on an aquaculture licence - Crown Land - Type A	N / A	\$2,230.00
REGISTRATION		
Registration of a commercial fishing boat	\$30.00	\$36.00
Registration or renewal of registration of a fishing boat	\$31.00	\$36.00
FINES		
Transfer of a non-transferable recreational fishery licence	\$400.00	\$2,000.00
Fishing in closed seasons	\$400.00	\$2,000.00
Offences relating to marine invertebrates in Port Phillip Bay	\$2,000.00	\$2,000.00
Offence to fish or take fish in certain waters	\$2,000.00	\$2,000.00

QUESTIONS ON NOTICE

FISHERIES		
Name of Fee or Charge	Amount / Rate October 1999	2003-2004 Amount / Rate
Use of bait traps	\$2,000.00	\$2,000.00
Use of recreational bait nets	\$2,000.00	\$2,000.00
Use and possession of recreational hoop nets	\$2,000.00	\$2,000.00
Offence to take, land or possess giant crabs, rock lobster, bugs, spiny fresh-water crayfish in berry	\$2,000.00	\$2,000.00
Offence to take soft-shelled rock lobster	\$2,000.00	\$2,000.00
Offence to possess or land dismembered giant crabs	\$2,000.00	\$2,000.00
Offence to possess or land rock lobster unless the tail and carapace are attached	\$2,000.00	\$2,000.00
Offence to land certain fish other than in the form of a carcass	\$2,000.00	\$2,000.00
Offence to shuck scallop at sea or land shucked scallop	\$2,000.00	\$2,000.00
Offence to shuck abalone	\$2,000.00	\$2,000.00
Offence not to carry instrument to measure abalone	\$2,000.00	\$2,000.00
Offence to take gemfish	\$2,000.00	\$2,000.00
Offence to take molluscs from certain waters	\$2,000.00	\$2,000.00
Offence to use certain fishing equipment in intertidal zone	\$1,000.00	\$2,000.00
Equipment used by person other than access licence holder must be marked	\$2,000.00	\$2,000.00
Access licence holder must mark equipment	\$2,000.00	\$2,000.00
Improper use of rods and lines	\$2,000.00	\$2,000.00
Offence to tag or mark fish	\$1,000.00	\$2,000.00
Offence to stock fish into protected waters	\$2,000.00	\$2,000.00
Offence to fail to return fish to water without injury or damage	\$2,000.00	\$2,000.00
Offence to use certain substances as bait or berley	\$2,000.00	\$2,000.00
Offence to use or possess certain equipment in certain areas	\$2,000.00	\$2,000.00
Offence to use or possess a line and hook in certain inland waters during the salmonid closed season	\$2,000.00	\$2,000.00
Offence in relation to use of hand-held spear	\$2,000.00	\$2,000.00
Offence to fish or possess certain equipment in certain inland waters	\$2,000.00	\$2,000.00
Offence not to mark rock lobster	\$2,000.00	\$2,000.00
Offence to sell marked rock lobster	\$2,000.00	\$2,000.00
Offence not to cut abalone in half	\$2,000.00	\$2,000.00
Offence to take abalone between sunset and sunrise	\$2,000.00	\$2,000.00
Offence to sell unmarked or unlabelled abalone	\$2,000.00	\$2,000.00
Offence to deface, damage, remove or destroy abalone packaging or label	\$2,000.00	\$2,000.00
Offence to remove roe from sea urchins	\$2,000.00	\$2,000.00
Allocation of forfeited abalone quota	\$2,000.00	\$2,000.00
Offence to use boat for commercial fishing unless registered	\$2,000.00	\$2,000.00
Offence to use boat for commercial fishing without identifying mark	\$500.00	\$2,000.00
Owner must have identifying mark on boat at all times	\$500.00	\$2,000.00
Additional identifying mark required on boats exceeding 8 metres	\$1,000.00	\$2,000.00

FISHERIES		
Name of Fee or Charge	Amount / Rate October 1999	2003-2004 Amount / Rate
Boat owner must apply to transfer registered boat	\$1,000.00	\$2,000.00
Transfer of registration of fishing boat	\$1,000.00	\$2,000.00
Offence to use boat with identifying mark when not registered	\$1,000.00	\$2,000.00
Failure to pay levy on Commercial Fishery Licences	\$2,000.00	\$2,000.00
Failure to pay levy on general permits for jellyfish developing fishery	\$10,000.00	\$2,000.00
Failure to pay royalty on certain fisheries licences	\$2,000.00	\$2,000.00
Offence to sell abalone without document showing prescribed details	\$2,000.00	\$2,000.00
Offence to use documents issued to licence holder	\$2,000.00	\$2,000.00
Offence to receive rock lobster or giant crab from licence holder without a catch disposal record	\$2,000.00	\$2,000.00
Offence to provide false or misleading particulars	\$2,000.00	\$2,000.00
Certain people to retain copies of documents required to be kept under the Fisheries Act 1968	\$2,000.00	\$2,000.00
Certain people to return unused abalone docket and abalone docket books	\$2,000.00	\$2,000.00

Agriculture: Veterinary Practitioners Registration Board of Victoria — advertising

2193. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Veterinary Practitioners Registration Board of Victoria’s advertising undertaken between 1 July 2002 and 30 June 2003:

- (a) What was the — (i) date of approval of each contract; (ii) cost of each contract; (iii) purpose of the advertisements; and (iv) duration of each advertisement.
- (b) Where and when was each advertisement published or broadcast.
- (c) To whom was each contract awarded.

ANSWER:

I am informed that:

The list below describes the advertising undertaken by the Veterinary Practitioners Registration Board of Victoria between 1 July 2002 and 30 June 2003.

- (a) (i) The date of approval was at the scheduled Board meeting coinciding with the time of placement of the particular advertisement
- (ii) The cost for the four advertisements was \$1,365.95
- (iii) The purpose was two advertisements advising registration fees for 2003 (The Age and Government Gazette one placement each on 4 December 2002) and two advertisements seeking staff (Working Connections single placement on 3 July 2002 and The Age three day placement on 5 February 2003).
- (iv) The duration of the advertisement was as above.
- (b) The advertisement was published on the dates above.

- (c) The contract was awarded to the publications direct.

Energy industries: Office of Gas Safety — external legal advice

- 2796. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries: What has been the expenditure by the Office of Gas Safety on external legal advice since 1 January 2003 to date.

ANSWER:

As at the date the question was raised, the answer is:

I understand from the Office of Gas Safety that since 1 January 2003, it has used the Victorian Government Solicitor for advice and prosecution work. The expense since 1 January 2003 to 30 May 2004 was \$86,838.95, of which \$62,652.02 has been recovered during the legal processes.

Energy industries: Victorian Energy Networks Corporation — external legal advice

- 2802. THE HON. RICHARD DALLA-RIVA** — To ask the Minister Energy Industries: the What has been the expenditure by the Victorian Energy Networks Corporation on external legal advice since 1 January 2003 to date.

ANSWER:

As at the date the question was raised, the answer is:

On advice from VenCorp expenditure on legal fees in the 18 months from January 2003 to June 2004 was approximately \$436,000.

Energy industries: Office of Gas Safety — office accommodation

- 3029. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries: In relation to the Office of Gas Safety's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

As at the date the question was raised, the answer is'

On advice from the Office of Gas Safety:

- (i) The Office occupies part of level 1, 369 Royal Parade Parkville
- (ii) The Expiry date of the current lease is 1 September 2004, and 1 September 2009 for renewal of the lease.
- (iii) The cost per square metre is \$232.50;
- (iv) The total cost of the lease is \$595,000 over the 6 years ending 1 Sept 2004.

Agriculture: Dairy Food Safety Victoria — office accommodation

- 3115. THE HON. RICHARD DALLA-RIVA** — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to Dairy Food Safety Victoria's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed that:

The list below describes the Dairy Food Safety Victoria's leases of office accommodation currently held.

(i) Location	(ii) Lease Expiry	(iii) Cost per metre	(iv) Total cost
Level 1, 313 Burwood Road Hawthorn Vic 3122	31 July 2006	\$220	\$429,000
Suite 3a, 140-142 Welsford Street Shepparton Vic 3630	31 August 2007	\$44	\$18,720
222 Lava Street Warrnambool Vic 3280	Monthly lease	\$25.40	\$381

Agriculture: Veterinary Practitioners Registration Board — office accommodation

3125. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Veterinary Practitioners Registration Board of Victoria's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed that:

The list below describes the Veterinary Practitioners Registration Board of Victoria's lease of office accommodation currently held.

- (i) 200 sq metres at Level 11, 470 Collins Street, Melbourne.
- (ii) The expiry date of the lease is 31 October 2004.
- (iii) The cost is \$185 per metre.
- (iv) The total cost of the lease over the five year term of the contract is \$178,500.00.

Agriculture: Victorian Meat Authority — office accommodation

3127. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): In relation to the Victorian Meat Authority's leases of office accommodation currently held, what is — (i) the location of each lease; (ii) the expiry date of the leases; (iii) the cost per metre of each lease; and (iv) the total cost of each lease over the term of the contract.

ANSWER:

I am informed that:

The list below describes the Victorian Meat Authority's lease of office accommodation currently held.

- (i) 150 Albert Road, South Melbourne VIC 3205.
- (ii) The expiry date of the lease is 31 January 2006.
- (iii) The cost is \$190.55 per metre (ex GST).
- (iv) The total cost of the lease over the term of the contract is \$169,830 (ex GST).

Major projects: VicUrban — formation

3797. THE HON. GRAEME STONEY — To ask the Minister for Local Government (for the Minister for Major Projects): In relation to the merger of the Urban and Regional Land Corporation (URLC) and the Docklands Authority to form VicUrban:

- (a) Was an audit performed of the Urban and Regional Land Corporation (URLC) and the Docklands Authority prior to the merger.
- (b) What financial studies were undertaken by the Urban and Regional Land Corporation (URLC) and the Docklands Authority prior to the merger.
- (c) How many staff from the former Urban and Regional Land Corporation (URLC) have left VicUrban.

ANSWER:

As at the date the question was raised, the answer is :

Melbourne Docklands Authority was merged with the Urban and Regional Land Corporation in August 2003 to form VicUrban which operates under the provisions of the Victorian Urban Development Authority Act 2003.

Audits of the former entities for the 13 month period ending 31 July 2003 were undertaken and completed by the Auditor General.

The appropriate financial reports were undertaken, as required by the Victorian Urban Development Authority Act 2003, prior to the merger.

As at the date of the question, fifteen former URLC staff had left the employment of VicUrban since the merger.

Agriculture: Primary Industries — external legal advice

4604. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture): What has been the expenditure by the Department of Primary Industries on external legal advice since 1 January 2003.

ANSWER:

I am informed that:

For the period 1 January 2003 to 31 December 2004 the Department of Primary Industries spent \$680,033 (exclusive of GST) on external legal services.

Agriculture: Primary Industries — communications staff

4949. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Energy Industries (for the Minister for Agriculture):

- (1) As at 31 May 2005 how many officers in the Department of Primary Industries were engaged in communications, including public, corporate and media relations.
- (2) What is the salary band of each of these officers.
- (3) What is the job title of each of these officers.

ANSWER:

I am informed that:

As at 31 May 2005 there were **17.9 full-time employees** (19 individual officers) engaged in communications at the Department of Primary Industries. The details are as follow:

Public Relations

There were **9.1 full-time employees** (10 officers) engaged in Public Relations activities to support DPI staff in their work encouraging private landholders to apply new knowledge and practices. These officers, who are all regionally-based and mostly part-time, include:

- three Team Coordinators - (Grade 4); and
- seven Communications Officers - (Grade 3).

Corporate Relations

There were **6.8 full-time employees** (7 officers) engaged in Corporate activities to inform specific industry groups about policy and legislation changes. These officers include:

- two Communications Strategists (one part-time) - (Grade 5);
- three Communications Advisers - (Grade 4); and
- two Communication Officers - (Grade 3).

The Media Relations Adviser (**one full-time employee**) is a Grade 5 position.

The Director, Marketing and Communication (**one full-time employee**) is an Executive Officer Band 3 (EO3) position.

VPS Salary Bands

The current VPS salary bands that are relevant to the above positions are as follow:

VPS Grade 3	\$44,580 - \$54,128
VPS Grade 4	\$55,189 - \$62,618
VPS Grade 5	\$63,678 - \$77,046
EO3	\$116,600 - \$161,937

Tourism: Australian Grand Prix Corporation — communications staff

5021. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Consumer Affairs (for the Minister for Tourism): As at 30 June 2005:

- (1) How many officers in the Australian Grand Prix Corporation are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed as follows:

The Australian Grand Prix Corporation employ two officers in communications, including public, corporate and media relations, at the following salary rates:

- (a) Motorsport Media Executive - \$55,000 - \$75,400; and
- (b) Media Assistant - \$17.75 - \$18.50 per hour.

Arts: Film Victoria — communications staff

5090. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Film Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

Film Victoria employs its own staff, and there is no centralised portfolio database of employee details. In this context, it would be an unreasonable diversion of resources to obtain the details sought in this question. The Member may wish to contact Film Victoria directly.

Arts: Geelong Performing Arts Centre Trust — communications staff

5091. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Geelong Performing Arts Centre Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Geelong Performing Arts Centre Trust is comprised only of Governor-in-Council appointees and none are staff, officers or employees within the meaning of the *Public Administration Act 2004*.

Arts: Council of Trustees of the National Gallery of Victoria — communications staff

5092. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Council of Trustees of the National Gallery of Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Council of Trustees of the National Gallery of Victoria is comprised only of Governor-in-Council appointees and none are staff, officers or employees within the meaning of the *Public Administration Act 2004*.

Arts: National Gallery of Victoria — communications staff

5093. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the National Gallery of Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The National Gallery of Victoria employs its own staff, and there is no centralised portfolio database of employee details. In this context, it would be an unreasonable diversion of resources to obtain the details sought in this question. The Member may wish to contact the NGV directly.

Arts: Library Board of Victoria — communications staff

5094. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Library Board of Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Library Board of Victoria is comprised only of Governor-in-Council appointees and none are staff, officers or employees within the meaning of the *Public Administration Act 2004*.

Arts: Museums Victoria — communications staff

5097. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Museums Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

Museum Victoria employs its own staff, and there is no centralised portfolio database of employee details. In this context, it would be an unreasonable diversion of resources to obtain the details sought in this question. The Member may wish to contact the Museum directly.

Arts: Victorian Arts Centre Trust — communications staff

5098. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Sport and Recreation (for the Minister for the Arts): As at 30 June 2005:

- (1) How many officers in the Victorian Arts Centre Trust are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

The Victorian Arts Centre Trust is comprised only of Governor-in-Council appointees and none are staff, officers or employees within the meaning of the *Public Administration Act 2004*.

Environment: Mount Stirling Alpine Resort Management Board — communications staff

5137. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Mount Stirling Alpine Resort Management Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Environment Protection Board — communications staff

5145. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Environment Protection Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: National Parks Advisory Council — communications staff

5146. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the National Parks Advisory Council are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Parks Victoria — communications staff

5147. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Parks Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Reference Areas Advisory Committee — communications staff

5148. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Reference Areas Advisory Committee are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Royal Botanic Gardens Board — communications staff

5149. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Royal Botanic Gardens Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Sustainable Energy Authority Victoria — communications staff

5151. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Sustainable Energy Authority Victoria are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Timber Promotion Council — communications staff

5152. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Timber Promotion Council are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

This question does not fall within my portfolio responsibilities and should more appropriately be directed to the responsible Minister.

Environment: Trust for Nature — communications staff

5153. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Trust for Nature are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Glenelg-Hopkins Catchment Management Authority — communications staff

5156. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Glenelg-Hopkins Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Mallee Catchment Management Authority — communications staff

5158. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Mallee Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: North Central Catchment Management Authority — communications staff

5159. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the North Central Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: North East Catchment Management Authority — communications staff

5160. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the North East Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Port Phillip and Westernport Catchment Management Authority — communications staff

5161. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Port Phillip and Westernport Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: West Gippsland Catchment Management Authority — communications staff

5162. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the West Gippsland Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Wimmera Catchment Management Authority — communications staff

5163. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Wimmera Catchment Management Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Gippsland Coastal Board — communications staff

5167. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Gippsland Coastal Board are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Barwon Region Water Authority — communications staff

5169. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Barwon Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Central Gippsland Region Water Authority — communications staff

5170. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Central Gippsland Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Central Highlands Region Water Authority — communications staff

5171. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Central Highlands Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Coliban Region Water Authority — communications staff

5172. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Coliban Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: East Gippsland Region Water Authority — communications staff

5173. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the East Gippsland Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Glenelg Region Water Authority — communications staff

5174. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Glenelg Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.

- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Goulburn Valley Region Water Authority — communications staff

5175. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Goulburn Valley Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Grampians Region Water Authority — communications staff

5176. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Grampians Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Lower Murray Region Water Authority — communications staff

5177. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Lower Murray Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: North East Region Water Authority — communications staff

5178. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the North East Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers
- (3) What is the job title for each of these officers

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: Portland Coast Region Water Authority — communications staff

5179. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the Portland Coast Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.

Environment: South Gippsland Region Water Authority — communications staff

5180. THE HON. RICHARD DALLA-RIVA — To ask the Minister for Local Government (for the Minister for Environment): As at 30 June 2005:

- (1) How many officers in the South Gippsland Region Water Authority are engaged in communications, including public, corporate and media relations.
- (2) What is the salary band for each of these officers.
- (3) What is the job title for each of these officers.

ANSWER:

I am informed that:

These questions should more appropriately have been asked of me as Minister for Water and I answer them in that capacity.

I cannot justify the diversion of Departmental time and resources required to answer these questions.