

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

3 May 2001

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By authority of the Victorian Government Printer

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The Hon. P. R. HALL to 20 March 2001

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Thursday, 3 May 2001

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

CENTENARY OF FEDERATION

Parking and access arrangements

The **PRESIDENT** — On Thursday, 10 May 2001, the Parliament of the Commonwealth of Australia — the Senate and the House of Representatives — will hold commemorative sittings for the centenary of Federation in the Legislative Council and the Legislative Assembly chambers of the Parliament of Victoria. This will be first time since 1927 that the federal Parliament has met outside Canberra. These historic meetings are taking place in response to the invitation of the Parliament of Victoria to the federal Parliament on 10 May 2000.

There are important organisational matters I wish to bring to the attention of honourable members.

Next Thursday, for a number of security and logistical reasons, car parking on the parliamentary reserve is restricted. Members and parliamentary staff are asked to park at the Museum Victoria car park, accessible from Rathdowne Street, Carlton. Car parking is free and will be available from 6.00 a.m. Members will need to show their entree cards and staff their centenary of Federation security passes to obtain free parking. Shuttle buses will run from the Museum Victoria car park to Parliament House, Spring Street, from 6.00 a.m. to 9.30 a.m.

It is requested that all members enter Parliament House through the front or Spring Street doors. Members should further note that access to normal facilities — the strangers corridor and dining room, Council club room, room K et cetera — will be restricted until after 12.15 p.m. The Presiding Officers seek the support of all members in this regard.

Following the commemorative sittings and garden party, car parking at Parliament House will be available from 2.00 p.m. A shuttle bus service will run from Parliament House to the museum between 2.00 p.m. and 2.30 p.m. for members and staff to collect their cars. Alternatively, members and staff may make their way back to the museum to collect their cars at their own convenience.

There is a further matter I will bring to the attention of the house. I have given permission for the House of Representatives Standing Committee on Economics,

Finance and Public Administration, chaired by David Hawker, MHR, to hold its meeting at 10.00 a.m. on Friday, 11 May, in this chamber where it will interview the Governor of the Reserve Bank. I believe it will be the first time that a federal parliamentary committee will have met in a state chamber — normally committees would meet upstairs. I am sure if any honourable members wished to view those proceedings they would be welcome to do so.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Budget outcomes

Hon. R. M. HALLAM (Western) presented report for 1999–2000, together with appendix.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Prince Henry's Institute of Medical Research — Report, 2000.

Statutory Rules under the following Acts of Parliament:

Conservation, Forests and Lands Act 1987 — No. 36.

County Court Act 1958 — Nos. 34 and 35.

Supreme Court Act 1986 — Nos. 32 and 33.

Subordinate Legislation Act 1994 —

Minister's exception certificates under section 8(4) in respect of Statutory Rules Nos. 32 to 35.

Minister's exemption certificate under section 9(6) in respect of Statutory Rule No. 36.

CITY OF MELBOURNE BILL

Second reading

Debate resumed from 1 May; motion of Hon. C. C. BROAD (Minister for Energy and Resources).

Hon. N. B. LUCAS (Eumemmerring) — It is a most important responsibility for the city of Melbourne to show leadership as the capital city of this state. Today we have a bill before us which deals with the future of our capital city council, the City of Melbourne.

There is a great responsibility on our capital city council to act as a flagship to promote not only Melbourne. Indirectly there is a responsibility for it to act as a figurehead for the state of Victoria. A strong City of Melbourne is a strong Victoria. In recent years the ability of the City of Melbourne to provide that strong unified leadership has, sadly, been on the wane at times and has been the subject of criticism by people from many quarters.

The bill is the government's response to what I assume is its concern for the future of the Melbourne City Council. The government's response, in a word, is to sack the council and start again. In debating the bill honourable members will be addressing the government's idea of how the City of Melbourne should proceed in future.

Melbourne is the name behind bids for the Olympic Games, including those we held successfully in 1956. It was the name put forward successfully as the venue for the 2006 Commonwealth Games. It is the name that goes around the world every time the Australian Open Tennis Championships are held. It is the name that goes around the world when the Australian Formula One Grand Prix is held at Albert Park. Interestingly, it is also the name that goes around the world when the Motorcycle Grand Prix is held at Phillip Island. So it is most important that Melbourne has a strong, viable and clear-thinking council. Today honourable members are debating a bill that seeks to achieve that. As I said, the government's idea is to sack the councillors and start again. I will return to that issue later in my contribution.

The history of what has happened is interesting. In putting its platform to the community prior to the last election the Labor Party said:

Labor will:

...

Limit the suspension and dismissal of councils and councillors to cases of corruption or other serious failure.

...

Give local government the authority to independently manage its finances.

...

There must be an end to the sacking of local government on flimsy pretexts and at the whim of a capricious state government.

If one applies that statement by the Labor Party to the sacking of the Melbourne City Council, the Labor government believes the council is either guilty of corruption — I have no evidence of that and I am not sure the government has, either — or the council has been a serious failure. Having taken the decision to sack

the council, it would be logical for the government to do so forthwith. Given that the government took the decision back in December and it is now May, why has nothing happened about the council it wants to get rid of? If the council has been such a serious failure that it should be sacked it seems very strange that some five months after the decision was made it has not been put into effect by the government.

On 30 November last year the local government constitutional convention was held here at Parliament House. Local government councillors from all around Victoria discussed the future of local government. Clause 10 of the communiqué prepared and signed off by representatives of local government states:

The constitution [of Victoria] shall provide that the only ground for the dismissal of a democratically elected local government is when it is —

unable to govern; or

is acting unlawfully.

I do not believe the Melbourne City Council is acting unlawfully. I suppose the question is whether it is able to govern. I assume that the government has made a decision that the Melbourne City Council is unable to govern.

The facts are that since the decision was taken back in December, the Melbourne City Council has continued to govern: it has continued to provide services in its community and to do all those other things that the council of a capital city is supposed to do. Yet I assume the government does not believe that that is so.

Prior to the decision of the government in December last year, the Melbourne City Council was so concerned about people accusing it of not doing its job as well as it should that it appointed a panel of three people to investigate the council's activities. The panel comprised a former Premier, Joan Kirner; a former President of this place, Alan Hunt; and Tim Costello, another Melburnian. They were paid some \$30 000 and the whole cost of the exercise was around \$80 000 — paid for by the ratepayers of the City of Melbourne to tell the council how it could perform its work better.

Following the expenditure of all that money, a report was prepared and presented to the council on 18 December. The document headed 'A way forward' contains a schedule of 14 agreements to which each of the councillors of the City of Melbourne was invited to sign. The schedule includes a very wide-ranging set of proposals to remedy what the panel deemed to be the shortcomings that needed to be addressed. It includes community consultation; the role and responsibilities of

the Lord Mayor, councillors and the chief executive; a policy on delegation; a councillor code; a good governance local law; an anti-bullying policy; an anti-harassment policy; a meetings procedure local law; a meetings procedure code; protocols between the offices of the Lord Mayor and the chief executive; the relationship between the state government and council; and a proposal for councillor induction and development.

On 18 December 'A way forward' was made public and hit the desks at the council. On the same day, it was reported in the press that there would be sweeping reforms at the council. It was considered a positive step forward for the City of Melbourne. Within an hour of the document becoming available, the government announced that it was going to sack the council! A press release from the Minister for Local Government, dated 18 December, states:

Residents and ratepayers in the City of Melbourne will go to the polls to elect a new council nearly nine months ahead of the next scheduled elections the Minister for Local Government, Mr Bob Cameron, said today.

As I said, that was within an hour of the \$80 000 report being made available to and received by the council to provide it with a way of going forward in a logical and appropriate manner.

It seems that the preparation of the report and all the expenditure associated with it has been wasted. It seems that the government has made a decision to go ahead with sacking the council and disregarded the fact that the Melbourne City Council was trying to manage its way through its problems in a professional manner by obtaining advice, commissioning the report, and addressing the issues that it had been accused of not dealing with well.

The government's decision to sack the council and hold an election was taken in December. Now, in May, the issue continues to be dealt with. In the meantime the council has continued to operate the City of Melbourne, but for some reason the government thinks it is being operated so badly it should be sacked. It does not stack up. If the government believes the council should go, why did it not do something a lot sooner?

On the next day, 19 December, the front page of the *Age* carried the headline 'Melbourne council effectively sacked'. The Minister for Local Government was quoted as having said:

We are not wielding the axe. What we are doing is going about this in a democratic way.

That is an oxymoron. It is beyond belief that the minister should sack the council and then say:

We are not wielding the axe. What we are doing is going about this in a democratic way.

I rest my case on that point.

The article also reports that the panel members Mrs Kirner, Tim Costello and Alan Hunt, a former local government minister had said the panel was surprised and disappointed. The article says:

'We thought the process was going to be given a genuine go. Why would we have invested 10 weeks of our time and (\$30 000 of) public money if we thought it would not get a fair go?', Mrs Kirner said.

Later it was discovered that the total cost of the exercise was not \$30 000 but \$80 000; the inquiry was supported by research assistants and secretaries. That \$80 000 was wasted because of the government's decision to sack the council, which was taken an hour after the report hit the deck. The article further states:

'Not only is the panel surprised, but also disappointed by this rather precipitate action'.

I refer to page 4 of the *Herald Sun* of the same date:

The Lord Mayor would be elected by fellow councillors for three years, but reaffirmed mid-term by a simple majority.

On 19 December the government announced that that stipulation would be part of its plan, but the bill does not make provision for that. Obviously the government has changed its mind.

The article reports the president of the Municipal Association of Victoria, Brad Matheson, as having said:

This has happened with no due process, no consultation and no explanation.

I am interested to know from the government what report, investigation or research was undertaken by it prior to its decision to sack the City of Melbourne. I presume the minister will provide the house and the public with that information during this debate. What investigation did the government undertake to determine that the Melbourne City Council should be sacked? I am unaware of any investigation or of officers of the local government division of the department examining the work of the council. I am aware of the report that cost \$80 000, but I am unaware of any investigation initiated by the government.

On 19 December the Victorian Local Governance Association, one of the state's two local government representative bodies — although perhaps not as

representative as the municipal association — which is run by the socialist Mike Hill, as Mr Atkinson reminds me, issued a press release under the heading ‘Governance victory at MCC’ that states:

VLGA president, Cr Julie Hansen, has hailed the final report of the Melbourne City Council facilitation panel and the Lord Mayor’s public commitment to it as a major change in the way the quality of local governance is viewed in Victoria.

‘We have sent a signal to all local governments, the Victorian community and to the state government that we are prepared to address and take responsibility for issues of governance breakdown. When the ‘flagship’ council was floundering the sector acted. We simply were not prepared to tolerate another round of sackings and dismissals.

...

Cr Hansen urged the state Minister for Local Government, Bob Cameron, and the state government generally to play a supportive not coercive role with local governments.

That press release was issued on 19 December. However, on the same day the VLGA had to issue another press release because the minister had announced the sacking of the council on 18 December — the VLGA is probably a day behind the world and did not realise what had happened. The second VLGA press release states:

The VLGA has declared that the relationship between the state government and Victoria’s 78 local governments is ‘at its lowest ebb for three years; since the intervention in Nillumbik’ ... VLGA president, Cr Julie Hansen, has called the state government’s shock intervention into Melbourne City Council a ‘betrayal’ and ‘an act of treachery’. ‘I doubt that local government minister Cameron can ever regain the confidence of the sector following his piece of destruction’.

Cr Hansen was referring to the minister’s announcement to effectively sack the council following months of work by the local government sector and the Melbourne City Council facilitation panel to overcome ‘governance difficulties’ being experienced by the council.

I refer to an *Age* article of 21 December under the heading ‘You’ve abused our trust, Mr Bracks’. The panel is quoted as having said that it:

... is dismayed that, in accepting its task and stating clearly the weaknesses and the way forward for Melbourne City Council, we seem to have been used as an excuse for a quick-fix autocratic solution already determined before cabinet was asked to make a decision — and all without reading the report.

That quote is attributed to Joan Kirner. The other article I refer to is on page 5 of the *Age* of 23 December, under the heading ‘How the council was sacked’. It is a lengthy article and I will not read it all. It concludes with:

Kirner says, ‘My anger is based around that feeling of being used’.

The document published by the government under the heading ‘Melbourne City Council — a fresh start for the capital’ reported on the government’s working party having been assembled to prepare a document for the government’s use. It invited submissions by 9 February. Under the subheading ‘Lord Mayor, the document states:

The stability of and councillors’ support for the bearer of the office of Lord Mayor are widely recognised as important to the accountability and effectiveness of the position. The Lord Mayor should be elected within, by councillors, to ensure support from council.

That document was issued following the sacking of the council by the government. At that stage the government was saying, for what it regards as good reasons, that the Lord Mayor should be elected from within the council. Haven’t we come a long way in a short time! Now the bill provides for a popularly elected Lord Mayor. Obviously the insertion of that provision was decided upon in the government’s playing catch-up politics — perhaps the government changed its mind quickly.

Following the canvassing of views across a wide section of the Melbourne community, Dr Napthine and the shadow minister for local government, the honourable member for Prahran in the other place, announced that the Liberal Party supported a directly elected Lord Mayor for the City of Melbourne and that the election should be held every three years. That Liberal Party policy is now reflected in legislation.

Hon. W. I. Smith — Maybe they copied our policy.

Hon. N. B. LUCAS — Perhaps they did.

Hon. A. P. Olexander — There is no doubt about it.

Hon. N. B. LUCAS — Mr Olexander says, ‘There is no doubt about it’.

Hon. C. A. Furletti — It is a good policy.

Hon. N. B. LUCAS — Indeed, it is. The *Herald Sun* of 6 March reported that the likelihood of having a directly elected Lord Mayor was firming. This change of policy is gradually appearing out of the mist. On 7 March the Premier announced that the Lord Mayor would be elected. He is reported as saying that the people want to have a say on who is to be the Lord Mayor of Melbourne. The government has done a 180 degree turn. No longer will the Lord Mayor be elected by the council. The Premier’s announcement immediately had the effect of galvanising the Labor Party machine to get involved in Melbourne City Council elections.

On 29 April there was a media story that the Labor Party had decided to seek a ticket. The people of Melbourne will not be voting for someone who has nominated for election if they vote for a person who is endorsed by the Labor Party. They will be voting for somebody chosen by the backroom hierarchy of the Labor Party, which will put forward their man or woman. It would be a shame if some people of Melbourne vote for that person, but no doubt that is what will happen. The Independents have also been pushing forward, with a number of names mentioned. On the assumption that the bill is passed in this place it will certainly be an interesting contest.

Although I will not refer to the bill in detail, I will examine some provisions, especially the one providing for the direct election of the Lord Mayor. I refer first to a report prepared by a student under the parliamentary internship scheme. Tracey Lewis wrote a report that I obtained from the parliamentary library entitled 'Victorian local government elections'. It states:

A popular election may attract candidates of a higher calibre to seek office and ultimately heighten community awareness of local government politics. The current apathy displayed by the community towards local government politics further amplifies the potential benefit of a popular election.

A mayor elected into office by a majority can claim a broad mandate to speak on behalf of the city as well as command more respect from state Parliament and gain stronger footing in funding negotiations.

Importantly, popular election eliminates much of the backstabbing and bickering that is present under the collegiate voting system.

That is a system where fellow councillors vote for the mayor. The report further states:

As mayors are chosen by the public and not by councillors, the likelihood of competition between councillors for the 'top seat' is vastly reduced and the possibility of a council mutiny such as the one witnessed in April of 2000 in the Melbourne City Council can be curtailed. Hence, popular elections would eliminate the intensity of the politics involved during mayoral elections. Popular elections would also ensure that mayors and councillors would be more focused on public issues and the good of the city, as they were elected to do in the first place.

The City of Brisbane has had a popularly elected Lord Mayor for many years. Since 1925 there have been only 13 lord mayors in the City of Brisbane. Clem Jones was a Labor Party Lord Mayor of the City of Brisbane for many years. Page 92 of a 1995 *Urban Policy and Research* document entitled 'The Brisbane model: considering a unique experiment' states:

To sewer Brisbane and seal its roads Jones had to take radical action such as employing contractors at the expense of the council's own 'day labour' work force (contrary to ALP

policy). He also pursued a policy of 'planning by negotiation' ... where he negotiated directly with developers. While this process allowed Jones to force developers to bear more of the cost of providing basic services, it also allowed developers to gain exemptions and concessions from the council. Under Jones, changes to the city were definitely developer-led. He even established a planning advisory committee which allowed him to make major planning decisions independent of the council.

The report further states:

Not surprisingly in the egalitarian ethos of the ALP, Jones's 'one-man band' approach created deep divisions within caucus, which often threatened to spill into open conflict but never did ...

The City of Brisbane is a very large local government authority, the biggest in Australia, which operates in a state parliamentary type of way. The point I make is that the City of Brisbane has a popularly elected Lord Mayor.

A research paper 98/38 prepared for the House of Commons refers to a number of issues, including the election of lord mayors. It refers to the views of the Commission for Local Democracy and states:

The commission claimed that evidence from other countries suggested that the existence of a directly elected mayor or an equivalent office ameliorates many of the problems found in British local government.

A report published by INLOGOV, a research and training body at the University of Birmingham, listed certain arguments for introducing executive mayors, including:

to achieve national prominence for local political leaders and to strengthen the local government side of the central-local relationship

to reinvigorate local democracy

to strengthen community leadership

to reinforce internal leadership

to change the impact of party politics.

The report further states:

Some commentators have warned that the idea of elected mayors, based as it is on experience in other countries (particularly the USA), may not transfer easily to the UK.

It then states:

The concept would be meaningless in Britain unless a high public profile could be translated into political power and leverage. Nor would mayors mean much unless they also enjoyed the patronage and ability to distribute largesse which makes many US mayors the pre-eminent figures within their cities.

In 1998 a referendum was held in London on the government's plan for an elected mayor. The referendum asked the question:

Are you in favour of the government's proposal for a Greater London Authority, made up of an elected mayor and separately elected authority?

The results of that referendum were that 72 per cent said yes and 28 per cent said no. There was a 34 per cent turnout under the non-compulsory voting system.

The *Economist* of 5 April under the heading 'Borderline case' states:

Once London had elected its mayor, the government had hoped that other big English cities would follow suit.

But few cities have shown much interest in having an elected mayor. And, rather embarrassingly for Tony Blair, the first place to hold a referendum on the idea looks like being of the tiny borough of Berwick-upon-Tweed.

Berwick-upon-Tweed's sister city is Berwick in Victoria. I have visited Berwick-upon-Tweed on a number of occasions and have many friends there. That small borough on the border of Scotland is the only other council that has considered embracing the concept of an elected mayor. It has had a number of political, personality and financial issues and faced tough times, and maybe that is why it is considering having a popularly elected mayor. I am pleased to record that I know the former chief executive, Ted Cawthorn, an impressive professional gentleman who served the Berwick-on-Tweed council for many years and whose enormous contribution to that community I am pleased to have the opportunity to acknowledge.

The United States of America is another country that has embraced popularly elected mayors. About a fifth of America's mayors are not elected by voters, but the rest are, so a large proportion of mayors in the United States of America are popularly elected. Melbourne will have a popularly elected mayor with the passage of the bill. I hope as a result of the changes being made by the government that the City of Melbourne will prosper and go from strength to strength.

Clause 6 of the bill provides for nine councillors — a Lord Mayor, a Deputy Lord Mayor and seven councillors. Yesterday I received a copy of a letter from the Lord Mayor to the Minister for Local Government suggesting that that number was not enough. Surprisingly the letter came to members of this place following the passage of the bill in the other place and the day before it was to be dealt with here. The City of Melbourne is now suggesting a number of alterations to the bill. I do not know what the government will do about that. If the amendments, which I understand will

be put to this chamber, are passed, obviously the bill will go back to the other place and the government will have the opportunity to consider those issues in the bill that the City of Melbourne wishes to have amended.

The question the government will have to consider at some stage is whether nine council members are sufficient. I do not have a problem with nine councillors, but that will need to be considered if any further proposals are made.

The additional objectives in clause 7 refer, firstly, to the need to ensure that there should be a balance between the competing demands upon the council, which come in the form of providing for the community, supporting and encouraging business activities and promoting Melbourne as the state capital. That is something the council must come to grips with.

The second additional objective concerns the strategic directions of the City of Melbourne, an important area that the council must address. The strategic issues should never be forgotten. We live in a fast-changing world, one where you need to keep up with what is going on in other places and where you have to continually reposition yourself to ensure that you remain relevant and focused. The provision is appropriate.

The third involves coordinating with the state and commonwealth governments, which is sensible, and the fourth concerns working in conjunction with the state government on projects. These are obvious and logical things to do. Those additional objectives provide challenges to the council which I hope will be addressed.

Clause 8 states that the Premier can convene meetings between the council and himself or other government representatives to talk about issues of significance. It is sad and concerning to me that it is one-way traffic. It is unfortunate that when on the one hand the government says the City of Melbourne needs a new invigorated council that wants to get on with the job it says on the other, through the insertion of this clause, that the council will not have the right to convene such a meeting on issues that it thinks are significant. Only the Premier has the right. The clause is around the wrong way.

In writing to the minister — and providing me with a copy of his letter — the Lord Mayor of Melbourne said:

The council urges that a provision be substituted for the current provision providing for regular and ongoing meetings between the government and the council. The purpose of the meetings will be to enable discussion of issues of significance

where the coordination or dovetailing of key strategies, major projects and policy may be maximised.

Clauses 9 to 11 deal with voters rolls, with which I will not become involved. Clause 12 provides that the council can hold triennial elections, with which I have no problem.

I have already mentioned clause 13, and I reiterate that, firstly, the commissioners at the Shire of Melton are to be sacked despite the fact that a poll had shown that the community thought they were doing a wonderful job. I have mentioned that fact on a number of occasions in this place. The commissioners are good people and are running the shire well. It is easy for me to say that, but the community also says that. When they voted on that issue they said resoundingly that they wanted to keep the commissioners, but the government for philosophical reasons has disagreed with that concept and the sacking of those commissioners will take place. If that is democracy, it is sad for the people of Melton.

Then the heavy boots of the Labor government moved into Albury-Wodonga, the next place in its sights. Its members marched up there, had a few drinks, I assume, with the Premier of New South Wales, and came out of a room and said, 'We are going to amalgamate Wodonga and Albury. We will not ask the people first; we will amalgamate them and then ask the people'. You got it around the wrong way.

Hon. I. J. Cover — What are the people saying there?

Hon. N. B. LUCAS — The people are very concerned. They want a poll; they want a vote on this. It will be interesting to see what the poll says.

The government has a problem in Albury-Wodonga. It has appointed a community facilitation panel, if that is the right word — —

Hon. K. M. Smith — Is it paid?

Hon. N. B. LUCAS — I do not yet know whether it is paid or not, Mr Smith. I assume it will be and I hope it is. The government is trying to facilitate this so that if it is forced to have a poll it hopes the people will vote the right way. However, the government has got it around the wrong way. It has in effect sacked the Wodonga council and said, 'We will amalgamate you'. The government is now trying to get the people on side by announcing this policy. When the whole of cabinet went to Albury-Wodonga they had to do something, so they announced the amalgamation. It seems very strange to me that the government is doing it in that way.

I am not saying that I am against the amalgamation; I am talking about the process. I am well aware that such an amalgamation has been mentioned previously. However, in this context I am having a go at the government's process.

Having said that, I move on to clause 20, which refers to the precedence and responsibilities of the Lord Mayor and the Deputy Lord Mayor. Clause 23 refers to the term and clause 26 refers to allowances. I do not wish to get involved with those clauses in a big way.

However, the proposals contained in clause 28 deserve a mention. Section 136A of the Local Government Act indicates that the government can if it so desires, through the minister by order:

... provide that a specified percentage of the revenue raised by the Melbourne City Council must be applied by the Melbourne City Council in the financial year in which it is raised to provide works and services for the benefit of a part of the municipal district of the Melbourne City Council specified in the order.

Interestingly, that section has been in the act since 1993. The government now says, 'For philosophical reasons we have always wanted to get rid of that, but we could not get rid of it because there may have been some orders under section 136A previously which, if we repealed that section without knowing whether any orders had been made, would cause difficulties'.

I have been researching this matter. It seems pretty strange to me that when the City of Melbourne rates bill — it was either that or some other local government bill — went through last year the opportunity was not taken to take out that section of the act. I gather the government proposes to delete clause 28 by amendment. The opposition will not oppose that amendment. However, the government has been slightly caught out on this issue. If it was so philosophically against the concept of the government of the day making directions to the City of Melbourne, why did it not fix this matter up last year when a City of Melbourne bill was before this place?

Hon. G. D. Romanes — No, it was not.

Hon. N. B. LUCAS — The City of Melbourne bill last year dealt with rating and the City of Melbourne. I spoke on it. I think the government has been caught out and is playing a bit of catch-up. The City of Melbourne has expressed concern about clause 28, which, in council's words:

effectively allows the minister ... to determine aspects of MCC expenditure, is an unacceptable encumbrance upon the power of the council.

It urges that that provision be deleted from the bill. The minister has indicated that it will be, but I think he has been caught out.

This bill is the Labor Party's solution. It indicates that the Labor Party, as it did in Melton and Wodonga, will whenever it sees fit march into any council in this state and impose its will or its political philosophy. It reveals that the \$80 000 expended by the City of Melbourne was a farce, that Joan Kirner and her colleagues were used on this issue, and that the government really had no intention of trying to make the City of Melbourne's plan for the future work. It just wanted to get rid of it so it could impose a new council.

From the latest press reports it appears that the Labor Party will fund the election of candidates in the forthcoming election and that there will be a totally politicised situation with the City of Melbourne. I accept that this is the Labor Party's view on life. The big questions I ask are: will it work? Will it result in a better City of Melbourne? Will it result in a council that takes Melbourne forward? Will it result in the establishment of a council that will do everything that we would hope would be done in our capital city? The jury is out on that. The responsibility for what happens is in the hands of this government. Over time we will be very interested observers of what occurs in the City of Melbourne. We will all judge whether the solution of the Labor Party will work. As the years go by we will find out the answer to that question.

I understand four amendments will be moved during the committee stage. I indicate that the opposition will not oppose those amendments and that the opposition does not oppose this bill, which is the Labor Party's solution for the City of Melbourne. The government will have to take responsibility for whatever occurs as a result, and we will all go into the future knowing that.

In closing I wish the City of Melbourne well in whatever form it finally takes. It has a huge responsibility and it deserves the support of both houses in performing a difficult job. I will further debate some other issues at the committee stage.

Hon. E. J. POWELL (North Eastern) — I am pleased to join the debate on the City of Melbourne Bill on behalf of the National Party. Firstly I put on record that the National Party opposes this bill. It does not do so not lightly; it acknowledges the ramifications the bill will have for local government councils right across Victoria. The party's extensive consultation over many months has shown that the Victorian community also wants it to oppose this bill.

From the reasons National Party members have been given we have concluded there is no reason to sack the City of Melbourne because there has been no trigger point for dismissal. There has been no breach of the Local Government Act and no corruption. There has been no serious failure. The Melbourne City Council is in a very good financial situation. An article in the *Herald Sun* of 27 March states:

City given AAA rating

Melbourne City Council has been given a AAA financial rating by international ratings agency Standard and Poor's.

Melbourne Lord Mayor, Peter Costigan, yesterday said the rating was in recognition of the council's standing as Australia's 'only debt-free capital city'

The council is preparing its \$180 million, 2000-01 budget.

That shows the council knows how to look after its own affairs.

The bill is also in contravention of the Independents charter. I will explain that in more detail later. The bill also makes significant changes to the structure and governance of the council. The bill alters the electoral structure of the City of Melbourne, establishing a single, unsubdivided municipality, represented by a Lord Mayor, Deputy Lord Mayor and seven councillors. It provides for an early election to enable the new structure to be implemented without delay. It provides for the direct election of a Lord Mayor and a Deputy Lord Mayor. It also provides for greater coordination between the state government and the council on matters of significance to the state of Victoria.

I believe that part of the bill should say what is intended — namely, this bill provides for greater interference and more dominance by the state Labor government over the Melbourne City Council. Like all honourable members who will be speaking during the debate on the bill today, National Party members want the Melbourne City Council to work. I am a ratepayer of this council as are a number of other speakers, including the Honourable Mr Barry Bishop who will be speaking later. We want this council to work.

As Mr Lucas said, Melbourne is our capital city and I am sure we are all very proud of it. It has a good reputation around the world and we want to make sure that that reputation remains untarnished.

One of the reasons the National Party gave leave for this bill to be debated earlier was that it was afraid that the infighting among the newspapers, the state government and the council was tarnishing that

reputation. The National Party wants to see that stopped.

During my extensive research for this bill I spoke to the two peak bodies for local government — the Municipal Association of Victoria (MAV) and the Victorian Local Governance Association (VLGA). A number of concerns were raised about this bill which I will outline later.

I attended a very interesting capital city committee governance forum at the Melbourne Town Hall. I was briefed by the chair of the Melbourne City Council facilitation panel, the Honourable Joan Kirner one week before the report was presented to the government. The honourable member for Wimmera in another place and I were briefed on the bill with Bernie Dean and John Watson from the office of the Minister for Local Government. As shadow minister for local government for the National Party, I have spoken to many councils across country Victoria seeking their response on the government's decision to sack the Melbourne City Council. I consider that this is a unique way of sacking a council; you bring on an early election. You do not actually say you are sacking it, but you bring on an early election.

The National Party and the Liberal Party gave leave, as I said, to have the bill brought on early because the government wants the elections held on 20 July. From the time the minister announced his decision about the early election, the councillors of the Melbourne City Council would have been in re-election mode. I am sure they would not have been worried about the good governance of the Melbourne City Council. I am sure they would have been shoring up their votes to make sure they were re-elected. When businesses sack someone they usually give them a week's notice. It is not good business to sack someone and keep them in the organisation where they can be destructive. I believe that sacking a council but in effect leaving it there was a bad decision for this government to make.

The minister has also spoken out publicly against this council. The council is now under greater scrutiny than ever before, and that destabilises it. I refer to press cuttings — there have been many over many months — where the minister has actively and publicly spoken against this council. That has destabilised it and made the community lose confidence in it.

A headline in the *Herald Sun* of 17 August states:

Minister rebukes mayor

Melbourne Lord Mayor Peter Costigan has received a verbal dressing down as the state government moves to end internal council feuding.

It goes on but I have a few other cuttings, so I will keep the quotes brief. *Herald Sun* of 11 February states:

Minister rap for council

Local government minister, Bob Cameron, has blasted the Melbourne City Council for spending ratepayers' money on last week's visit by South Australian Premier John Olsen and Adelaide Lord Mayor Alfred Huang.

It goes on to say:

Last night Mr Cameron said: 'It's a bit rich using ratepayers' money to fly people from Adelaide to Melbourne just so they can tell us that state governments can't afford to have a capital city council which is more interested in its internal squabbles than in providing vision and leadership'.

'Mr Olsen and his Lord Mayor didn't tell us anything we didn't already know — you just can't afford to have a capital city council become as dysfunctional as the one we have in Melbourne'.

I do not know how the minister knows that. He did not attend the meeting and sent an apology. As I said, I attended the meeting and felt it was very worth while and probably a good use of the taxpayers' money to find an alternative way of having a good relationship between the state government and the Melbourne City Council.

Another report from the *Herald Sun* of 21 February states:

Time for straight talk

This is from Clem Newton-Brown, who is a councillor. It states:

The Bracks government should stop knocking the Melbourne City Council and get down to regular talks with it, argues Clem Newton-Brown.

Premier Bracks and the Minister for Local Government, Bob Cameron, continue to make broad, ill-informed criticisms of the Melbourne City Council.

The attacks have become increasingly vitriolic as community outrage at the undemocratic proposal to sack the council grows.

Yet the community is still waiting for a legitimate reason to be offered for the proposed sacking, given that no breaches of the Local Government Act have ever been alleged.

Instead of credible answers, the Bracks government and its PR consultants continue to wage a campaign attempting to discredit the council.

It goes on to say:

Over the past few months Mr Cameron and Mr Bracks have called the council factionalised, ungovernable, dysfunctional, unworkable and even (on ABC 774 on February 8) untrustworthy!

The councillors themselves say:

The fact is that almost 70 per cent of our decisions are unanimous.

...

The fact is Melbourne City Council is debt-free and has balanced a \$180 million budget with a small surplus.

...

What is becoming increasingly obvious is that the real problem with governance in the City of Melbourne is the lack of a working relationship between state and local government.

At the start of our term, the council tried to set up a Capital City Committee, such as operates successfully in Adelaide.

We wanted to facilitate a vision for the city which was shared between state and local government. Our request was refused.

The *Herald Sun* of 15 March published more vitriol from the minister. It states:

Council keeps on travelling

The City of Melbourne is continuing to approve ratepayer-funded travel by its councillors, despite having been effectively sacked by the State government.

It identifies the trips and then goes on to state:

Local government minister, Bob Cameron, said residents and ratepayers would soon have the opportunity to vote for a new council.

They can indicate with their vote whether this sort of behaviour is appropriate or not.

The minister is supposed to be supporting the Melbourne City Council and trying to find a solution. Instead he is destabilising the council and causing the Melbourne community to lose confidence in its city council.

There is a process for the suspension of councillors and this government has not followed the requirements of the Local Government Act 1989. I will read the relevant section, which is part 10, headed 'Inquiries, reviews and suspension of councils'. Section 209 states:

The Minister may appoint Commissioner and establish inquiry.

- (a) to conduct an inquiry into matters relating to the affairs of a Council; and
- (b) to report in writing to the Minister on those matters.

Under section 213 (1)(a) the commissioner:

has complete access to any buildings, places, books, goods or documents ... for the purposes of the inquiry.

The act goes on to talk about the powers of the commissioner and says in section 217 about the notice to the council that:

The Minister must give notice to a Council of the reasons for and the subject of an inquiry into that Council.

Section 218 is headed 'Outcome of inquiry' and states:

- (1) If the Minister has received the report of a Commissioner of an inquiry into a Council and considers that —
 - (a) the matter should be referred to the Council; or
 - (b) any action should and may be taken to rectify, mitigate or alter the effects of a Council's action or omission which was a subject of the inquiry ...

It goes on to talk about other issues. However, the act also says that an inquiry should not prejudice any proceedings or remedy against or liability of a council. I believe that in speaking out publicly against the council during its suspension the minister has prejudiced the outcome of any decision the community may make about the council.

Section 219 is headed 'Suspension of councillors' and states:

- (1) The Minister may recommend to the Governor in Council that all of the councillors of a Council be suspended, if the Minister is satisfied on reasonable grounds that the Council has failed in a serious or ongoing respect —
 - (a) to provide for the good government of its municipal district in relation to its functions; or
 - (b) to perform a function which it is required to perform; or
 - (c) to form or maintain a quorum; or
 - (d) to comply with any law.
- (2) The Governor in Council may by Order in Council do any or all of the following —
 - (a) suspend all of the councillors of the Council;
 - (b) appoint an administrator for the Council;
 - (c) appoint a person to fill a vacancy in the office of administrator;
 - (d) appoint a temporary administrator in the place of the administrator to act in the administrator's absence or incapacity to act.

The Local Government Act sets out a number of guidelines the Minister for Local Government could

have followed but he chose not to. He said he would not sack the council, but in fact he was destabilising it by bringing on the election early.

Hon. P. R. Hall — He was sacking it.

Hon. E. J. POWELL — In effect, as Mr Hall said, the minister was sacking the council. The community saw it very much as the council being sacked. I do not know how the community feels about being represented by a council that has lost the confidence of its community.

It seems that history repeats itself. The Municipal Association of Victoria (MAV) sent me some research entitled 'The Melbourne City Council and the Victorian state government: history repeating itself'. It says history has shown that there has always been antagonism and conflict between the Victorian government and the Melbourne City Council and that has provided newspaper fodder over many years. The disagreements between the Melbourne City Council and the state government has been newsworthy for many years.

In March 1981 the Liberal government under Premier Rupert Hamer dismissed the Melbourne City Council not for any financial impropriety or failure to maintain quorum but for failing to function effectively and efficiently. However, the Hamer government followed the proper processes and appointed three commissioners. After its election in 1982 the Labor government led by John Cain, Jr, directed the commissioners to make no new decisions and to prepare for transition to an elected council.

The problems continued, with the state government intervening on planning issues. It is interesting to note the extent of the interference. Between 1987 and 1989 the then planning minister, Tom Roper, used his ministerial powers 37 times and the Melbourne City Council took his ministry to the appeals tribunal 71 times in the first 12 months.

Hon. R. M. Hallam — That is a proud record.

Hon. E. J. POWELL — It is a very proud record. That government then decided to fix the problem, and it established the major projects unit, which effectively took a lot of responsibility away from the Melbourne City Council.

In 1992 a number of recommendations regarding councillor numbers and ward structure were put forward in a directions paper entitled 'Central Melbourne proposals for effective city government'. In addition, it suggested a joint decision-making

mechanism be established to improve state government–Melbourne City Council relations. Interestingly, the report also opposed a directly elected Lord Mayor.

The Bracks government and the current Melbourne City Council have had continual problems and conflict since 1999. Now the government and not the council is issuing Melbourne planning strategies — for example, the metropolitan strategy. I went to a briefing on the metropolitan strategy yesterday. It is a good document, but it shows that the government and not the council that was elected to govern is deciding the direction of planning strategies. I always thought the local government authority was the planning authority, but the government is now making decisions on the planning strategy for the Melbourne City Council.

The Victorian Local Governance Association has been quite open about its concerns about the government's reform of the Melbourne City Council. I have had a number of meetings with the VLGA and the MAV, and I thank them for their assistance and the information they have provided. Many of the VLGA's concerns were documented in a letter to me dated 2 April that was signed by Julie Hansen, the president of the VLGA. It states:

Dear Jeanette,

Re: City of Melbourne Bill — 'partnership' implications

The VLGA wishes to alert you to serious matters regarding the government's reform of the Melbourne City Council. The VLGA has grave concerns about provisions contained within the draft City of Melbourne Bill currently listed for debate within state Parliament. This bill is not acceptable in terms of its implied relationship between the state government and the state's local governments and requires some amendment.

The VLGA strongly supports the principle that the capital city government has special dimensions that set it apart from the state's other local governments and that these special characteristics require it to have a unique relationship with the state government. However, this special relationship must be a partner of equality.

What is proposed in the draft City of Melbourne Bill is certainly not a partnership between the state government and the City of Melbourne. It is little more than an agency arrangement by which the state government ensures that the Melbourne City Council complies with and adheres to state government policy objectives. It is at severe variance with the policy of 'partnerships' on which the government was elected to office. It is at odds with the Independents charter.

Honourable members may remember that the VLGA is one of the peak bodies for local government, so the views expressed here are not those of one person but of the members of that local government industry. The

VLGA is concerned about a number of clauses in the bill and states:

Of special concern are sections 7(b) and (c) and 8 (1), (2) and (3). These sections appear to create the conditions for an unequal partnership between the state government and the Melbourne City Council (MCC). They require the MCC to align policies and programs to the state government and to respond to meetings convened by or on behalf of the Premier.

The VLGA also talks about the relevance of the Independents charter:

The government's own policy commitments were strengthened when it accepted the Independents charter put to it in October 1999 by Victoria's three lower house Independent members of Parliament.

The VLGA has raised a number of concerns we should all share.

As I said earlier and as the VLGA highlighted, this bill is in direct contravention of the Independents Charter Victoria 1999. We can see the extent of that from a press release issued by the Labor government on 18 October 1999. It is a statement from Mr Steve Bracks, MP, the leader of the Victorian Labor Party, which states:

Today I have transmitted advice to the Governor of Victoria, Sir James Gobbo, that the Victorian parliamentary Labor Party has secured the support of all three Independent MPs.

Accordingly, the Labor Party now has the required number of seats with the support of the Independents to form government in Victoria.

The Independents, Mr Russell Savage, MP, Ms Susan Davies, MP, and Mr Craig Ingram, MP, and myself have signed a memorandum of understanding, which I have forwarded to the Governor and to Mr Kennett.

The Independents charter on local government, which was signed off by the Premier so that he could acquire the support of the three Independents to gain government, states:

I commit a Bracks Labor government to the following:

Leading a government that recognises that local government is a separate, democratically elected entity which is responsible primarily to the community it services.

And this is the important one:

Limit the suspension and dismissal of councils and councillors to cases of corruption or other serious failure.

It continues:

Give local government the authority to independently manage their own finances and the affairs of the municipality —

that is totally against the bill the government is now bringing forward.

Labor's policy statement for local government entitled 'Putting people first' states:

Labor will:

amend the Victorian constitution to properly recognise local government and safeguard its democratic process.

It has not done that.

Hon. W. R. Baxter — It was not worth the paper it was written on!

Hon. E. J. POWELL — It certainly was not. I am sure that is not the only commitment it made to gain government, and I am sure that over the next few years we will see many more being broken. That must be seen as a real threat to all of local government, not just Melbourne City Council.

It is interesting to read the Labor Government policy on which it went to the election. Labor members are always saying on the record that the Labor Party got in by putting its policies forward so it has a mandate to govern. I wonder what happened to some of the other decisions made in Labor's plan for local government, about which it said:

Labor respects local government as an equal partner and we are determined to see a more ambitious and creative role for local government in the future life of our state.

For this to occur, local government must once again be restored as a level of government in its own right, with the freedom to function democratically and with a strong sense of community ownership.

That was from Steve Bracks. He went on to say:

Victoria needs new solutions for local government — and a new respect for ratepayers, councillors and council staff.

And this is an interesting line:

Only Labor will allow local government to govern without fear.

I think that says it all. The fear now felt by Melbourne City Council shows that that certainly has not been part of Labor's policy. Most people when voting for a government look at the policies and agree or disagree. This government came to the election with a raft of policies. It said it would stand by those policies.

Hon. P. R. Hall — When it suits them!

Hon. E. J. POWELL — Yes, as Mr Hall says. Labor members constantly say: 'We got in. You must support this bill because it was part of our policy'. This

bill goes absolutely against all of their policy. I would like to see them throw out this bill.

Honourable Members — Hear, hear!

Hon. W. R. Baxter — Justify it! Justify walking away from their policy.

Hon. E. J. POWELL — Exactly. I would like to hear in their presentation today how they justify that.

I have also spoken with the advisers for Mr Russell Savage and Mr Craig Ingram. I am pleased to see that all the Independents voted with the National Party. The fact that the government signed off on an Independents charter, brought in this bill and the three Independents crossed the floor and voted with the National Party in the other house shows how much respect and care the Independents have for the bill.

In the discussions I have had with the Melbourne City Council and others there has been talk about support for a capital city committee to be set up to consider alternative ways of creating a better relationship between the council and the government. I attended a breakfast forum in the Melbourne Town Hall on 8 February this year at which the South Australian Premier, John Olsen, and the Lord Mayor of Adelaide gave a presentation on how the committee in that state works. That capital city committee was initiated because Adelaide City Council was having problems similar to those the Melbourne City Council is having now — infighting, personality problems and bad press. The South Australian government got together with the council and tried to find a solution to improve the council's relationship with the community, the media and the government. The committee they set up is consultative and seems to me to be a good working model for the Melbourne City Council. The committee members are the Premier, the Lord Mayor, two councillors, two ministers and two officers the Adelaide City Council — a very good representation of the council and the government, indicating their desire to have a good working relationship between the two bodies.

The committee makes regular reports to the community so that the community is aware of what is going on. It prepared an agreed development plan with the government for the next five years. A recent survey showed that 73 per cent of the community could see a tangible difference in the relationship between the council and the government.

Safety was one of the issues raised at that meeting, and I think we could also take that on board. The community was concerned about safety in the central

business district, but the council has limited powers — for example, the police are the state government's responsibility — so, although the council can initiate a number of safety measures, the state government must also respond and provide some support.

The community also had grave concerns about drugs in the central business district, so the council declared the CBD a dry zone. The government supported that with suggestions such as alternative accommodation outside the CBD for detoxification and rehabilitation. That meeting clearly showed the good relationship between the Adelaide City Council and the South Australian state government. I believe we should support a capital city committee for Melbourne, and the National Party is supportive of such a committee and condemns the government for not implementing a capital city committee.

The government has taken a number of initiatives — one is that the Premier may call on the council and ask it to come to him, but that is not a true partnership. Had a capital city committee been put in place there would have been no reason to sack the existing council because the capital city committee could have initiated a number of policies to ensure those sorts of things did not happen again.

Hon. R. M. Hallam — It sounds as if there is another agenda at work.

Hon. E. J. POWELL — It does, Mr Hallam, and I hope when government members give us their contributions to the debate they let us know why a capital city committee was not set up. I know the minister looked at the concept, and I would be interested to hear why he decided not to adopt it.

I also had a briefing with Joan Kirner, who as honourable members know was fairly vocal in her criticism of the government's response to the report the panel put forward. The Honourable Neil Lucas referred to some of the press clippings that illustrate how irate the Honourable Joan Kirner was.

Hon. W. R. Baxter — She must have felt very let down by her former colleagues!

Hon. E. J. POWELL — She was feeling let down. She was excited about the report. I had a briefing with her over lunch. It was a good briefing. She let me know where the report was going and asked for a number of National Party recommendations — she asked for our decisions and our reasons — and made us aware of the direction in which the facilitation panel report, 'A Way Forward', was going. The Honourable Joan Kirner was the chair of the panel and the Reverend Tim Costello

and Alan Hunt were members of the panel. The panel would have been very independent, given that it comprised representatives of the Labor Party and the Liberal Party and a very independent person in the Reverend Tim Costello.

We have heard that the report cost \$30 000 but that amount increased when other matters were taken into account. The panel was not initiated by the government but by the Municipal Association of Victoria and the Victorian Local Governance Association. Those bodies are trying to solve their own problems; they do not want the state government interfering and meddling. Because they want to fix their own problems they initiated the panel to look at the concerns of the council and the government and to find a way that the industry itself could fix the problem.

I thought the report was very fair and made some good recommendations. Some major factors were identified with key stakeholders through consultation with the council, the community and business leaders that took place over 10 weeks.

Some of the factors identified in the panel report were that some individual councillors work hard; most are accessible and will listen — some will not; and that officers in general are highly competent and provide services of high quality. Another factor identified, as has been acknowledged, is that the council is debt free, has increased its reserves, and has kept its rate increase well below that of the consumer price index.

The report also identified the following problems: insufficient trust and respect between the councillors; a breakdown in communication between the offices of the Lord Mayor and the chief executive officer; a lack of clear definition and agreement about the roles and responsibilities of the Lord Mayor, the councillors and the chief executive officer; the delegation of powers to officers were too extensive; and a lack of agreement and joint action between the council and the state government to promote the best interests of the city.

Despite those problems being identified, the panel members made very good recommendations. They included a seven-point action plan which addressed how the problems could be solved. The Melbourne City Council, having read the report, agreed with its findings and said it would start initiating some of its recommendations. It has done so. Once the report was published, the government had the opportunity of supporting the recommendations of the panel, allowing the Melbourne City Council to come to terms with the issues addressed in it and solving some of the problems identified, but the Minister for Local Government

decided that he would not do so. In December, within an hour of receiving the panel report, the minister indicated that he had decided to sack the council. He would not even give the council a chance to do what it had decided to do. He decided not only to tell the councillors that they were effectively sacked but to leave them there so that the council was destabilised. As Mr Lucas said, the chair of the panel, the Honourable Joan Kirner, was absolutely furious — and I do not blame her for that. The minister's action shows that the government held the panel in contempt.

Hon. P. R. Hall — It had a predetermined agenda.

Hon. E. J. POWELL — Yes, the action showed that the government had a predetermined agenda. It was not prepared to consider solutions to the problems. The government had decided to sack the Melbourne City Council. It was not prepared to consider solutions to the problems by working with the council and the community. The panel report cost the council members of the Victorian Local Governance Association and the Municipal Association of Victoria \$30 000. It was all treated with contempt. The government did not even have the decency to let the Honourable Joan Kirner know its decision before the press release was made public which, as I said, was within an hour of the government receiving the panel report.

Hon. W. R. Baxter — I'll bet she was pleased!

Hon. E. J. POWELL — All honourable members will have seen the reports in the press that show that she was not pleased.

The report did not recommend that the council be sacked. The Honourable Joan Kirner told me that the government kept in touch with the panel to find out what some of the panel recommendations would be. The government was aware that the panel was not proposing to recommend that the council be sacked.

I turn to my concerns about provisions of the bill that have been highlighted by other contributors to the debate. I understand that in the committee stage the government will introduce amendments and I will address the provisions in more detail then.

Clause 7(b) provides that additional objectives of the council will be:

to develop and implement strategic directions and policies for the City of Melbourne in collaboration with the Government of the State to ensure alignment with that Government's strategic directions and policies for the City of Melbourne as the capital city of the State of Victoria ...

I have some problems with that. Although the government may like to have some strategic directions and policies, the City of Melbourne is the planning authority. The clause should include the word 'agreed' for strategic directions and policies.

The government has included clause 8, which provides for meetings between the government and the council, instead of establishing the recommended capital city committee, which would have been a more democratic and workable proposal. Clause 8(1) provides that:

The Premier, or his or her nominee, may convene meetings with the Council to consider any matter that, in the opinion of the Premier (or the nominee), is of significance to the Government of the State and is relevant to achieving the objectives of the City of Melbourne as the capital city of the State of Victoria.

Why did the government not implement the recommendation that there be established a capital city committee? Why can only the Premier or his or her nominee convene meetings with the council and not the council if the councillors have an issue they want to raise with the Premier?

During the committee stage I will elaborate on clause 15 which provides for joint nominations for the Lord Mayor and the Deputy Lord Mayor. What if members of the community want to elect the person nominated for election as Lord Mayor on one ticket and the person nominated for election as Deputy Lord Mayor on another ticket? That option is not available so some part of the democratic process is removed.

I acknowledge that the lord mayors of the capital cities of some other states are directly elected. Melbourne will be the only city where the nomination for election as the Deputy Lord Mayor will be on the same ticket as that for the Lord Mayor. I seek clarification of what people can do if they want to vote for a person nominated for election as the Lord Mayor on one ticket and a person nominated for election as the Deputy Lord Mayor on another ticket.

Clause 16 is headed 'Candidates may only stand for one position' and subclause (3) provides:

This section does not prevent a Councillor nominating as a candidate for election as the Lord Mayor or the Deputy Lord Mayor at a by-election for either of those offices, nor does it require that a Councillor resign from office if he or she is a candidate for either of those offices at a by-election.

Can a councillor who is not successful in being elected Lord Mayor or Deputy Lord Mayor return to the position of councillor?

Clause 28, headed 'Power of Minister in respect of use of revenue', has caused concern among a number of organisations. I understand that during the committee stage the government will move an amendment that will remove the clause. I will not go through the whole clause, but in effect it provides that the minister can interfere with the council's capacity to decide how it will raise its rates and what it will do with them. Currently that power is provided by section 136A of the Local Government Act. I understand it was included in the act during the local council amalgamations. I agree that that power should be removed as it has no part in the current status of local government.

Another concern I have is with clause 27, headed 'General provision concerning allowances', which provides in subclause (1) that:

The Council does not have to pay an allowance under section 26 to a Councillor who does not wish to receive it.

I suggest that the council should pay the councillor who, if he or she does not wish to receive the allowance, can do whatever he or she wants to do with the money, such as giving it to a charity or a favourite cause. I am concerned that a precedent would be established and it could be open to interpretation. The council should pay an allowance to the councillor for services rendered and the councillor can choose what he or she does with it. Those concerns might be discussed during the committee stage.

For a number of reasons, the National Party does not support the proposal to directly elect the Lord Mayor. The proposal brings party politics into local government, which has no place for party politics. Honourable members will have read in the newspapers that Labor is considering endorsing a candidate for election as Lord Mayor. I suppose most political parties will do the same.

Hon. W. R. Baxter — There's not too much interest. They can't get a quorum at preselection meetings. They've had two goes!

Hon. E. J. POWELL — Perhaps Labor will not be preselecting and endorsing a candidate, but another major party might do so.

Hon. P. R. Hall — The Trades Hall Council will do it.

Hon. E. J. POWELL — The Trades Hall Council could also endorse a candidate. An important consideration is: what will be required of the Lord Mayor at payback time?

Another concern is that only wealthy people or those with a high public profile will run for election as the Lord Mayor. Members of the National Party maintain that candidates for local government office should be people with an interest and experience in and a vision for local government and a desire to ensure that the municipality grows. That is particularly important for candidates for election to the Melbourne City Council, which represents the capital city of Victoria. As I said, the National Party has some concerns about that provision.

The government's problem of not liking the current Lord Mayor and its allegations of troubles within the Melbourne City Council will not be solved by directly electing a new Lord Mayor. Other state capitals have directly elected mayors. I recall longstanding concerns about Sallyanne Atkinson in Brisbane. Over the years there have been problems involving conflicts of personality between directly elected mayors and state governments. It is not important to suggest that Victoria is the only state without a directly elected Lord Mayor. A mayor should have the confidence of the council; otherwise, internal conflict will arise. The mayor is the leader of the council, and should be elected. Certainly the National Party does not support the idea of a directly elected Lord Mayor.

The second-reading speech states:

The purpose of this bill is to implement representational reform to the City of Melbourne and give the city a fresh start.

I am not sure how the bill will be able to effect that, given that many councillors have openly said they will stand again. The bill does not say that the current councillors cannot stand again, but the government must allow that to happen. It will be interesting if many of those councillors are re-elected. What would that show about community support for those councillors? There is community support for many councillors. The names of councillors crop up in the newspapers from time to time. The present scene is not good for the councillors who are there and doing the right thing.

I have spoken to many people and organisations in Melbourne. Many say that a number of councillors have the confidence of the community and the business sector, but they are all being tarred with the same brush. The government is not doing anything to stabilise and support our capital city council — in fact, it has done the opposite. It has done as much as it could to destabilise the council, to cause internal and external conflict, and to jeopardise the good governance of the council.

The government says the bill is a response to extensive consultations carried out by the ministerial working party earlier this year. I asked for a copy of the working party report, but I received only a precis of it. The report recommends an increase in the number of councillors. Although the government says the bill is in response to extensive consultations, it has decided to take no notice of a number of areas in the report, one being the recommendation to increase the number of councillors. The bill does not give effect to that recommendation.

The working party report discussed state-capital city relationships. The report says there was major support for something being formalised — for example, the Adelaide model, which is a model of the capital city committee about which I spoke earlier. The minister's working party said there was a majority of support for something more formalised. Although the second-reading speech tried to pretend otherwise, the minister has not taken on board the recommendations of the working party.

I am well aware that all members of this house have received copies of a letter of 2 May from the City of Melbourne to the Minister for Local Government. In part it talks about the constitution of a nine-member council and states:

Given the extremely heavy workloads of existing councillors together with the results of council's recent public consultation, it recommends an increase in the proposed number of councillors.

I ask the government to take that issue on board. The letter also refers to clause 28, which deals with ministerial power over the use of council revenue. It states:

Council believes that enshrining the existing power in the Local Government Act 1989 (s. 36A), which effectively allows the Minister for Local Government to determine aspects of MCC expenditure, is an unacceptable encumbrance upon the power of the council. Accordingly, the council urges that s. 28 of the COM bill be withdrawn from the bill and repealed from the Local Government Act 1989 to grant the MCC the same autonomy over its revenue and expenditure exercised by all other Victorian municipalities.

I understand later recommendations will come from the government that clause 28 will be withdrawn from the bill, but the Melbourne City Council also asks that section 136A of the Local Government Act be repealed. I ask the government to take that on board.

The letter also refers to provisions about election campaign funding disclosures:

While the bill is silent on campaign funding disclosure, the council considers that the concept should be introduced to all candidates in future City of Melbourne elections.

Accordingly, the council recommends that the bill be amended to require the candidates, teams and groups to disclose election campaign funding, including in-kind and organisational support.

I urge the government to also take that matter on board. I know the minister has received the original letter from the City of Melbourne, so I hope he takes those issues into consideration.

The National Party opposes the bill for a number of reasons. It contravenes the Independents charter. The government received the support of the three Independents, to allow it to govern, by signing off on the charter in its entirety. The government must take some blame for destabilising the Melbourne City Council. It does not create a genuine partnership between local government and the state.

The bill goes against the Labor government's policy. It will not fix the problems of the relationship between the government and the Melbourne City Council — in fact, it makes the relationship more unworkable.

The bill is another example of the government not consulting local government before it made its decision. There have been many examples of that since the government was elected. The Honourable Neil Lucas referred to the sacking of the commissioners at Melton; he and I have spoken about that issue during this sessional period. Mr Lucas also spoke of the proposed Albury-Wodonga council after the New South Wales and Victorian government cabinets decided at a joint meeting that the Albury and Wodonga communities should be joined. Unfortunately, that was done without consulting the communities or the councils.

The Honourable Bill Baxter and I suggest that before the government makes any decision on that issue, it should do what it says in its charter and policy — that is, sit down with the affected councils and discuss the process; it should discuss how it would work and deal with a number of regulations and rules that would be affected. As local members, Mr Baxter and I would be more than happy to sit in on any such consultations. We make that offer of support to the government; we would like to be part of any discussions or consultations. Later the Honourable Peter Hall will refer the house to an issue involving Sunbury residents.

I understand amendments are to be moved by the government. The National Party will not oppose those amendments, but I urge all honourable members to vote against this very undemocratic bill.

Hon. G. D. ROMANES (Melbourne) — I am pleased to contribute to debate on the bill, which will give the Melbourne City Council a fresh start and enable it to move on from the structure put in place in 1993 when the former Kennett government sacked the Melbourne City Council. The structure put in place at the time has led to disastrous consequences for the Melbourne City Council. I will briefly speak about the dual structure now in place, which, I put to the house, has had a lot to do with the problems encountered by the MCC over the past few years.

The council now has a structure of four wards with one councillor for each ward; each councillor is directly accountable to their constituents. Also, there is one non-subdivided district ward across the city. Five councillors have been elected to the district ward, supposedly to provide an overview of the city. The objective at the time the structure was introduced was to tip the balance of control away from those representing wards to the business community.

The dual structure of the Melbourne City Council is deeply flawed. It creates an artificial divide and a confusion of roles. It creates five district councillors with less accountability to their constituents than ward councillors. District councillors left most of the constituent work to ward councillors, who also bore a heavy burden of committee work and city-wide responsibilities.

There has been an inequality in the burden of work on the different groups — the ward councillors as opposed to the district councillors. There is certainly some antagonism arising from the different workloads. Over the past few years the structure of the Melbourne City Council has proved dysfunctional — although I qualify that by saying that many individual councillors are hardworking and have put in a fine effort despite the difficulties they faced. The quality of representation under the current structure put in place by the previous Liberal government has suffered.

At the end of last year the Bracks Labor government and the facilitation panel appointed by the Melbourne City Council reached the conclusion that there had been a breakdown in governance in the Melbourne City Council; both identified the need for electoral reform and to foster more effective representative and sustainable change. The City of Melbourne Bill proposes a new structure. It seeks to alter the electoral structure of the council to provide for a single non-subdivided municipality. It provides for the election of a Lord Mayor and a Deputy Lord Mayor to be elected as a team, and for the election of seven councillors. It provides for an early election to

implement the new structure without delay. It affirms the significant role of the city of Melbourne as the capital city of Victoria.

Clause 8 allows the Premier to call meetings of the Melbourne City Council to consider matters of significance to the state and the city. The bill repeals the City of Melbourne Act which has been reduced to insignificance due to the incorporation of most provisions into the Local Government Act. The bill provides for election and voting procedures similar to what is already part of the Local Government Act.

The state government and the facilitation panel identified the need for electoral reform at the end of last year. In January and February this year the Minister for Local Government set up a working party after the delivery of the facilitation panel report to undertake consultation with relevant stakeholders. There were 12 key consultations held and 33 written submissions received on the restructure proposals. Many residents and resident associations, but not all, preferred a return to a complete ward structure — a structure of wards across the municipality in order, in their view, to provide clear lines of accountability for councillors to their constituents. Many submissions favoured the one non-subdivided ward seeking a city-wide focus and vision. They wanted quality candidates to put forward a more strategic city-wide view. They wanted councillors to represent a diversity of views. They wanted councillors to balance the interests of the many constituents of Melbourne — residents, businesses, landowners and workers. They wanted councillors committed to good governance who would represent the needs of the citizens of Melbourne. They wanted a strategic focus for the city.

Given those views, the government has put forward the proposed structure in the bill. The concerns about accountability and relationships of the elected councillors to the various constituents can be achieved by mechanisms which apportion responsibility and accountability, perhaps across geographic areas, perhaps by sectoral areas such as councillors being responsible for recreation or health, or according to the nomination of committee chairs to oversee work in key areas such as planning or parking, or a combination of all of that. The division of responsibility and the role of councillors in the new structure of the council with one non-subdivided ward needs to be determined by the new council and to be made clear to the whole community.

As I said before, the bill provides a fresh start, a different structure and an opportunity to deliver internal stability. One of the key features of the bill is a

separation of the elections of the Lord Mayor and the Deputy Lord Mayor from the contest for council positions. Stability will be enhanced by proportional representation of elections for the seven councillors. Under the quota system a range of councillors with different interests will be able to win seats. It is a fairer, more inclusive system of election than for multi-member wards as exists across the state. The proportional representation system is an important element of the bill. I remind the house it is a system of election that was denied by this house when the opposition voted down the Constitution (Proportional Representation) Bill last year which would have enabled proportional representation to be the system of election for the Legislative Council.

The provision providing for the election of the Lord Mayor and the Deputy Lord Mayor provides for a separate ballot paper and an exhaustive preferential system but, most importantly, the Lord Mayor and the Deputy Lord Mayor will be a leadership team, which is an important step forward within the new structure of the Melbourne City Council.

One of the major areas of controversy in the bill is clause 28. Much discussion of the clause has occurred with local communities, local government and the various parties represented in this place. At the heart of the concern is the relationship between the capital city, local government and the state government. Because of the bundling of various provisions by parliamentary counsel which are Melbourne specific and their transfer to the new legislation, the nefarious section 136A of the City of Melbourne Act reappeared as clause 28. The provision gives the state government the right to direct the Melbourne City Council on how it spends its revenue. What is the origin of section 136A? I understand the Honourable Roger Hallam was the Minister for Local Government when the provision was proclaimed. It was designed to give the minister a head of power in the event the government may want to give something back to business, specific groups or particular parts of the city.

Section 136A of the act was seen to tie the City of Melbourne so closely to the government that it smacked of increasing control over local government in this capital city. The Victorian Local Governance Association (VLGA) has stated that Section 28 of the City of Melbourne Bill is an adaptation of section 136A in the existing legislation. Section 136A was inserted into the Local Government Act in late 1993 by the former Kennett government.

The VLGA has been critical of the section as it ensures the spending of local governments would be controlled by Spring Street. The letter continues:

Over the period of its existence, the VLGA has advocated for the removal of this clause. This clause, when coupled with sections 7 and 8 of the current bill, would serve to complete the trifecta that we believed Kennett intended — control of finances, control of policy and programs and capacity to ‘call in’ councils. This would not fit with the VGLA’s understanding of the ALP policy on ‘partnerships’.

This type of control by the state government over local government in 1993–94 outraged many people active in local government. In response to what was happening at that time we saw the formation of the Victorian Local Governance Association and the movement for local democracy in this state. Widespread concern was expressed among constituents and voters about what section 136A meant.

In drawing the government’s attention to the transfer of section 136A in the bill by parliamentary counsel, the government made a commitment during debate in the other place that it would investigate outstanding orders relating to this clause, and has reached the conclusion that there are none and it is appropriate for the government to remove clause 28, which will be one of the amendments proposed later today, because the clause is a canker from the Kennett–Hallam years.

The relationship between the Melbourne City Council, as the capital city local government, and the state government is important. We have heard from previous speakers that the Melbourne City Council has a special role and relationship. Stakeholders who put forward their views to the ministerial working party on the restructure of the Melbourne City Council made it clear that what they want to see is a strengthened city council, one that can work with the state government to make Melbourne not only internationally competitive but also a livable city.

The Kirner facilitation committee recommended a legislative partnership in the shape of a capital city committee along the lines of the committee in Adelaide. The government does not wish to be tied to particular bureaucratic structures but wishes to steadily build the relationship between the Melbourne City Council and the state government.

Clauses 7 and 8 have been controversial, and much discussion has taken place. The words contained in clause 7, such as, ‘collaboration’, ‘alignment with strategic directions and policies’ and ‘coordination in the planning and delivery of services’ should be read in the spirit in which they were intended. It is a

commitment to rebuild the relationship between our capital city, local government and the state government.

Clause 8 is minimalist in its description of the state government having the power to seek to meet with the Lord Mayor and the Deputy Lord Mayor of the Melbourne City Council. I have no doubt that meetings between the state government and the Melbourne City Council will happen when required and when significant issues require those meetings to take place. They could also occur along the lines of the request put to members of Parliament by the Melbourne City Council in its letter of 2 May, which states:

The purpose of the meetings will be to enable discussion of issues of significance where the coordination or ‘dovetailing’ of key strategies, major projects and policy may be maximised.

We want to see that coordination, collaboration and strategic planning maximised for the benefit of Melbourne.

There is another model that I believe, once elected, the council should pursue with the state government as a model for cooperation. The Brisbane City Council and the Queensland government have set up a capital city policy and pursued jointly the implementation of the policies contained in its agreement for the city. That is a model our state government should pursue.

The letter from the City of Melbourne also raised the matter of councillor allowances and requested that they be determined and released prior to nominations for councillor positions. Being a councillor for the City of Melbourne is an important job, which carries enormous responsibilities. Those allowances should be increased markedly to reflect those responsibilities and to allow the Lord Mayor, the Deputy Lord Mayor and the councillors to put as much time as they can into their work representing the people of Melbourne.

The correspondence also raised the issue of election campaign funding disclosure, on which the bill is silent. The review of the Local Government Act is proceeding at this time and there will be ongoing work reviewing the act during this coming year. It is an important issue to refer to that working party for consideration.

The passing of the bill will provide a fresh start to the process of a rebuilding a strong and strategic Melbourne City Council, that we all want to see working in conjunction with the state government. We want to see that happen and to help in that process to ensure we continue to have one of the most livable internationally renowned cities in the world. I commend the bill to the house.

Hon. B. N. ATKINSON (Koonung) — The City of Melbourne Bill is significant because Melbourne plays an important role in the life of all Victorians. It has a significant impact on the aspirations of many Australians and people living in other states. That is certainly so in the context of the role this city plays in a large number of international events. It is also important that the leadership of this city is perceived to be strong and to be developing a vital, vibrant, just and fair and economically responsible city that is capable of playing the role that most Victorians would want their capital city to play.

It is interesting at this time, when we are celebrating Federation, to reflect on the history of Melbourne, which was one of the major cities of the world. Next week we will attend the Royal Exhibition Buildings, which were opened for the world expo in 1896, a time when Melbourne was seen as one of the world's leading cities. It is significant that, despite the ebbs and flows of economic activity and the many things that have occurred in the century subsequent to Federation and the 104 or 105 years, depending on how you calculate it, since the world expo, Melbourne has maintained its pre-eminent position in world affairs and is still a major international city.

It has therefore been a disappointment to many Victorians — certainly to Melbourne residents and ratepayers, city businesses and people who visit the city of Melbourne, particularly from other suburban areas that have separate municipal administration; all the stakeholders in this capital city — that the Melbourne City Council has really not shown the level of leadership we would have expected and hoped for from a major capital city council.

It is disappointing that the local government model put in place by the previous government, which was referred to by the Honourable Glenyys Romanes, was not successful in delivering the sort of leadership we would have expected from the council. I believed the structure was cumbersome and had some concerns about it at the time. It required a lot of effort by all the people who were to become participants in the affairs of the city to recognise the opportunities of that structure and not simply play power games to secure greater responsibility or opportunity for their vested interests at the expense of the interests of Victoria's capital city and all its stakeholders.

Notwithstanding that, I do not think the structure in itself could be blamed for the sorts of problems that have occurred in the Melbourne City Council. It is in that context that I made the preceding remarks. Following the establishment of the structure there were

council elections and the election of a Lord Mayor. To the surprise of most people who were watching town hall to see who might be elected, an unexpected candidate got up. I guess it is one of the truisms of politics that if two significant groups are each backing candidates and neither group's candidate is acceptable to the other group there is always the chance that the smokey will get up through the middle.

There is no doubt that the election of the current Lord Mayor was a surprise to many people. I do not reflect on his capability or competence, but on the fact that he brought to the office absolutely no experience of local government and no apparent administrative experience that would have suggested that he would be an outstanding contributor as the Lord Mayor of this capital city.

He has probably rued the fact that he did not have that experience. I do not know that he was well equipped to cope with the vagaries of politics down at the town hall or that he necessarily understood all the responsibilities associated with the Melbourne City Council. No doubt he subsequently used his best endeavours, but I think the election of an inexperienced mayor under the previous model has not been conducive to having an effective council.

Perhaps of more concern to me and the many people who were absolutely aghast was the situation of a councillor, having assumed responsibility and being rewarded for that responsibility by way of allowances and other privileges, deciding for reasons best known to themselves to absent themselves from the proceedings of the council and not to turn up at meetings. That extraordinary situation has occurred at the Melbourne City Council. One of the councillors has over an extended period refused to attend meetings, ostensibly on the basis of security concerns.

This unfortunate situation was brought about by a personal dispute, which undoubtedly ended up compromising the council and has cost the council a great deal of money. It was not in the best interests of ratepayers, and it has reflected badly on the council and in many ways diminished its standing in the community — and the standing of all the councillors. Where one of a number of people who are elected to positions of responsibility does not perform to the best of their ability and does not deliver on their obligations, everybody's standing is diminished. That has certainly happened with the Melbourne City Council.

It also seems to me that some councillors have been far more interested in the pomp and circumstance of their office than in its responsibilities. That is unfortunate. I

take on board and accept what was said by the Honourable Glenyys Romanes — I almost called her Cr Romanes because I met her when she had that role.

Hon. N. B. Lucas — Was it a Labor council?

Hon. B. N. ATKINSON — Yes, it was — it was actually the council of my good friend, Mike Hill.

I accept what the Honourable Glenyys Romanes said about there having been a number of councillors in the City of Melbourne, as there are right across local government, who were genuinely committed to the advancement of their municipality and who worked very hard. It is unfortunate that the efforts of some of those people have been diminished by the actions of some of their contemporaries.

There is no doubt that over an extended period there has been continuing indecision by the council on a range of major projects and on issues of concern to the residents, ratepayers and other stakeholders of the City of Melbourne. When the council came in it was going to do all sorts of things such as reversing decisions on Swanston Street Walk. Well it took all the decisions — and Swanston Street Walk is still there. There has been little change, and nobody knows whether they can drive down it at night or not. It is probably the only pedestrian mall in the entire world where you can actually be booked for jaywalking, which I find rather extraordinary.

An honourable member interjected.

Hon. B. N. ATKINSON — Yes, that is true, because you have to allow access for trams. You can actually be booked for jaywalking on Swanston Street Walk, despite the fact that it is a pedestrianised space.

Hon. G. W. Jennings — So-called.

Hon. B. N. ATKINSON — So-called, indeed.

I even have some concerns about the former City Square space, which was part of a deal to bring a major international hotel to Melbourne and to address the significant problem of a landmark space in Melbourne. While I am not unhappy about the hotel that is there, the design treatment of the remaining public space has served only to create a forecourt for a major hotel. It has alienated the public and an important public space has been lost to Melbourne. I am advised by the council that it believes Federation Square will replace that space by acting as a public square at which the people of Melbourne will have the opportunity to meet.

Nevertheless, the way the council has addressed the issues of Swanston Street Walk, Federation Square and the City Square, all of which are interlinked, has been unfortunate. The economic vitality of Swanston Street and surrounding business streets, particularly retail business streets, has been affected and opportunities have been lost because of indecision and a failure to establish and implement effective strategies.

Many stakeholders have expressed concern about the marketing of the city, the cleanliness of the city, and issues such as the drug culture which has had an adverse impact on perceptions of the city area. That is unfortunate because it has certainly diminished opportunities for businesses in the city and has given people an impression that the city is an unsafe place. I believe that perception is wrong. The city is still a wonderful place to visit. It does not matter what time of the day or night that you go there, I think you can feel quite safe — you can be as safe in Melbourne as anywhere else in the world. But there are those negative perceptions and perhaps more should have been done about that.

More importantly, as has been alluded to by other speakers, there has been council infighting, and certainly a perception of a lack of leadership of the council in the context of its capital city role.

Against that background, I wonder whether the government acted too hastily. As I said, I personally had some question marks over its previous structure because I saw it as a fairly cumbersome organisation. The Honourable Glenyys Romanes referred in passing to the business interests, or non-residential ratepayers of the city, and the residential ratepayers of the city. It does not escape me that 80 per cent of the City of Melbourne's revenue comes from non-residential ratepayers. It is important that their interests in terms of the funding of a wide range of capital city functions and activities receive due consideration by the council. That is not to say that residential ratepayers — and happily there are increasing numbers of residential ratepayers in the Melbourne, as more people recognise the lifestyle opportunities of living within the capital city and the tremendous benefits and community aspects of living in areas such as Flemington, Kensington and so on, areas that fall within the Melbourne City Council boundaries — —

Hon. G. D. Romanes — You took Flemington out.

Hon. B. N. ATKINSON — Okay, Kensington and areas around Carlton. People are recognising the tremendous sense of community that has developed in inner urban areas, and obviously the rich heritage of

architecture. Many of the smaller retail businesses and other service businesses are found within the city of Melbourne and outside the CBD area that we so easily identify as part of the city.

The interests of the increasing number of residents moving into the area need to be looked after. As with any municipality, there is a range of social, cultural and service functions that a council should provide. It is a key issue for this city to ensure that it strikes the right balance. I believe those involved in the previous structure tried to ensure there was a balance between the interests of the non-residential and residential stakeholders in Melbourne. I am concerned that the new structure might lose some of that balance and impact adversely on non-residential stakeholders in the city. That is a matter of major concern. I hope the councillors, and certainly the leadership of the council, seriously consider their platforms and policies to ensure that they think through those issues of balance and ensure they are representative of all of the stakeholders of Melbourne.

One of the key issues here, notwithstanding the previous structure and whatever views people might have had about that structure for better or worse, is whether the government acted too hastily in taking this direction and introducing the proposed legislation. Arguably the government has moved to sack the council — it has effectively sacked the council. Although I accept that it is a call for fresh elections, it has effectively terminated the mandate of this council. I might observe that Crs Wellington Lee and Kevin Chamberlin are probably the most sacked councillors in history — perhaps anywhere in the world. They have been through the mill on a number of occasions.

This move to terminate the council and to withdraw its mandate has occurred at a time when I believe the council had started to make some progress on a number of key issues, when it had started to develop and implement quite significant strategies. I believe people were encouraged that there was some movement forward and that this capital city was starting to demonstrate a renewed commitment to a more vital city area, and to achieving that balance I spoke of in terms of both the business and residential interests. Council has made such progress, in my view, that even the absentee councillor has started attending some meetings again. I think one of the reasons for that was the councillor would have been disqualified because the period of grace had run out. But nonetheless, for whatever reason, the councillor has returned to give the council the benefit of her wisdom.

There is no doubt that the actions of the government came at a time when the council and the associations representing local government had sought to make the previous model for the council work and to take a step forward, as I think the Honourable Jeanette Powell mentioned in her contribution to this debate. Although the government had established a process and recommendations, it ignored them and acted not only before there was any effective consultation or community response to the report that was brought down by Joan Kirner, Tim Costello and Alan Hunt, but even before the media could analyse what it all meant. I was particularly interested in the Honourable Jeanette Powell's comment that she had been told by Joan Kirner that the government had been apprised progressively of the recommendations that the panel was coming to and what it was likely to be suggesting to the council and the government as a way forward. That indicated to me that the minister was already starting to hatch a plan and thought, 'This is not what I wanted'. If there is one thing we might advise the Minister for Local Government on, it is the old adage in politics that you never commission a report unless you know what the outcome is going to be.

Hon. G. W. Jennings interjected.

Hon. B. N. ATKINSON — In this case it was not his report, but certainly he might well have tapped a couple of members of that committee on the shoulder and said, 'No, I don't think it is advisable for you to go on with that unless you are going to give me this sort of outcome because that is where the government is going'.

In this case there is no doubt that the minister has looked at that and thought, 'I am not prepared to allow this council to administer its own affairs and to seek its own solutions on issues that have been raised by various speakers, both in this place and in the other place in terms of the problems confronting the City of Melbourne. The minister moved swiftly to introduce his own solution. It made a mockery of the consultation claims of this government. It made a mockery of its claims on due process. There was no doubt that the minister sought to usurp more of the powers of the Melbourne City Council, if you like, effectively, and certainly not to provide greater autonomy, which was the part of the rhetoric that went to the election.

Indeed, the Labor Party was quite forthcoming in its opposition to the planning powers and the idea of shared responsibility in planning for the city. Yet after to its elevation to government the Labor Party suddenly had a more entrenched position about the state government's responsibilities and privileges, as distinct

from those of the city council, particularly in that planning area. I notice that the minister and the Premier have sought to intervene on sites such the Queen Victoria Market and the old Queen Victoria hospital sites in Lonsdale Street. In both cases the government has taken quite a different position from that taken by the council after reasoned consideration and extensive reports on the issues involved in the projects.

The government has failed to deliver on its rhetoric from the moral high ground in the context of how it saw local government before the election. It made a commitment not to sack councils unless they had been involved in some sort of impropriety. I do not wish to dwell on that point because the Honourable Jeanette Powell brought out the issue of the Independents charter and the circumstances under which councils would be sacked. She did that adequately and the point she made has not escaped members of the Liberal Party.

While this council has obviously had problems with infighting and there were some question marks over its civic leadership, there have been no suggestions of impropriety or improper conduct that would have warranted the sort of unilateral action taken by the minister.

The National Party's position on this legislation is different from that of the Liberal Party. I and my colleagues understand the National Party's position and to some extent the concerns of the Victorian Local Governance Association and the Municipal Association of Victoria about the possible precedents this legislation might set. In the context of our debates, the Liberal Party is of the view that given that this is the capital city municipality — that it is the City of Melbourne — there are some significant differences in the administration, responsibilities and focus of this municipality compared with other local government authorities. Therefore, the Liberal Party would not expect this legislation to set a precedent.

If the government were to use this legislation as a precedent, if it tried to introduce legislation that might take up some of the elements of this bill, if it stepped down from its high moral ground, got off its white charger and tried to sack some other councils on fairly spurious grounds that were not in accordance with the provisions of the Local Government Act or the Independents charter that enabled the Labor Party's ascension to government, the Liberal Party would come out fiercely and vigorously in defence of those local government authorities unless impropriety could be shown. The Liberal Party would oppose such a move unless a council's administration was corrupted, not

corrupt as such necessarily although that is obviously reasonable grounds for dismissal of a council and has been used by various governments in the past. Unless there was a complete breakdown in a council this government would be well advised not to use this piece of legislation as a precedent. Given that it is a capital city bill and given the role, focus and responsibilities of the City of Melbourne the Liberal Party accepts that it is not expected to be seen as a precedent.

There has been quite a bit of suggestion about the consultation carried out by the government. I am not sure that the government knows what the word consultation means but it knows it sounds really good. Obviously at some point in time the government has been told, 'That is a winner, just keep saying you are consulting. It is terrific and everybody will be happy because you are consulting'. However, when it comes to practice there is not a lot of consultation. In the second-reading speech the Minister for Local Government made the ludicrous claim that this bill has been subjected to wide consultation when in fact the minister made the decision and the consultation process was that he then went out on some streetwalks to try to gather support for the position he had already adopted

Hon. N. B. Lucas — Just like in Albury-Wodonga.

Hon. B. N. ATKINSON — Absolutely.

Consultation after the event is not an effective form of consultation: it is a matter of concern. The Liberal Party conducted extensive consultation with the stakeholders in the City of Melbourne and with a large number of groups in and outside the city. Therefore, the opposition would accept the government's view that the stakeholders were looking for a city that is internationally competitive and continues to be one of if not the most livable city in the world and has a council that is strengthened in its leadership role in that city.

The Liberal Party also accepts the government's premise that the stakeholders were looking for quality candidates, people who were capable, competent and genuinely committed to the advancement of the City of Melbourne and representing the interests of the stakeholders. The Liberal Party accepts that premise because its own consultation also established it.

There is no doubt that those stakeholders require, as the government mentioned in the second-reading speech, a close partnership between the state government and the City of Melbourne, recognising the city's unique position as a capital city. However, I suggest that notwithstanding those matters there is a need for the government to be very cautious about the way it approaches some of the provisions in this legislation,

particularly clause 8. The opposition is pleased to see that clause 28 of the bill will be withdrawn. The opposition would argue that clause 28 is similar to section 136A of the Local Government Act which was a transitional provision after the restructure of local government and was not intended to be there well into the future.

Hon. G. W. Jennings interjected.

Hon. B. N. ATKINSON — Frankly, the Liberal Party was rather surprised when the repeal of that provision was not part of the changes to be made in this bill; it was originally maintained in the bill. I heard the interjection from the Honourable Gavin Jennings asking why we did not take it out. One of the interesting things about the City of Melbourne is that it seems to be subject to a piece of legislation virtually every year and there is ongoing dialogue between the city and the state government about changes to the legislation governing the city's activities. I think this is something the Liberal Party would have pursued in government because it was seen as a transitional provision. I accept that the amendments to that part represent a significant improvement.

The Liberal Party is concerned about the convening of meetings and I guess it is more about the tone of that clause. I understand, as the Honourable Glenyys Romanes reminded the house, that the council and the state government meet on many occasions at various levels to discuss a range of mutual interests. No doubt that will continue but in that context it is rather strange to have this provision in the bill especially the way it is worded. Recognising that the real position is that there will be ongoing dialogue between officers of the government and the council and between the political leadership of the state government and the council, it is rather odd that this clause should be found in the bill especially in the form it takes.

I notice that in the second-reading speech the minister made comment on the size of the council. Parliament needs to monitor the size of the council. On this occasion the government has chosen to stay with the same number of councillors. The Liberal Party view is that generally a lower number of councillors is preferable. In other words, you usually achieve a more efficient body that way. It is hard to say a lower number because obviously it is a lower number than three. However, in the work that was done to provide the previous structure of the City of Melbourne considerable consultation took place on the number of councillors needed to make an effective and efficient council.

When considering the responsibilities of councillors it must be borne in mind that their real responsibility is to address policy issues, not to go out and do the work. I have done time in local government and know the amount of hours councillors put in and how demanding that can be. However, councillors often get involved in areas they ought not get involved in. They often try to deliver the services and become executives of the council rather than making the policies and supervising the council to the extent that they are monitoring its performance, making sure policies are working, that council is meeting its financial commitments to its stakeholders and making sure it functions effectively as a council. You cannot and should not do both. You should not have a dog and then bark yourself. Councils have paid officers who are competent and skilled and who have resources. They are there to discharge the functions and activities of the council. As I said, the role of councillors is very much the role of policy making and monitoring — the overseeing of the council in much the same way as a board of directors oversees a company.

Nevertheless, given the issues being raised by the City of Melbourne, it is something Parliament should keep an eye on. A parade of legislation affecting the council seems to come before Parliament each year. At some future time we may need to consider looking at that provision.

I have some concerns about the direct election of mayors, particularly the deputy mayor, more so because it is on a ticket. The Honourable Jeanette Powell was right when she mentioned that effectively the field of potential candidates is diminished in a direct election. Invariably the sort of person who will succeed and become mayor will have the backing of a particular interest group, probably a political party but also potentially some other interest group — perhaps in the context of the City of Melbourne it would be the Australian Retailers Association or the Property Council of Australia or some other organisation that has a vested interest in trying to have its person in the driver's seat of the council. That is unfortunate.

As the Honourable Jeanette Powell also observed, it is likely to be somebody, certainly if not a person who is backed by a political party then somebody who has a high profile. Of course many fine people have high profiles and would make very competent and effective mayors in a capital city. However, there are also others who have the capacity, confidence and genuine desire to serve this city and state and who could make a very effective contribution and would be outstanding mayors who are not likely to have that opportunity in the future because of the direct election process.

There is also a blurring with direct election of some of the executive and political roles of the council. I have observed that happening in other jurisdictions where there has been a direct election of a mayor. Not only have we direct election of mayors in some other capital cities but throughout regional New South Wales in particular many mayors are directly elected. It is interesting to see the profile those people have in their communities and way they exercise their power and function in relation to their executives in those councils compared with other councils where there are no directly elected mayors. The difference needs to be clearly addressed by the council as it moves forward in establishing protocols between council and officers. There are also some constituency issues where councils see themselves as representing constituents from the council. When a council has effectively a full-time mayor who has been directly elected there will be overlap and some potential for tension.

The model before the house will not take the tension out of the City of Melbourne. It will not take the tension out of local government or between the state government and the City of Melbourne. It certainly will not take the City of Melbourne situation off the boil. There are areas — constituency issues is one — where one may well find that the tensions are in fact heightened rather than lessened. Part of that is due to the structure being looked at here and part is due to other things not exclusively that.

Another potential area of tension is if a council is elected by proportional representation and, for the sake of argument, it has substantial Labor Party backing and the mayor and deputy mayor are backed by business. That could potentially give rise to some concerns from the other elected members about the leadership of the council. There could be some confidence issues.

I have talked about other jurisdictions. Certainly similar difficulties have arisen where directly elected mayors have come into conflict with their councils and have not enjoyed their confidence. However, there is an impasse because they have been directly elected by the people into the leadership position as distinct from being elected from the number. Mention was made of the problem with the collegiate form of council and the sorts of problems at the City of Melbourne on this occasion where nobody could get up their agreed candidate as Lord Mayor. Cr Costigan came through the middle as a compromise candidate. Although that has occurred under the collegiate system, the same sort of problems could well be evident in a direct election model.

Nevertheless, I reiterate that where you have a direct election for the Lord Mayor and Deputy Lord Mayor and particularly where you have elections based on unsubdivided districts, there will be diminished opportunity for qualified and capable individuals to stand for election to council. Under that process there is the potential for political parties or other groups to entrench their positions. Nonetheless, other capital cities and many regional cities have directly elected mayors and there are some advantages to that model as well. Clearly it strengthens the advocacy role of the leadership of council and gives them much more strength in their ability to negotiate with the state government. They have a direct mandate from the people and it gives them improved advocacy opportunities when they meet with other levels of government — federal government and local government contemporaries in other states. It also recognises the capital city representation and allows them to be exposed to and to recognise the total and diverse interests of the city and not just base their leadership on the experience of their particular constituency within the council, their ward or district.

I hope that under this system with a directly elected Lord Mayor, for whom I will vote, a more constructive and collaborative relationship between council and the state government will be promoted. Certainly opposition consultation with the various stakeholders who have an interest in the City of Melbourne and the legislation now before the house were supportive of direct election of the council leadership, both the Lord Mayor and Deputy Lord Mayor — more so the Lord Mayor but those who were aware of the Deputy Lord Mayor proposals certainly accepted that. Therefore the opposition is pleased to go along with that particular provision on this occasion. I will vote for it, notwithstanding that it is not a panacea. As I said, there are other issues associated with direct election.

Other speakers have made points about clause 8. I note that the amendments to be introduced will include the withdrawal of clause 28, which is a matter of concern.

The provisions prescribing proportional representation as the means of election will be an interesting test for the Melbourne City Council and its operations in the future. No doubt it is appropriate to have elections based on proportional representation in the City of Melbourne, recognising its unique position as a capital city municipality and therefore with a different role, responsibility and focus from other local government authorities. Along with my colleagues I support the bill.

Hon. P. R. HALL (Gippsland) — I begin my contribution to the debate on the City of Melbourne Bill by acknowledging some very good contributions to the debate by the Honourables Neil Lucas, Glenyys Romanes and Bruce Atkinson. In particular I congratulate my deputy, the Honourable Jeanette Powell, on her excellent contribution. As she clearly indicated, the National Party will take a different approach from the other parties and will oppose the bill. It is not a decision that members of the National Party took lightly. We were guided very much by the research done by the Honourable Jeanette Powell on the bill. Her commitment to her shadow portfolio areas was demonstrated clearly by her contribution to the debate this morning and I congratulate her on that.

I support the Honourable Jeanette Powell who pointed out that the National Party will oppose the proposed legislation. I will make three points about that opposition. Firstly, the bill demonstrates the government's disrespect for local government and disregard for due processes by sacking the current Melbourne City Council. Secondly, the bill breaks promises given by the government to both the people of Victoria prior to the election and also to the three Independent members of Parliament in the other place. Thirdly, the bill promotes the role of party politics in local government, which is certainly an undesirable outcome.

I refer to the first reason for the National Party's opposition to the bill. Following the passage of the bill today, the headlines in tomorrow's papers will be 'Bracks government sacks Melbourne City Council'. Let us not muck around with words — as some in the debate have — the Bracks government is sacking the Melbourne City Council. In bringing forward the due date for the next council election, the government is circumventing the current term of the council. Therefore it is sacking the council. Its actions could not be described in any other terms.

I acknowledge that many people welcome the fact that the Melbourne City Council is being sacked. Indeed, on occasions some communities would have been better served if their local councils had been sacked. I am aware of a few such circumstances across Victoria.

The point I make is that there is a rule book. One cannot do just as one wants all the time. For matters as important as the dismissal of a council, the rule book must be followed. In this case, the official rule book is the Local Government Act. There are other rule books as well. The government came to power on a local government election policy that opposed the sacking of councils; so it constructed its own rule book by drawing

up a document with the Independent members of this Parliament. The government is blatantly breaking both formal and informal rules.

As the Honourable Jeanette Powell detailed, in this case the formal rule is section 219 of the Local Government Act, which spells out the process to be followed in the suspension of councillors. Section 219 also sets out the criteria based on which councils can be dismissed. To date honourable members have not heard from the government any explanation of how those criteria have been breached by the Melbourne City Council. Sure, there have been some problems — all councils have their problems and have vigorous debate about certain issues, but has the Melbourne City Council to the extent that warrants the application of section 219 of the act? I do not believe so. Members of the government have not put a case to justify the action taken.

Section 219 has already been quoted in the debate, so I will not go to it. Clearly, the government has failed to justify why it is invoking that section of the Local Government Act. The government is breaking the rules in the formal rule book and by abusing its role as governor of this state it is losing all sorts of respect and any dignity it might have had in the eyes of the people of Victoria.

The second reason for our opposition to the bill is that it represents just another broken promise by the Labor government. We are starting to get used to all the broken promises. I have many in my electorate, where an energy park was promised, as was an education precinct. The government has failed to deliver on those. The great classic broken promise is that made by the Minister for Sport and Recreation about Waverley Park. I continue to get letters almost on a weekly basis from people describing that broken promise. I have another here from a family in Ferntree Gully. Prior to the last election the Honourable Justin Madden said in a letter to that family that the government will keep Waverley Park for Australian Football League football. It is another broken promise.

Another letter about another broken promise in local government is from the Sunbury Residents Association. On 10 August 1999, Steve Bracks, MP, Leader of the State Parliamentary Labor Party, wrote to Mr Hector Bugeja, the Secretary of the Sunbury Residents Association, stating:

... Labor will consider change to municipal boundaries where there is a clear and definable case for modification(s). In regard to Sunbury, I believe there is a sufficient local groundswell for a separate municipality from the City of Hume to warrant a poll of Sunbury and district residents.

He promised a poll in the first 12 months of office and said that:

Respecting the wishes of local communities is part of this commitment.

He said also:

Labor is committed to a true partnership with local government. In this regard we will ensure that councils are treated as an equal partner in Victoria's system of governance.

The bill is clear evidence of that promise being broken. Local government in the form of the Melbourne City Council is not being treated as an equal partner in Victoria's governance. It is another broken promise — this time one to the Sunbury Residents Association by Mr Steve Bracks, now the Premier of the state.

What about the commitment given to the people of Victoria and the commitment given to the Independent members of Parliament? One need look only at the Labor Party's election policy to see what has happened. I refer to a document headed 'Putting people first: Labor's policy for local government' which states:

Labor will:

... recognise local government and safeguard its democratic process.

Is the government safeguarding its democratic process by dismissing a council for no valid reason? That is what this government thinks about democratic process! It goes on to state that Labor will:

Limit the suspension and dismissal of councils and councillors to cases of corruption or other serious failures.

Is there corruption in the Melbourne City Council? The government has not put forward any evidence of it. Has there been serious failure on the part of the Melbourne City Council in doing its job?

Hon. R. F. Smith — Yes.

Hon. P. R. HALL — We would like to hear what it is. Put it on the record. What does the Honourable Bob Smith believe is the serious failure by the Melbourne City Council? It cannot be in financial matters. It has a AAA rating, with a budget of \$180 million, and is the only capital city without any debt. Therefore the reason cannot be failure in economic management. Let us hear on what ground the government has based its belief that the Melbourne City Council has failed to do its job. The government should put it on the record to try to justify support for the bill. The Labor Party's policy is, once again, just rhetoric. Now a litany of broken promises is

emerging and the bill is clearly just another example of that.

The third reason for opposing the bill is the introduction of party politics into local government.

Honourable members interjecting.

Hon. P. R. HALL — People on the other side scoff. They are happy to have party politics in local government. For the benefit of some members on my left, let us consider what some people say about that.

Hon. R. F. Smith interjected.

Hon. P. R. HALL — Yes, I will name them. The April edition of GEN Government News reports Cr Pocock, who became a councillor on the Wollongong council in 1988, and is a member of the ALP, as saying:

In my experience and in going to various government conferences it appears to me that the most successful councils are ones where the party politics are not involved ...

The report also goes to what the other parties, particularly the National Party, think about party politics in local government:

One party that has steadfastly refused to go down the party political path in local government is the Nationals.

The party's federal president, Helen Dickie, says their local government policy focus is strictly about communities, not politics, and those wanting to run for councils as endorsed National Party politicians are not welcome.

The National Party has never endorsed candidates in local government elections.

Hon. S. M. Nguyen — You never win.

Hon. P. R. HALL — What a statement!

Members of the National Party have seen the effect party politics has had on councils around the state. We are steadfast in our views that party politics is not in the best interests of local government. The National Party opposes the bill on that third ground.

In conclusion, the bill is a classic example where the government's ego has resulted in the rule book being thrown out. Its political agenda has got in the way of responsible government. The government has betrayed local government and has broken promises. The National Party will not be party to such deceitful, despicable action. That is why it opposes the bill.

Debate interrupted pursuant to sessional orders.

Sitting suspended 1.02 p.m. until 2.07 p.m.

QUESTIONS WITHOUT NOTICE

SRO: relocation

Hon. M. A. BIRRELL (East Yarra) — I refer the Minister for Industrial Relations to the government’s proposal to relocate the State Revenue Office from Melbourne to Ballarat. Is it government policy that if a public servant refuses to move himself or herself and relevant members of the family to Ballarat the public servant who wants to stay in Melbourne will be sacked?

Hon. M. M. GOULD (Minister for Industrial Relations) — The short answer to the honourable member’s question is no. The proposal for the State Revenue Office amounts to the three Rs: relocation, redeployment or retrenchment.

Land tax: small business

Hon. T. C. THEOPHANOUS (Jika Jika) — Given the opposition’s intense interest in the land tax issue will the Minister for Small Business provide details of the government’s decision regarding land tax and its real effects on Victorian small business?

Hon. M. R. THOMSON (Minister for Small Business) — A couple of days ago I outlined the benefits of the Better Business Taxes package announced by the Treasurer in the other place and the benefits to small business. I shall now concentrate on the land tax component of that package. The opposition spent a great deal of time misleading small business. Not only have the new land tax arrangements helped small business, they have helped regional small businesses.

The Bracks government has increased the tax threshold from \$85 000 to \$125 000 from 1 July, in stark contrast to the Kennett government, which reduced the tax threshold from \$200 000 to \$85 000. It brought 76 000 new owners of property into the land tax net. As a result of the Bracks government’s decision 46 000 land tax payers will no longer be paying land tax. In fact, 89 per cent of property owners in regional Victoria will be exempt from land tax; 12 000 existing regional land taxpayers will no longer pay land tax.

The Victorian Employers Chamber of Commerce (VECCI) and Industry has confirmed that this package will be welcomed by many small businesses, especially in regional areas. CPA Australia said:

Small business has had a tough year, so the state government’s decision to lift the property value threshold for land tax should provide them with some much-needed relief.

I am pleased that VECCI is of the view that the tax measures strike a balance between the need for reform and the capacity of business to absorb further change in what has been a tumultuous year. The Australian Retailers Association said:

This will help almost all retailers irrespective of their size and is the right message to be sending to business.

The Harvey report was an independent report that was sent to the government for consideration. Its recommendations were the first step in a consultative process where, for the first time, the business community, particularly small business, had an input into government decisions about taxation arrangements affecting them. The Housing Industry Association praised the Bracks government for releasing the Harvey report, which ensured business had an opportunity to comment. It said the government should be congratulated on that.

The outcome of the Better Business Taxes package is a better go for small business, and the package again demonstrates the Bracks government’s commitment to taking care of small business.

May Day holiday

Hon. B. C. BOARDMAN (Chelsea) — Does the Minister for Industrial Relations support the push by various unions, particularly the Construction, Forestry, Mining and Energy Union, for 1 May to be declared a public holiday?

Hon. M. M. GOULD (Minister for Industrial Relations) — The Australian Labor Party went to the 1999 state election with an industrial relations policy that identified 11 public holidays, and May Day was not one of them.

National Youth Week

Hon. S. M. NGUYEN (Melbourne West) — Given the previous statements of the Minister for Youth Affairs to the house about National Youth Week activities, will he inform the house to what extent Victorians took part in National Youth Week celebrations?

Hon. J. M. MADDEN (Minister for Youth Affairs) — Honourable members will be aware that National Youth Week was held recently and that more than 200 events took place across the state with young people participating in a wide range of activities that reflected their diverse interests.

More than 100 of the events were funded through the National Youth Week 2001 Victorian grants program, which I have mentioned in this place on previous occasions. That ensured that National Youth Week was celebrated by all sectors of our society, including ethnic groups and rural and remote communities.

Honourable members interjecting.

Hon. J. M. MADDEN — Every time I speak about young people the opposition does not want to hear about it. It reflects the fact that in the last election the opposition was not prepared to listen to the views of young people.

Young people in Swan Hill participated in mural painting at the Swan Hill District Hospital's extended care unit, while the Spanish Latin American Welfare Centre held a youth forum to explore issues important to young people in the community.

The activities instilled confidence and leadership skills — something the opposition is lacking — in young people and explored various youth motivation programs. Young people in the City of Stonnington had the opportunity to learn circus skills as part of the National Youth Week festival. The opposition could do with some training in circus skills!

Honourable members interjecting.

The PRESIDENT — Order! The minister may have led with his chin on that. I ask opposition members to be silent and to allow the minister to complete his answer.

Hon. J. M. MADDEN — During youth week I opened a careers expo in Springvale. The honourable member for Springvale in the other place, who is doing a tremendous job for his community, attended the expo. The event was teeming with young people eager to get information on jobs, training and further education options. I also had the privilege of visiting a youth forum in Ballarat, at which local members were present, where young people from across the region spoke to me about issues affecting young people, such as transport, access to services and young people's health. The issues raised in those discussions have been incorporated into a submission that was presented to me for the Victorian Youth Strategy, an initiative that is being developed by the Office for Youth.

As well, I had the good fortune to attend the final session of the Young People and Drugs Conference and heard several noted speakers and a youth panel reflect on the views expressed during the three days of the event. I was particularly impressed by the energy and

drive of the young people involved, who made this event such a success.

I acknowledge the contribution of Meredith Gawler, who was the Victorian National Youth Week youth representative. She helped to promote the week to young people and the broader community. She was required to address large groups of school students, to make radio appearances and to take a leadership role in a range of forums. She had a daunting task.

Finally, I commend the young people and their communities for embracing the Get Into It theme, for their contributions to the planning and organising of events and for making National Youth Week such a positive experience for themselves and for their communities.

Arnott's Biscuits: plant closure

Hon. E. J. POWELL (North Eastern) — I direct my question to the Minister for Industrial Relations. Given the Treasurer's vitriolic outburst in respect of Arnott's and his threat that the government would intervene by providing direct assistance to rival manufacturers, what reassurance can the minister provide to workers in other factories operated by the Arnott's group, particularly Campbell's Soups in my home town of Shepparton which employs 230 people, for whom the Treasurer's threat of reprisals represents an added risk to the security of their jobs?

Hon. M. M. GOULD (Minister for Industrial Relations) — The honourable member is making accusations that are not true. The Treasurer, who is also the Minister for State and Regional Development, made it known that he was disappointed with what Arnott's was doing and that it was a grab for cash by selling its 4-hectare site at Burwood and transferring its operations at a cost of 600 Victorian jobs.

The Arnott's proposal to transfer to Queensland is because its equipment is over 40 years old. The company has undertaken a rationalisation process of its businesses. It advised the government yesterday of the decision after it had completed a review of its operations. It proposes to move the Burwood plant to Brisbane. That decision was made after it had undertaken a review of operations over a number of months.

I refer to the issue the honourable member raised about Campbell's in her province. Because the government is always concerned when companies make decisions to restructure and relocate the government will be monitoring the Arnott's closure and the parent

company with respect to the Campbell's operation in her province.

Electricity: Snowy interconnector

Hon. E. C. CARBINES (Geelong) — Will the Minister for Energy and Resources provide details of a proposal to increase the capacity of the Snowy to Victoria electricity interconnector?

Hon. C. C. BROAD (Minister for Energy and Resources) — I am pleased to inform the house that a report by the Victorian Energy Networks Corporation (Vencorp) on augmentation options for the Snowy to Victoria electricity interconnector was released by the Bracks government today. I have a copy of the report, which is available on the Department of Natural Resources and Environment web site for anybody who is interested.

I commissioned this report from Vencorp last year to ensure that all options for ensuring the reliable supply of electricity to Victorians are thoroughly explored. Vencorp's work was one way the government could seek to address some of the barriers to improved interconnection between New South Wales and Victoria, a commitment the government made in its security of supply task force report in September last year.

The report by Vencorp finds that augmentation of up to 400 megawatts in the capacity of the interconnector would have an estimated capital cost of \$44 million and provide a cost-effective source of additional capacity in Victoria to meet its growing electricity needs. The next step is for it to be justified under the national electricity market regulatory process administered by the Australian Competition and Consumer Commission. The government has asked Vencorp to facilitate the consideration of the project through the established national electricity market processes. This process is entirely consistent with the design of the national electricity market.

If the necessary regulatory approvals are received and an investor found, the project would complement the new peak power projects recently announced. An augmentation would take around 18 months to build once construction commenced. I understand this work could be undertaken largely by augmenting existing assets without the need for major new infrastructure and with minimal environmental impacts.

The list of projects and initiatives now announced demonstrates the effectiveness of the Bracks government in encouraging energy investment in Victoria, in contrast to the previous Kennett

government. The work of this government is being strongly supported by industry. For example, the Energy Users Group today stated that it supports the government taking a facilitating role in the augmentation of the New South Wales–Victorian interconnect.

Electricity: generation investment

Hon. PHILIP DAVIS (Gippsland) — I refer the Minister for Energy and Resources to the announcement this week by Edison Mission Energy to commission a new gas-fired turbine peaking generator. Will the minister confirm that the government has failed to consult the Victorian union movement on this major construction project in the Latrobe Valley?

Hon. C. C. BROAD (Minister for Energy and Resources) — I also note the comments made by the spokesperson for the Treasurer in the newspaper this morning that Brian Boyd must be about the only Victorian who is not welcoming investment of \$150 million that will provide 200 construction jobs in the Latrobe Valley.

This is not a government project; no government funds are involved in this project. Edison Mission Energy is purchasing land at Valuer-General's valuation. This investment is going ahead without the need for government subsidy, although there has been facilitation by the government and by me. I expect that as the project moves towards the next phase there will be consultation with the union movement when the further steps involved in implementing this project are clear.

Port Campbell Surf Lifesaving Club

Hon. KAYE DARVENIZA (Melbourne West) — I direct my question to the Minister for Sport and Recreation. What action is being undertaken by the Bracks government to support the sustainability of surf lifesaving clubs in Victoria?

Hon. J. M. MADDEN (Minister for Sport and Recreation) — I recently had the pleasure of officially opening the Port Campbell Surf Lifesaving Club, a new clubhouse in Port Campbell. You, Mr President, would appreciate the treacherous and tortuous nature of the coastline around the Twelve Apostles which, for tourism purposes, is termed the shipwreck coast. The population of Port Campbell is approximately 300, but it receives significant numbers of tourists due to its proximity to the Twelve Apostles. It is estimated that about 1 million visitors per annum pass through the area and stay for short periods in Port Campbell.

Both tourists and locals swim in the ocean. The need to update the existing lifesaving facility in Port Campbell was identified as a high priority by the Lifesaving into the 21st Century program following an evaluation of Victorian lifesaving club facilities across the state.

Sport and Recreation Victoria contributed \$300 000 to the facility and the Department of Natural Resources and Environment contributed \$100 000 towards the development of public amenities within the complex. These were integrated into the structure.

The government is well aware of the rural decline in the state, which was exacerbated under some of the policy issues associated with the previous government. The sporting hub in that community was traditionally its football club but with declining numbers and a changing demographic the community determined to place a greater focus on its strength, which is the surf lifesaving club.

The community pooled its resources, put them into the surf lifesaving club, and made that club the social hub of the community.

It now has a brand-new facility, which is fantastic not only for the Port Campbell Surf Lifesaving Club, which provides surf lifesaving patrols, but also for the community by providing a community hub, a community focus for other activities associated with the community. It is a centre of activity.

The club has a strong nipper component — there are fantastic numbers. The young people coming through the community who are involved in surf lifesaving can build a better sense of community linkage and participation through that club.

It certainly represents what can be done when community groups work together strategically and pool their funds and resources, with the encouragement of government in facilitating that funding. The capacity for community building is greater if you strategically use government dollars.

Opposition members interjecting.

Hon. J. M. MADDEN — It is disappointing to hear the cynicism of the opposition when I talk about these issues, particularly in these portfolios, which are very much community building portfolios. They are very cynical and sceptical of the programs, but no doubt that was reflected in the vote at the last election.

This development is a benchmark development. It represents what can be achieved through the

collaborative efforts of local community organisations and local and state governments.

I congratulate the Corangamite Shire Council, the Port Campbell community and the Port Campbell Surf Lifesaving Club on their enormous hard work and contribution and their great effort in bringing this project to a successful completion.

Opposition members interjecting.

Hon. J. M. MADDEN — No doubt the opposition's cynicism towards community participation and involvement, which it is showing now, will be reflected in the vote at the next election.

AWU: funds

Hon. C. A. FURLETTI (Templestowe) — I refer the Minister for Industrial Relations to the serious discrepancies and anomalies in the financial affairs of the Australian Workers Union between 1993 and 1998, which caused its auditors, Coopers and Lybrand, to issue a disclaimer and threaten to resign from their position. The hundreds of thousands of dollars of union funds which were siphoned out of the slush fund in 30-odd bank accounts were spent in ways which are still unaccounted for, including withdrawals of some \$180 000 in cash, all apparently without the approval of the union or its members.

Given the gravity of the auditors' concerns and the magnitude of members' funds which have been affected, I ask the minister: will she immediately commission an inquiry into the mismanagement and financial impropriety, verging on fraud, by some Victorian executive members of the AWU?

Hon. M. M. GOULD (Minister for Industrial Relations) — The matter the honourable member has raised is to do with the New South Wales branch — a federal branch, which is covered under the federal Workplace Relations Act. I suggest he refers it to Tony Abbott, who is the responsible minister.

Industrial relations: commonwealth act amendments

Hon. D. G. HADDEN (Ballarat) — I refer the Minister for Industrial Relations to a speech by the president of the Australian Industrial Relations Commission last week, and I ask the minister: how do the president's comments relate to the current framework of industrial relations regulation in Victoria?

Hon. M. M. GOULD (Minister for Industrial Relations) — Last week Justice Geoff Giudice, the

president of the Australian Industrial Relations Commission, made a speech to the Bar Association of Queensland Industrial and Employment Law Conference. In his speech he made a number of comments about problems that exist under the current system that operates in Australia. Two of them were particularly relevant to Victoria. One was the unfair differences in minimum standards; the other was the non-compliance with minimum conditions. Both of these problems we have identified in Victoria would have been fixed through the Fair Employment Bill, had it not been for the opposition parties rejecting that bill.

The Fair Employment Bill would have fixed the main sources of inequity and the unfairness. The president of the commission identified that some workplaces have protection of 20 allowable matters, but that in Victoria, under the same act of Parliament, there is a completely different set of conditions, which covers only 5 minimum conditions. The Victorian government has put a proposal to the federal government that that be rectified to ensure that the federal award system that applies to the bulk of Victoria and Australia applies to those covered under schedule 1A.

Justice Giudice also highlighted another massive problem — that is, the lack of enforcement of the minimum conditions that apply. That occurs because the federal inspectorate is not properly resourced to ensure compliance with the federal act. The industrial relations task force identified that as an issue, and the Fair Employment Bill would have addressed that through the resource of the information services officers.

Often when I raise these issues in the house, or any time anybody makes any comments about issues the Bracks government has been concerned about, the opposition says, 'Oh, that is just another person who is a friend of Labor'. Let me give you a bit of the background of where Justice Giudice comes from. Firstly, he was appointed by the Howard government as the president of the Australian Industrial Relations Commission. You cannot say that someone appointed by the Howard government is necessarily a friend of Labor or a friend of the employee. Secondly, he is a former barrister who represented employers. So he is not necessarily a friend of Labor.

Thirdly, he also worked for Freehill Hollingdale and Page. Now that law firm is well known for its involvement with Patrick Stevedores. I think it was the same law firm that helped the former government write its Employee Relations Act in 1992.

So it is pretty clear that Justice Giudice is no friend of Labor. But he has seen the inequities that exist in the federal Workplace Relations Act that mean that Victorian workers are badly done by. He knows the dual system does not operate properly and is unfair.

The federal government ought to be mindful of what Justice Giudice stated in his comments last week and the proposals the Victorian government has put to it to address the federal system to ensure that it is fair and equitable for all.

The PRESIDENT — Order! The time for questions has expired.

Hon. Bill Forwood — Mr President, honourable members would be well aware of an incident that took place in Parliament House last night that led to the Minister for Police and Emergency Services in the other place apologising to that chamber. It is also well known by his own admission that a member of this chamber was involved in the proceedings last night. Perhaps now would be a good time for Mr Theophanous, out of deference to this chamber, to apologise for his part in the events that took place last night — in the same way that the Minister for Police and Emergency Services has.

The PRESIDENT — Order! That is a point of view the honourable member put to the house. Whether Mr Theophanous wants to respond to it is a matter for himself.

Hon. T. C. Theophanous — I am happy to respond to the point of view put by the honourable member and simply say that in this place from time to time people with a sense of humour do things that are humorous. Sometimes some people take it as a humorous event. The Honourable Mark Birrell walked past, saw the statue and had a good laugh about it. Unfortunately the other two members did not see the humour in the event. The bust referred to was 10 feet away from where it was originally, but those members still decided they wanted to make an issue about it.

I am happy, Mr President, to say that the event was carried out with humour. If it has offended the Honourable Bill Forwood, I am happy to apologise to him. But, Mr President, it reflects on some honourable members in this place who want to take seriously and raise in the house a matter that occurred in good humour by way of trying to lighten what have been some late night sittings. I expected better from you, Bill.

CITY OF MELBOURNE BILL

*Second reading***Debate resumed.**

Hon. G. W. JENNINGS (Melbourne) — The house will move through the debate relatively quickly as it is the intention of the government to have the bill pass this afternoon. It will provide and move amendments in the committee stage which will be considered by the Legislative Assembly today and returned to this house before it rises this sitting week.

The PRESIDENT — Order! Will the house settle down. If honourable members are leaving, please leave. Will members sit down in the gallery.

Hon. G. W. JENNINGS — Mr President, I and the honourable citizen sitting at the table recording the debate thank you for your timely intervention to try to speed through this debate this afternoon.

I shall briefly run through the underlying principles and rationale that underpin this bill and outline to the chamber the government's intention with the passage of this bill. It is designed to restore internal stability to the structure of the council, to provide for a democratic process in the election of the council for a diversity of interests within the city and to provide the legal framework and the principal framework to restore a cooperative and constructive relationship between the city and the state government and also to provide the legislative and electoral framework to provide for a renewed vision, focus and leadership within the regime of the Melbourne City Council.

If nothing else, in the spirit of refreshing and renewing and with an opportunity to start again, in the first parliamentary sitting week after Easter — the salutary message of Easter is the chance to start again — this bill is providing the opportunity for the Melbourne City Council to start again.

It has not been seriously contested in the chamber today that there is a sorry history surrounding the relationship between successive state governments and successive Melbourne city councils over the past 20 years, if not before. All speakers who have preceded me in the debate have alluded to that sorry history. The Honourable Jeanette Powell described it as a recurring history. She said that history repeats. She indicated there had been a succession of events providing the media with fodder about the conflict and lack of focus and direction that has been evident at the Melbourne City Council. She painted a sorry history and, by

interjection through the course of Jeanette Powell's contribution, I admitted it had been a very sorry history.

It is a fairly sorry history in its entirety. I would suggest that the only issue that I contest with the honourable member is that she was fairly selective in the story she told. She did not highlight the seven years of the Kennett government regime. That government provided the structure that was so clearly a fundamental problem within the electoral system and the electoral outcomes of current councils that underpin the rationale for the government's new electoral model.

I compliment the Honourable Bruce Atkinson on his contribution in that his memory was somewhat more complete in recognising the problems that have existed in the Melbourne City Council. He indicated a number of issues that have flowed from the current council's operations. These included a lack of leadership and a sometimes track record of tardiness in dealing with key planning decisions in the city.

A number of problems were highlighted last year in relation to the appropriate degree of financial delegation and auditing procedures in the city. Certainly there was ample evidence of breakdowns in relationships among the council and relationships between the Lord Mayor and the chief executive officer of the council. The Honourable Bruce Atkinson identified the major problem as the quality of the candidates thrown up through the electoral model.

My colleague the Honourable Glenyys Romanes believes there is a structural problem with the system that underpins the Melbourne City Council with its lack of consistency of approach in not having a whole-of-city focus based upon proportional representation. Its very cumbersome model has been a combination of a ward system and a district-wide electorate which has led to a degree of confusion with somewhat competing interests being evident within the floor of the council. I know my colleague would always want to ensure that the electoral model adopted within any city would be responsive to the various needs of the stakeholders in the community which straddle both the business community and the residential community.

This would be an underlying reason in many circumstances to support a ward system in the council structure. However, the government has arrived at the bill, upon reflection and on balance after actively seeking the input of stakeholders in the city through a fairly extensive consultation process that the minister himself undertook in the later part of 2000 and in the early months of 2001. The minister took their advice and in his assessment the best way to satisfy the

expectations of the voters of the City of Melbourne was to provide for a whole-of-city electorate that is elected by proportional representation.

The leadership positions are to be filled on the basis of a popular election. As has been highlighted in the debate today, that change was made by the Minister for Local Government in response to the clear community view conveyed to him during the course of the consultation. It was not the minister's preferred position at the beginning of the consultation, but it became evident during that exercise that that was the community's preferred outcome. The minister took that advice and has introduced the direct election of the mayor and deputy mayor.

Electoral systems are clearly not well understood within this city and community. Indeed, it is a problem with many electoral systems. Last night the President, the Clerk, the Usher of the Black Rod and I attended a lecture in Parliament House given by Professor Ray Nicholls on the outcome of the recent presidential election in the United States of America, which hung in the balance for 36 days after the ballot was held. That uncertainty revealed that there is a high degree of confusion and inconsistency across the United States about the way ballots are counted and resolved. There was great consternation in the international community about the capacity of the US electoral system to resolve what could have been an impasse. It was only the intervention of the Supreme Court of the United States that resolved the matter.

At the conclusion of the lecture Professor Nicholls suggested that, notwithstanding all the vagaries of the US electoral model, which virtually nobody understands and which mean that in a close election it is very hard to predict the result, there was a high level of confidence within the US community because of the esteem in which the position of the President of the United States and the institution of the presidency is held.

I would attest that in many ways exactly the reverse applies with the City of Melbourne. I would suggest there has repeatedly been a lack of confidence in the Melbourne City Council on the basis of prejudice, misinformation and a misunderstanding of what an elected council can do in the provision of city services. The problem is compounded by a lack of confidence in the institution. If that confidence were strong, the electoral model may have been seen as irrelevant. However, it is clear that in the case of the Melbourne City Council the two have come together. A lack of confidence in the institutions of the mayor and the council and in the electoral model has led to the

government choosing to intervene to bring on new elections and revise the structure and electoral model of the City of Melbourne.

This is an extremely important proposition and one that has been much confused in this debate. The contribution of the National Party distils to this: it alleges that the government has sacked the council. The Honourable Peter Hall erred when he suggested that the government had invoked section 209 and gone beyond the Local Government Act to sack the council. That is clearly not the case, and it has never been the government's intention. At no stage has the Minister for Local Government or any government representative suggested that the government would invoke section 209 of the Local Government Act. Instead the government has brought to the Parliament, as it is appropriate for the minister to do, a new rule book. The rule book the Legislative Council is considering today defines the circumstances in which the election will be held and the electoral model that will be used.

People may for their own purposes choose to describe it another way, and I can understand why they may do that, but it is not correct or honest to say in any shape or form that the government has used the provisions of the Local Government Act to sack the council. There is no truth to that argument.

I would spend more time convincing the chamber of that except I have given an undertaking to the house that I will conclude my contribution shortly. I hope honourable members understand that the government's intention to omit clause 28 in the course of the committee stage satisfies the clear undertaking the government gave not to provide what could in effect be a sanctions clause if it is read in conjunction with clause 7, which seeks to develop a synergy between the policies and programs of the Melbourne City Council and those of the government of Victoria. Clause 7 provides a clear and laudable objective in the context of the relationship the government is trying to build.

Clause 28, which is similar to the existing section 136A of the Local Government Act, caused a degree of consternation in the council and the community because if it is read in conjunction with clause 7 it could be thought to be an onerous sanction. That is why the government will move to omit the clause. The Minister for Local Government and the government have given that significant undertaking to meet the community's expectations. That underscores the minister's resolve to meet the expectations of stakeholders and the community, and I support him in the passage of this bill, which I commend to the house.

Hon. A. P. OLEXANDER (Silvan) — I will make a brief contribution to the debate on this bill. In doing so I shall outline a number of points the opposition believes are important. Recognising that the bill aims to change the electoral structure of the City of Melbourne and to provide for the direct election of the Lord Mayor, the opposition has resolved not to oppose the bill. However, there are a number of matters in the bill and particularly in the process of how the bill came about that are of concern to the opposition. I will outline them briefly.

The problems with the town hall that occurred towards the end of last year culminated in considerable publicity. There were continual calls for the council to be dismissed or for fresh elections to be held. Other suggestions were made at the time, some of which concerned boundary changes and ward restructure. Before the consultation process began some people were even advocating that the council be abolished. That view began to gain currency in certain sections of the community.

The Municipal Association of Victoria and the Victorian Local Governance Association called for a facilitation panel to be formed, and the council appointed Joan Kirner, Tim Costello and the Honourable Alan Hunt as mediators to assist in resolving some of the problems that had begun to appear in the functioning of the council.

It is disappointing that the mediators' report was not implemented for a trial run. Melbourne is obviously not the only city council in Victoria that has had councillor disagreements and internal problems with the administration and smooth running of the municipality. However, the government did not give the report an opportunity to be implemented, despite the fact that it cost the ratepayers of Melbourne \$80 000.

Minister Cameron received the Kirner–Costello–Hunt report offering solutions for the Melbourne City Council on 18 December 2000. Within an hour of that the minister announced that he had dismissed the council and would change the electoral system for the City of Melbourne.

I will comment on Minister Cameron, the way he handled this issue and the dismissal and the way he brushed aside the report of the facilitation panel. It is our view that the minister was very cynical in his manipulation of that democratic process. The minister did not give the recommendations made by Joan Kirner, Alan Hunt and Tim Costello adequate attention at all. He did not allow them to be tested or to work. Because of that many ratepayers will be justified in

assuming that the cost was an appalling waste of ratepayers' money as well as a waste of the mediators' valuable time. We have already heard how many good recommendations were made in that report.

Even more worrying, however, is that the decision not to act on the report and to move to dismiss the council was obviously a whole-of-government decision. Their whole-of-government decision made in cabinet indicates that the Premier and other senior ministers felt that Minister Cameron was mishandling the issue and that they needed to take control of the agenda. Obviously the Premier and the majority of the cabinet do not have full confidence in the ability of the Minister for Local Government, and that is something with which the opposition wholeheartedly agrees. I would say the majority of the local government sector also agrees with that proposition.

When it became obvious that the government was in some difficulty over how to proceed with the council, the Liberal Party decided to establish the Solutions to Melbourne task force, which was chaired by Ms Leonie Burke, the shadow Minister for Local Government. I served as secretary on that task force with the shadow minister and my colleagues the Honourables Mark Birrell and Andrea Coote and the honourable members for Box Hill and Bentleigh in the other place. We worked over the Christmas break and into the new year on a consultation process — a real consultation process with the communities — and spoke with more than 70 individuals and groups throughout the city of Melbourne who gave us detailed suggestions and advice about what they wanted.

It was clear from those submissions that the business community wanted a greater focus from the council than it had been receiving; that both business and residents wanted more councillors; that business was calling for a promotional campaign to encourage business to vote because of the very low turnouts; and that business wanted a business advisory group to be established. We heard from them that they believed a review and rationalisation of the boundaries was sensible and that a whole-of-city electorate would be a good way to go.

One of the overwhelming messages we heard was that people supported the direct election of a mayor. Shortly after the opposition released that policy publicly, Minister Cameron contradicted everything he had previously been saying about the direct election of the Lord Mayor. He contradicted everything he had said publicly in the newspapers and on radio and in the consultation documents he sent out to community groups about the direct election issue. He had been very

condemnatory of direct election, believing it would lead to instability. Immediately after the Liberal Party released its policy in favour of direct election, supported by a great majority of Melburnians, the minister backflipped, did some gymnastics and changed his policy.

I said at the outset of my remarks that the opposition will not oppose the bill. There are some elements of the bill that we support — obviously, our initial policy, taken up by the Labor Party of a directly elected mayor is one. But we are not supporting the bill outright because we do not believe simply changing the electoral boundaries and directly electing a mayor will provide all the solutions to the existing impasses.

We see one of the major flaws in the bill as being the lack of a proper consultative process between state and the council. There is no open and accountable system similar to that which operates in the City of Adelaide to allow for regular coordinatory and consultative meetings between key ministers and the Premier and the mayor and key council staff and councillors. We see that as something that has to be part of a lasting reform and solutions for the City of Melbourne. Unfortunately it has not made its way into this bill. If it had made its way into this bill it would be a much better bill and we believe would have put the council on to a much firmer footing for the future. Notwithstanding that, we will not oppose the bill, and I wish it a speedy passage.

Hon. ANDREA COOTE (Monash) — I have much pleasure in talking briefly on the City of Melbourne Bill. Many of my colleagues who have already spoken have outlined the purpose of the bill and what it includes, and indeed they have said that the opposition will not oppose the bill.

I will not go through the details of the clauses but will refer to those with which I have significant problems. Clause 6 states that there will be seven councillors plus the Lord Mayor and Deputy Lord Mayor. My understanding is that the residents have some concerns about this being an adequate number, and I will certainly be watching with great interest to see whether it transpires that it is sufficient.

Clause 7 deals with the promotion of the city of Melbourne and the state and the council in conjunction doing more about that. I also feel keenly about that. It is most important that the high standard and reputation of the city of Melbourne is maintained and enhanced.

Clause 9 refers to businesses within the Melbourne City Council area voting at elections. My understanding is that there seems to be a perception among business

groups and stakeholders that voting in the council elections is a waste of time — they do not have a voice, it is not worth doing. I want to look at why that perception exists. I hope that issue is covered in the government's response, and I would like it to be expanded upon in time.

I remind the house that parts of the City of Melbourne area are within my electorate — parts of Southbank, South Wharf, Port Melbourne and a strip of South Yarra. Marketing is essential for this city, as so many of my colleagues have said. Melbourne is the jewel in Victoria's crown. It is also the frontispiece for the whole of Victoria. It is therefore essential that the City of Melbourne retains a first-rate reputation. We do not want squabbling among its councillors, and we do not want the representatives of our most important council being denigrated or disregarded.

The residents with whom I have spoken have clear understandings of what they expect from the Melbourne City Council and their part of the city. Basically the residents of Southbank, South Wharf and South Yarra are all concerned about their representation on the City of Melbourne. Although their rates are significantly higher than they would be if they were ratepayers of the City of Port Phillip or the City of Stonnington, they very much want to stay with the City of Melbourne because they believe strongly that its marketing and pull for Melbourne add significant value to their residences.

The businesses in the Port Melbourne part of my electorate have similar views. Kraft, for example, an internationally recognised company, feels that the marketing push is a very important part of its business because it is part of the Melbourne City Council area, as is also the case with Pier 35 and Westgate Transport. Those three companies want to be part of the city of Melbourne and to be part of its global push and attractiveness.

I was also a member of the Liberal Party task force set up to carry out proper consultation on this issue. Much has already been said about how the Kirner committee was set up and the fact that it did a wonderful investigation into the City of Melbourne. Its report is highly regarded by both the councillors and the stakeholders of Melbourne and the city council. However, we are all aware that the panel's recommendations were totally disregarded and the council was sacked. Everybody felt there was a lack of consultation — that was a comment that came back to members of the opposition task force.

The Leader of the Opposition, the Honourable Denis Napthine, set up a task force headed by the honourable member for Prahran in the other place. I had the honour to serve on that committee, which dealt with more than 70 different organisations and stakeholders, including the Municipal Association of Victoria, the Victorian Local Governance Association, Melbourne 3000 and other residents groups, the Australian Local Government Managers (Victorian Division), Local Government Pro and National Party spokespeople. We dealt with Joan Kirner, Alan Hunt and the Independents, as well as Southbank residents groups and others. The Liberal Party certainly conducted a comprehensive communication process with the stakeholders, and we certainly heard a number of issues.

I feel that the City of Melbourne tends at present to suffer from a lack of identity. It does not know whether it is representing business or whether it is representing the residents, and if it is representing the residents, the residents of which area — the residents of Carlton, the residents of Kensington, of East Melbourne, South Yarra or Southbank? That has to be identified and made clear. I hope that will come out of this bill.

My colleague the Honourable Andrew Olexander, the secretary of the Liberal Party task force, indicated that all the groups we approached were keen about a popularly elected Lord Mayor. An article by Andrea Carson and Sally Finlay in the *Age* of 28 February states:

Opposition leader Denis Napthine said the opposition set up its own task force last month to investigate a new city council electoral system after the government effectively sacked the councillors and made it a 'lame duck council'.

He said the task force had consulted hundreds of ratepayers and found overwhelming support for a popularly elected Lord Mayor.

That was the case. Businesses in the CBD were sent circulars, all of which returned that same result.

The second-reading speech states:

The bill will provide the best opportunity for a newly elected council to achieve internal stability, be more reflective of the diversity of interests within the city and work constructively with the state government to provide the vision, focus and leadership expected of Victoria's capital city.

I sincerely hope that will be the case. I am very concerned that the ALP will run a ticket in the Melbourne City Council election. I will be watching very carefully. I hope the comments in the second-reading speech will come to fruition.

Hon. B. W. BISHOP (North Western) — I am pleased to speak on the City of Melbourne Bill. I express my frustration with and objection to honourable members having been curtailed in their contributions to just a few minutes at the end of the debate. All honourable members consider the bill an important measure.

Some honourable members might say that people in rural and regional Victoria might not consider the governance of Melbourne as important. Those of us from rural and regional Victoria do consider it important. We are proud of our capital city. Most of us visit it often. We may come here for business, sport, the arts, culture, health services or education — and the list goes on. The Honourable Jeanette Powell and I are among the many honourable members representing rural and regional Victoria who are ratepayers in the city. We do care what happens in the city and about the structure governing Melbourne. More particularly, we care about the precedents that the bill might create for other local government organisations throughout Victoria. So the two reasons for our concern are, firstly, we are proud of Melbourne, and secondly, we are concerned about the longer term effects of the bill.

Although honourable members representing country Victoria are used to a degree of isolation in rural and regional areas, and we acknowledge that the city of Melbourne is different from those areas, we are still vitally concerned about what happens here. In these days of supposedly open and accountable government, the National Party considers that the bill is an ingenious way of sacking a council.

Hon. M. M. Gould interjected.

Hon. B. W. BISHOP — It is clever but a bit sneaky. All that the government will need to do is bring forward a council election date and the councils will be gone. As other speakers have said, I suspect the Labor Party has its candidates up and running. The current edition of the *Melbourne Times*, the good local paper I get in my letterbox, includes an article headed 'ALP row over MCC votes'. I suspect the factions are having trouble and that is why they cannot get a quorum for a preselection meeting. I have suggested to our shadow minister, the Honourable Jeanette Powell, that she write to that newspaper and put the National Party's point into that arena, so that people are absolutely clear on the issue.

On the matter of endorsed candidates, I point out that the National Party does not support introducing party politics into local government. The National Party does not endorse candidates in local government elections. I

make that point because a short time ago a councillor on the Mildura Rural City Council indicated that the National Party had undue powers and influence in local government in rural areas. It is true that members of the National Party are excellent councillors. We are all proud of that fact. However, they stand in their own right, not under National Party endorsement which is as it should be in local government. The National Party's view is very clear: anyone can have freedom of association but they should leave it behind during an election process and when exercising their duties as councillors.

In conclusion, my understanding and that of my party is that according to the rule book, the government must apply the test before it can sack a council. The test has not been applied. Members of the National Party reject the bill and wish the Melbourne City Council well for the future.

The ACTING PRESIDENT

(Hon. D. G. Hadden) — Order! I am of the opinion that the second reading of this bill requires to be passed by an absolute majority. As there will be a division, we shall see whether there is such a majority.

House divided on motion:

Ayes, 35

Atkinson, Mr	Lucas, Mr
Birrell, Mr	Luckins, Mrs
Boardman, Mr	Madden, Mr
Bowden, Mr	McQuilten, Mr
Brideson, Mr	Mikakos, Ms (<i>Teller</i>)
Broad, Ms	Nguyen, Mr
Carbines, Mrs	Olexander, Mr
Coote, Mrs (<i>Teller</i>)	Rich-Phillips, Mr
Cover, Mr	Romanes, Ms
Craige, Mr	Ross, Dr
Darveniza, Ms	Smith, Mr K. M.
Davis, Mr D. McL.	Smith, Mr R. F.
Davis, Mr P. R.	Smith, Ms
Forwood, Mr	Stoney, Mr
Furletti, Mr	Strong, Mr
Gould, Ms	Theophanous, Mr
Jennings, Mr	Thomson, Ms
Katsambanis, Mr	

Noes, 6

Baxter, Mr	Hall, Mr
Best, Mr	Hallam, Mr (<i>Teller</i>)
Bishop, Mr	Powell, Mrs (<i>Teller</i>)

Motion agreed to by absolute majority.

Read second time.

Committed.

Committee

Clause 1 agreed to.

Clause 2

Hon. C. C. BROAD (Minister for Energy and Resources) — I foreshadow that the government will move four amendments during the committee stage.

Clause agreed to; clauses 3 to 7 agreed to.

Clause 8

Hon. N. B. LUCAS (Eumemmerring) — According to this clause, the Premier may convene meetings. However, the City of Melbourne and others, in commenting on the bill, say it is a bit rough that the City of Melbourne cannot call for meetings. Will the government provide an assurance that it will respond positively to requests made by the council to the government for meetings at which issues to do with the City of Melbourne, as described in the clause, may be discussed?

Hon. C. C. BROAD (Minister for Energy and Resources) — Where the Lord Mayor and Deputy Lord Mayor wish to raise with the government matters that are of significance to the government, it would be expected that it would be possible to organise meetings requested by the council.

Clause agreed to; clauses 9 to 12 agreed to.

Clause 13

Hon. N. B. LUCAS (Eumemmerring) — This clause brings forward the election which, in the view of the opposition, sacks the council because councillors will go out of office. Will the minister advise the committee of any studies or investigations undertaken in relation to the need to sack the City of Melbourne?

In that context I do not refer to the working party's work subsequent to the announcement by the Minister for Local Government, but in making the decision and announcing on 18 December that the council would be sacked I assume the minister must have had some investigation done as to the situation so he could advise the cabinet, prior to that decision being taken. Will the minister enlighten the committee on what studies were undertaken so that the decision taken could be made?

Hon. C. C. BROAD (Minister for Energy and Resources) — I do not have that information available, but I will pass it to the minister.

Hon. N. B. LUCAS (Eumemmerring) — When the minister says she is happy to pass it to the minister, is that the request?

Hon. C. C. Broad — The request.

Hon. N. B. LUCAS — Do I assume from that that the minister is acknowledging that there was some investigation?

Hon. C. C. BROAD (Minister for Energy and Resources) — In response, I am simply offering to pass that request to the minister.

Hon. K. M. SMITH (South Eastern) — I do not think the answer given by the minister is satisfactory. The committee understands that the minister may not personally be aware but advisers are sitting in the advisers' box and we know how ministers go to that box to seek advice. This is probably one time when the minister should go to the box and seek advice. It is no good saying it will be passed on to the minister. The committee wants to know so that it can make a decision. It is not good enough.

Hon. R. M. Hallam — Why not report progress?

The CHAIRMAN — Order! The minister is not responding.

Hon. R. M. HALLAM (Western) — I move:

That progress be reported.

This will give the minister the opportunity to seek advice to answer the question raised during the committee.

Hon. G. W. JENNINGS (Melbourne) — I suggest the issue that is being contested is whether the government had any advice on which to make the decision that indicated it was going to move to sack the council.

Hon. B. C. Boardman — A motion has been moved. You must respond to it.

Hon. G. W. JENNINGS — I am responding to the motion. The issue was dealt with during the second-reading debate. The issues raised were considered by the panel. Clearly the contribution of government members during the debate indicated that officers from the department liaised with the council and reviewed information from it during the period the panel was investigating the issues. Mr Lucas said it was clear that Joan Kirner, the former Premier, in undertaking her work on the panel reported to the department and the minister during the consideration of

material that came before the panel. Mr Lucas volunteered that information. Obviously in the public domain and in the department, a body of evidence underpinned the minister's decision.

Hon. B. C. Boardman — Are you speaking against the motion?

The CHAIRMAN — Order! Mr Jennings is speaking against the question that is before the committee — that progress be reported and the committee seek leave to sit again.

Hon. R. M. HALLAM (Western) — For the benefit of the committee I should explain why I moved that progress be reported. Mr Lucas sought appropriate information regarding a crucial component of the bill. By way of response the minister said that she would pass on his request to the Minister for Local Government. The minister is contemptuous of the committee, which is entitled to hear the government's response to a genuine question. It is appropriate for the committee to report progress and seek leave to sit again so that the minister has the opportunity to take advice and then answer Mr Lucas's question.

Motion agreed to.

Progress reported.

STATUTE LAW AMENDMENT (RELATIONSHIPS) BILL

Second reading

For **Hon. M. R. THOMSON** (Minister for Small Business), **Hon. M. M. Gould** (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

This bill takes a significant step in implementing the government's pre-election commitment to reduce discrimination against people in same-sex relationships. This is part of the Bracks Labor government's commitment to the creation of a socially just and cohesive community in which each person has their place, in which diversity in all its forms, including diversity of sexual orientation, is valued. As the government stated in its pre-election commitments, it considers the achievement of substantive rights for lesbians, gay men and transgender people as being vitally important. Human rights necessarily involve a respect for the equal dignity of all persons, without discrimination. Lesbians, gay men, intersex and transgender people have historically been denied their

human rights. This bill is an important step in redressing that historic injustice.

In 1998, the Equal Opportunity Commission produced a report on same-sex relationships and the law. It followed a discussion paper and very extensive community consultation undertaken by the commission. That report highlighted many ways in which the law discriminates against lesbians and gay men by denying the reality of their loving relationships. It made several recommendations. The Labor Party gave a commitment to implement the recommendations of that report, and in 1999 the present Deputy Premier introduced a private member's bill to begin that process. It was disappointing that the Kennett government refused to allow that bill to be debated. The bill now before the house implements a number of the recommendations in the commission's report, in line with the government's pre-election commitments, and I hope that the opposition will take the opportunity and enthusiastically support this bill.

This bill will have a real and beneficial impact on people's lives. While the main aim of the bill is to reduce discrimination against non-heterosexual couples, in some areas (such as in relation to intestacy), the bill will also benefit heterosexual de facto couples. The bill will ensure that property transfers between members of a couple when they are the same gender will be free of discriminatory tax imposts. It will allow recognition of a partner of a man who dies without having made a will, in relation to the distribution of the deceased man's estate or in obtaining an interest in the couple's shared home. This will help prevent situations described in the commission's report where the bereaved partner of the deceased man can be callously put out of the couple's shared home by the dead man's family; where he can even be excluded from his partner's funeral, because of a law that treats him and his late partner as legal strangers.

Further, the bill will ensure that there is recognition of the right of a lesbian woman to be consulted about the medical treatment of her hospitalised female partner, because the law has until now refused to recognise their loving relationship as real.

In recognising non-heterosexual relationships in a non-discriminatory way, this bill does not encroach on the status of marriage. Indeed, quite the contrary. It does treat non-marriage relationships without discrimination on the basis of gender or sexual orientation, but it does not alter the definition of spouse in state legislation. Or rather, it restores the definition of spouse to its original meaning, as a party to a marriage,

and removes the various extended definitions in some statutes which had blurred that meaning.

This bill brings some system and order into the variety of ways that statutes provide for benefits or concessions or obligations on or for members of couples, or the surviving partner. It introduces a consistent set of definitions. The term 'partner' is used to mean spouse or domestic partner, where spouse, as previously noted, means a party to a marriage, and 'domestic partner' is a new term. It replaces the previous term 'de facto spouse' in a non-discriminatory way.

For 'domestic partner' the bill adopts two definitions. A broad definition is used for the purposes of schedules 4, 5 and 6 — these include health-related legislation and consumer and business legislation — which differs from the principal definition, in expressly recognising relationships where people may not necessarily live under the one roof, but are yet mutually committed to an intimate personal relationship and shared life as a couple. The bill makes clear that the broader definition of 'domestic partner' is not intended to cover a person who is providing support or benefit for fee or reward or on behalf of another person or an organisation (including a government or government agency, a body corporate or a charitable or benevolent organisation). It also makes clear that two people are not domestic partners only because they are co-tenants.

In the principal definition, a 'domestic partner' is a person with whom a person is living as a couple on a genuine domestic basis irrespective of their genders. Although the principal definition of domestic partner assumes cohabitation, this is of course to be interpreted reasonably. Domestic partners will not lose their status as a couple just because, for example, one partner has been in a nursing home for a time — be it months or years — before they die, or the couple live in different states or even countries for a time because of work requirements, or the myriad issues which may lead a couple to spend time apart, while remaining a couple who share their lives.

The definition of 'domestic partner' includes every couple who would currently be included in those statutes that refer to de facto spouses, or that extend the definition of spouse in an analogous manner. As mentioned previously, this bill also recognises heterosexual de facto couples for the first time in a number of areas of law.

To assist in determining whether a domestic relationship exists or whether persons are domestic partners of each other, the bill includes, by way of amendment to the Property Law Act 1958, a list of

matters that may be relevant in such a determination. The matters listed include the duration of the relationship; the nature and extent of common residence; whether or not a sexual relationship exists; the degree of financial dependence or interdependence, and any arrangements for financial support between the parties; the ownership, use and acquisition of property; the degree of mutual commitment to a shared life; the care and support of children and the reputation and public aspects of the relationship. The bill makes clear that all the circumstances of the domestic relationship are to be taken into account, including any one or more of the matters listed in the Property Law Act, as may be relevant in a particular case.

Victorians demonstrate their intimate commitment to being a couple in ways as diverse as our community. The expression of that commitment changes over time. The government respects such diversity and believes that no single factor should be determinative of a domestic relationship.

Children in the care of their parent and partner will also benefit from these reforms. Many children who have lesbian mothers or gay fathers spend time living with that parent and partner after the break-up of the heterosexual relationship, often marriage, in which they were conceived. In certain ways, this bill recognises the reality that these children are cared for by parents' partners in material and emotional ways.

The bill does its work through seven schedules, amending over 40 acts. These cover property-related benefits, compensation schemes, superannuation schemes, health-related legislation, criminal law legislation, consumer and business legislation, and a miscellaneous category. The latter includes the Equal Opportunity Act itself. It will now extend to prohibit discrimination on the basis of same-sex relationships, so that, at last, discrimination on the basis of sexual orientation will be comprehensively outlawed.

The bill includes, in schedule 1, the Property Law Act. Part IX of that act will enable non-heterosexual couples to have access to the same rights and to be subject to the same obligations on the break-up of relationships as now apply to unmarried heterosexual couples. The Property Law Act continues to regulate only those relationships — formerly called *de facto* relationships, now domestic relationships — which have been in existence for two years or involve children. The same minimum eligibility requirement for any share will now apply in the amended Administration and Probate Act, also in schedule 1.

Earlier this year, an advisory committee on gay, lesbian and transgender issues was established to consider how best to implement the government's pre-election commitment to reduce discrimination against same sex couples, consistent with the government's commitment to consult broadly. The committee consists of representatives from government and community agencies. These include organisations that provide advocacy and support for lesbians, gay men, transgender and intersex people, together with agencies that represent the interests of children and of the parents and friends of lesbians and gay men.

The committee produced a discussion paper, which was widely distributed and available on the Web, and conducted community forums on it. The recommendations of the advisory committee have formed the basis of the bill you have before you today, and the government thanks them for their contribution, their expertise, and the time they have given and continue to give up to meet and consider very difficult questions. The Parliamentary Secretary for Justice is also to be thanked on his contribution in chairing this committee, as well as the departmental officers who have provided secretariat support during its tenure.

The first product of the government's pre-election commitment was the Equal Opportunity (Gender Identity and Sexual Orientation) Act 2000, which, it is pleasing to say, is now in force. All members should be congratulated for their support of that important reform, and the government looks forward to their continued support in this area of human rights, in particular their support for this bill.

This bill is the second, but not the final, product of the government's pre-election commitment to the human rights of lesbians, gay men, intersex and transgender people. The government is committed to continue this work, and a further statute law amendment bill will deal next year with a number of other statutes which discriminate against non-heterosexual couples or which fail to impose the obligations on them that are imposed on heterosexual couples. In addition, as members are aware, the issues of access to adoption and infertility treatment for couples of the same gender are to be referred to the Law Reform Commission. The government has made it clear that any outcomes from the Law Reform Commission's consideration of these issues will be considered in the next term of the Bracks government.

Many gay, lesbian and transgender Victorians experience discrimination and abuse in various aspects of their daily life. Many feel the need to hide their sexuality or gender identity for fear of censure and

discrimination from others whether in the workplace, in public, at school or within the family. The discrimination experienced by these people was recently highlighted in a report entitled *Enough is Enough — A Report on Discrimination and Abuse Experienced by Lesbians, Gay Men, Bisexuals and Transgender People in Victoria*, released by the Victorian Gay and Lesbian Rights Lobby. The government is confident that the enactment of the reforms contained in this bill will be a major step forward in reducing the unacceptable levels of discrimination faced by gay men and lesbians living in Victoria today.

I commend the bill to the house.

Debate adjourned for Hon. C. A. FURLETTI (Templestowe) on motion of Hon. I. J. Cover.

Debate adjourned until next day.

CITY OF MELBOURNE BILL

Committee

Resumed from earlier this day; further discussion of clause 13.

Hon. N. B. LUCAS (Eumemmerring) — When the clause was last considered I asked a question of the minister which I will reiterate in general terms. It was along the lines that I understood the effect of clause 13 to be to bring forward the council election which, in opposition terms, effectively results in the sacking of the council in its present form with the election of a new council.

What investigations or studies were undertaken, prior to the announcement of the decision by the minister on 18 December, about this course of action that was to be taken by the government? I referred to the fact that the ministerial government working party was not established until after the announcement. I am not interested in the work of that committee; I am interested in the work done prior to the announcement. As a result of what investigations or studies did the government make this decision?

Hon. C. C. BROAD (Minister for Energy and Resources) — It is correct that this clause provides the basis for an order in council to bring forward the date of the election. To add to what has been said in the second-reading debate and in many places before today, clearly members of the opposition as well as the government will have observed the current council's

problems and poor public image for well over a year now.

Through the local government division of the Department of Infrastructure the government maintained a very close watching brief on the Melbourne City Council prior to and during the course of the facilitation panel. Representatives of the Department of Infrastructure met with Melbourne City Council staff on a number of occasions to discuss the grave concerns the minister had and to investigate the continued breakdown in the relationship, both within the council and between councillors and the administration.

In its report the facilitation panel confirmed information that had been discussed, as I have described, through meetings with representatives of the department, and underlined the need for prompt action.

The government's view was that the sooner that reform could be implemented, the prospects for stability and a focus would be restored to the city, and that that would occur with a democratically elected, more effective capital city council.

Hon. N. B. LUCAS (Eumemmerring) — I am not trying to put words in the minister's mouth. I am sure she will not allow me to. To summarise the minister's answer I note that it was a result of observations by the government, a watching brief by the Department of Infrastructure over a period, meetings between DOI and the council on a number of occasions, and reading, hearing about or discussing the facilitation panel report. They are, as I understand it, the four areas upon which the government made its decision. Is that a fair summary?

Hon. C. C. BROAD (Minister for Energy and Resources) — That is a fair summary. I would add to that that, as I described earlier, in the course of the facilitation panel's work, information about that work was transferred on a number of occasions through meetings with representatives of the department. So the contents of the report had been discussed as it was developed.

Hon. N. B. LUCAS (Eumemmerring) — Is it fair for me to assume as a result of that answer that no formal study or report was requested by the government initially and then given to the government prior to the announcement on 18 December?

Hon. C. C. BROAD (Minister for Energy and Resources) — As I have described, the minister was provided on a number of occasions with a series of advice by his department. Whether Mr Lucas wishes to

refer to that advice as a report is neither here nor there. The minister was appropriately advised by his department on these matters in coming to his decision.

Hon. N. B. LUCAS (Eumemmerring) — Is it fair for me to assume that the advice given to the minister was not in the form of a report as such but came over a period of time, either verbally or through different memorandums or whatever? There was no formal investigation with a final report given to the minister; can I assume that is correct?

Hon. C. C. BROAD (Minister for Energy and Resources) — Those opposition members who have been ministers would be well aware that ministers receive advice from their departments verbally through meetings and through written advice in the form of briefings. The minister was in receipt of advice through all those mechanisms in coming to his decision.

Hon. N. B. LUCAS (Eumemmerring) — I assume that the minister did not undertake any formal inquiry in accordance with the Local Government Act provisions, which allow the minister to make a formal inquiry into a council prior to taking whatever action he or she may wish to take under section 219 to suspend councillors or to take other action in relation to changing the arrangements at a particular council?

Hon. C. C. BROAD (Minister for Energy and Resources) — I am advised that the provisions of the act Mr Lucas referred to do not apply in a case where the minister was announcing bringing forward an election; he was not sacking the council.

Hon. N. B. LUCAS (Eumemmerring) — Given that the minister has confirmed that there was no single report following a formal inquiry prior to the announcement of the sacking on 18 December, and that the decision was taken by the minister following a number of discussions and briefing papers, as people who have been or are ministers would be aware, which the minister suggested would have occurred over a period of time, do we assume that the inquiry paid for with \$80 000 worth of ratepayers' funds by the City of Melbourne, which was announced the same day just prior to the minister's announcement of the sacking of the council, was really a sham and a waste of money because over a period the minister had come to the view that the council should be sacked anyway?

Hon. C. C. BROAD (Minister for Energy and Resources) — I reiterate what I have already said. When the minister came to his decision, I am advised that he did it on the basis of a range of advice. That advice incorporated knowledge of the development of

the panel report. The panel report itself underlined the need for action with a reformed electoral structure. The minister took all that into account in making his decision. As to the decision the council itself took to commission that report — I presume to agree that the minister would be kept informed of the work of that panel as it conducted its work — those are matters for the council.

Hon. N. B. LUCAS (Eumemmerring) — You are asking the committee to believe, Minister, that the minister made his decision before or after the Melbourne facilitation report was tabled? Given that it was only about an hour after the announcement was made by the minister to sack the council, do you want the committee to believe the decision by the minister was taken after the facilitation report was given to the City of Melbourne, or was it before? I think it was before. I would be interested to know the minister's answer.

Hon. C. C. BROAD (Minister for Energy and Resources) — I am advised that the minister made his decision and made his announcement on 18 December 2000.

Hon. R. M. Hallam — I'm sorry, Minister, what was the last bit?

The CHAIRMAN — Order! Minister, one of the honourable members did not hear the last few words.

Hon. C. C. BROAD (Minister for Energy and Resources) — I repeat — I am speaking this way for the benefit of the Chair of the committee — I am advised that the minister made his decision and announced that decision on 18 December 2000. I believe that is the correct date of the announcement.

Hon. R. M. HALLAM (Western) — I defer to Mr Lucas if he wants to pursue a line of question. Mr Chairman, I seek clarification. Given the minister's advice to the committee that the Minister for Local Government relied upon the content of the facilitation panel report, how would that be possible if indeed the announcement in respect of bringing forward the election was made prior to the panel bringing down its report?

Hon. C. C. BROAD (Minister for Energy and Resources) — I have already indicated to the committee that the minister was kept informed by his department as a result of members of the department being in touch with the work of the panel and being advised of the development of that panel report.

Hon. R. M. HALLAM (Western) — From the point of clarity, Mr Chairman, let us get this very clear for the benefit of the committee. The government is now saying that the decision to bring forward the election for the City of Melbourne was in part based upon the findings of the facilitation panel report?

Hon. C. C. BROAD (Minister for Energy and Resources) — I have indicated to the committee the basis on which the minister made his decision. I do not have anything further to add other than going over the answers I have already given on the basis and the reasons for the minister's decision.

Hon. R. M. HALLAM (Western) — I shall be quite specific, Minister. For the benefit of the committee, did the Minister for Local Government rely upon the findings of the facilitation panel in coming to his decision to bring forward the election for the City of Melbourne?

Hon. C. C. BROAD (Minister for Energy and Resources) — As I have previously indicated to the committee it was the basis on which the minister made his decision and the advice that was made available to him, including advice about the development of the panel report.

Hon. R. M. HALLAM (Western) — For the benefit of the committee, I would prefer a yes or no answer. The question I pose is relatively simple. It arises from the confusion emanating from the minister's previous responses. Given that this is a decision of fundamental importance the committee is entitled to know. Did the Minister for Local Government, in coming to the decision to bring forward the election of the City of Melbourne, rely upon the report of the facilitation panel, in part or in whole, at all?

Hon. C. C. BROAD (Minister for Energy and Resources) — Mr Hallam will well know that I am not required to give yes or no answers to the committee. I reiterate what I have already said to the committee. In coming to his decision the minister relied upon a set of advice and information via his department. The department was kept informed about the development of the facilitation report and the minister was able to weigh up all that information, including the watching brief that the department had had with the Melbourne City Council for some time prior to the council even commissioning the facilitation report. The minister was able to weigh up a wide range of information and was provided with that advice by the department, which was in discussion with the Melbourne City Council and officers who were aware of the development of that facilitation report.

Hon. R. M. HALLAM (Western) — Let me be very clear. I did not ask the minister whether she could report whether the Minister for Local Government was aware of the findings of the facilitation panel report. I asked specifically whether the Minister for Local Government relied upon the findings of that report in coming to his decision to bring forward the election of the City of Melbourne. The committee is well entitled to be advised on that key issue. You might try to obfuscate, Minister, but it is an important issue for the committee. You have already made it clear that there was advice coming backwards and forwards to the ministry. What I am asking is whether you want the committee to believe the Minister for Local Government relied upon the advice of the facilitation committee in bringing forward the election. It is a simple concept, and I think the committee is entitled to an answer.

Hon. C. C. BROAD (Minister for Energy and Resources) — We can stay at this point for quite a long time, I suppose. I indicate again — I can change the words slightly to try to accommodate Mr Hallam — that the minister relied upon a whole set of advice. There was no one single set of advice that he relied upon. He relied upon a whole set of advice through his department, which is the appropriate part of government to advise him on these matters. The officers who were advising him from his department were well acquainted with the development of the panel report, the issues it was dealing with and a whole set of issues that predated that report.

Hon. E. J. POWELL (North Eastern) — Given that the advisory report did not state that it recommended the sacking of the council, will the minister advise the committee what advice the minister received that gave him a concept of sacking the council? What advice did the minister receive to warrant sacking the council?

Hon. C. C. BROAD (Minister for Energy and Resources) — I have already indicated to the committee that the minister, based on a whole set of advice and monitoring of the council for a period of up to 12 months before he made his announcement, in weighing up all that information and advice from his department, considered that bringing forward an election for the Melbourne City Council would be in the best interests of the city and the state and that the sooner that electoral reform and an election was held the better for an effective capital city council.

Hon. N. B. LUCAS (Eumemmerring) — It appears that the minister has indicated to the committee that one of the four sources of information upon which the Minister for Local Government made his decision to

sack the council was, in the words the Minister for Energy and Resources used, the deliberations and discussions with the facilitation panel as it progressed. Given that the announcement that the council was going to be sacked was made about an hour after the report was given to the City of Melbourne and released, that means that the minister has admitted to this committee that the Minister for Local Government had the facilitation report, or the background to it, or a summary or first draft of it, before it went to the council.

The council paid \$80 000 for that report, and the minister is telling this committee that the Minister for Local Government relied on that information and discussions with the facilitators when he made the decision to sack the council. That seems extraordinary, given that the facilitation panel was appointed and paid for by the City of Melbourne. By the admission of the Minister for Energy and Resources on a number of occasions there appears to have been a liaison and the facilitation panel deliberations were something the Minister for Local Government was privy to. That is concerning. The minister has confirmed that on a number of occasions. I would be interested in the minister's comments on my views.

Hon. C. C. BROAD (Minister for Energy and Resources) — That is a misrepresentation of what I have advised the committee. I have indicated to the committee that representatives of the Department of Infrastructure, through their meetings with the Melbourne City Council, were well acquainted with the issues with which the facilitation panel was dealing. In their advice to the Minister for Local Government they were able to ensure the minister was well acquainted with the issues that had come to light not only through the facilitation panel's work but also through being canvassed publicly for all to see. The department was able to ensure that the minister was well advised on those issues, and it is hardly a surprise that the facilitation panel canvassed a lot of those issues. At no stage have I indicated that the Minister for Local Government had a prior copy of the report to the Melbourne City Council.

Hon. N. B. LUCAS (Eumemmerring) — We assume from the minister's last answer in which she said that Department of Infrastructure officers were working with the facilitators that there was some collusion between the Department of Infrastructure and the facilitation panel as its work progressed. The minister has indicated that to us. That means that rather than a direct link from the facilitation panel to the minister, which would have been embarrassing, the

information came indirectly through the Department of Infrastructure. I accept that that must be the case.

Hon. A. P. OLEXANDER (Silvan) — Was the decision to bring forward the elections for the Melbourne City Council made independently by the Minister for Local Government or was it a whole-of-government decision taken by state cabinet?

Hon. C. C. BROAD (Minister for Energy and Resources) — I was not present at that cabinet meeting, but I can confirm that the Minister for Local Government's decision was announced following consideration of the matter by cabinet.

Hon. A. P. OLEXANDER (Silvan) — Can the minister indicate to the committee when that cabinet meeting where that decision was made took place?

Honourable members interjecting.

The CHAIRMAN — Order! Where or when?

Hon. A. P. OLEXANDER — When.

Hon. C. C. BROAD (Minister for Energy and Resources) — That meeting took place on 18 December 2000.

Hon. A. P. OLEXANDER (Silvan) — Can the minister advise the committee whether it was the Minister for Local Government who brought to cabinet a recommendation that the election be brought forward or whether the cabinet decided and imposed that decision on the minister?

Hon. C. C. BROAD (Minister for Energy and Resources) — As I have previously indicated, I was not at that cabinet meeting, but even had I been there we could go on having questions about internal cabinet deliberations. However, I am not about to indicate who brought what submissions forward and how decisions were made by cabinet. The minister announced the decision following consideration of these matters by the cabinet on that date.

Hon. A. P. OLEXANDER (Silvan) — Given the minister's last answer, had the cabinet been informed of the facilitation panel's progress? Had the cabinet been briefed either by the Minister for Local Government or anybody else about the facilitation panel's progress and issues of relevance at Melbourne City Council before the whole-of-government decision was made?

Hon. C. C. BROAD (Minister for Energy and Resources) — Again, I do not believe it is appropriate

to start canvassing what matters have or have not been discussed by cabinet.

Clause agreed to; clause 14 agreed to.

Clause 15

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

1. Clause 15, line 31, after “once;” insert “or”

This amendment corrects a typographical error in clause 15, which relates to the joint nomination for Lord Mayor and Deputy Lord Mayor.

Amendment agreed to; amended clause agreed to; clauses 16 to 22 agreed to.

Clause 23

Hon. A. P. OLEXANDER (Silvan) — I ask the minister to clarify clause 23(3), which deals with the office of Lord Mayor or Deputy Lord Mayor being vacant by death or by the delivery of a signed notice of resignation to a council meeting or the chief executive officer. In light of the fact that under clause 6 the Lord Mayor and Deputy Lord Mayor are considered to be councillors of the Melbourne City Council, if a Lord Mayor or Deputy Lord Mayor delivered a signed resignation resigning only from the position of Lord Mayor or Deputy Lord Mayor, would that person still be deemed to be a councillor of the council? In other words, could they resign from the position of Lord Mayor or Deputy Lord Mayor and remain a councillor?

Hon. C. C. BROAD (Minister for Energy and Resources) — I am advised that because of the way people nominate for the positions of Lord Mayor and Deputy Lord Mayor, which is quite separate from nominations for ordinary councillor positions, in the case of resignation — death would presumably cover both possibilities — they would not be eligible to remain as a councillor.

Clause agreed to; clauses 24 to 27 agreed to.

Clause 28

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

2. Clause 28, omit this clause.

In explanation, the clause is proposed to be deleted because it is no longer considered relevant. Section 136A of the act was, I understand, introduced in 1993 at the time of the restructure of the Melbourne City Council but no orders have been made pursuant to

the provision and its continued presence in the act is considered to be unnecessary.

Hon. N. B. LUCAS (Eumemmerring) — Can I have confirmed by the minister that section 136A is still in the Local Government Act and therefore could still be used by the government if it so desired to direct the City of Melbourne in relation to the expenditure of funds on the provision of specific works and services?

Hon. C. C. BROAD (Minister for Energy and Resources) — I believe that further on we get to some consequential amendments that remove section 136A.

Amendment agreed to.

Clause negated.

Clauses 29 to 32 agreed to.

Clause 33

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

3. Clause 33, lines 12 to 16, omit sub-clause (2).

This is a consequential amendment following the omission of clause 28.

Amendment agreed to.

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

4. Clause 33, line 21, omit “29” and insert “28”.

This again is a consequential amendment following the omission of clause 28.

Amendment agreed to; amended clause agreed to; schedules 1 and 2 agreed to.

Reported to house with amendments.

Report adopted.

Third reading

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

That this bill be now read a third time.

I thank all honourable members for their contributions to the debate.

The ACTING PRESIDENT (**Hon. D. G. Hadden**) — Order! I am of the opinion that the third reading of this bill requires to be passed by an absolute majority. I understand there will be a

division on the third reading. We shall see whether there is such a majority.

House divided on motion:

Ayes, 36

Atkinson, Mr	Katsambanis, Mr
Birrell, Mr	Lucas, Mr
Boardman, Mr	Luckins, Mrs
Bowden, Mr	Madden, Mr
Brideson, Mr	McQuilten, Mr (<i>Teller</i>)
Broad, Ms	Mikakos, Ms
Carbines, Mrs	Nguyen, Mr
Coote, Mrs	Olexander, Mr
Cover, Mr (<i>Teller</i>)	Rich-Phillips, Mr
Craige, Mr	Romanes, Ms
Darveniza, Ms	Ross, Dr
Davis, Mr D. McL.	Smith, Mr K. M.
Davis, Mr P. R.	Smith, Mr R. F.
Forwood, Mr	Smith, Ms
Furletti, Mr	Stoney, Mr
Gould, Ms	Strong, Mr
Hadden, Ms	Theophanous, Mr
Jennings, Mr	Thomson, Ms

Noes, 6

Baxter, Mr (<i>Teller</i>)	Hall, Mr
Best, Mr (<i>Teller</i>)	Hallam, Mr
Bishop, Mr	Powell, Mrs

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Remaining stages.

FOOD (AMENDMENT) BILL

Second reading

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That this bill be now read a second time.

Victoria is a significant producer of food for export and domestic consumption. The Victorian government is committed to maintaining the reputation of Australia as a clean, safe and fresh food producer.

The Australian food industry is a major component of the manufacturing sector comprising about one-fifth of manufacturing production. In 1998, food accounted for 17 per cent of all retail sales. It consists of about 4000 manufacturing firms and employs around 160 000 people nationally.

In Victoria, it is estimated that the manufacturing sector of the food industry alone employs 47 000 people and

Victorian food exports have a value of over \$4.9 billion per annum.

The principal legislation governing food preparation and the manufacture and sale of food in Victoria is the Food Act 1984. Its principal purpose is to ensure that food manufactured and sold in Victoria is safe for human consumption.

It contains provisions governing the registration of food premises, the role of local government, the powers of authorised officers and outlines a series of offences with respect to the sale of food which is unfit for human consumption or is adulterated.

Broadly, the bill amends the current act in three ways. First, it introduces the core provisions of the model food bill. Second, it introduces template food safety programs, provides for the registration of templates, which some proprietors may choose to use in preparing a food safety program, and removes the requirement for these proprietors to have their food safety program audited. Third, it amends provisions with respect to registration procedures and the obligations on local government as the registration authority.

In November 1997, the Kennett government amended the Food Act 1984 to require the proprietor of a food premises or food vehicle registered in Victoria to prepare and lodge a food safety program with the local council when it applies for registration, or renewal of registration, of its premises. It also requires that the food safety program must be audited by a third-party auditor. Each registered food premises is also required to nominate a food safety instructor.

It is the government's view that these requirements are too complex and impractical for food businesses, in particular, for small food retailers.

The requirement for all food businesses to individually assess each of the potential hazards within the business and to develop a plan that responded to each of those hazards created a huge workload or, if the business decided to hire an expert consultant to carry out this work, a huge financial burden for small businesses.

The requirement to engage an independent third-party auditor to examine compliance with, and adequacy of, each of those food safety programs added to this financial burden. Local government was also concerned at the workload and liability created by its role in assessing the adequacy of food safety programs.

The government initiated a review of these legislative arrangements and sought input from the food industry, the community and local government on options for

reform. Stakeholder input was sought on areas of legislation and enforcement which had been highlighted as needing simplification or clarification.

After extensive consultation with key stakeholders, including a series of public meetings in regional and metropolitan Victoria, the government is implementing a package of measures that are simpler for businesses, enhance food safety and are based on a commonsense approach.

I take the opportunity to thank the many individuals, industry professionals, businesses and local government who contributed to this consultation.

This bill implements many of those recommendations.

Before describing the main features of the bill in detail, it is important to refer also to the national reform of food regulation. Given the significance of food regulation and Australia's reputation as a food producer, there has been extensive consultation on the most effective form of regulation of the industry at a national level.

In 1997 a national review of food regulation was announced. This review aimed to reduce the regulatory burden on the food sector and to improve clarity, certainty and efficiency of food regulation. The resulting report, handed down in August 1998, included 27 recommendations. A Council of Australian Governments (COAG) senior officials working group was then charged with the task of developing a whole-of-government response to this report.

This work led to the drafting of a national model food bill, which contains two parts. The first, known as annex A, contains a set of nationally agreed definitions, offences, defences, penalties and powers in an emergency. The annex A component of the bill also makes it clear that primary producers are not subject to all the provisions of the Food Act in Victoria. This clarifies the legal obligations, which apply to primary producers.

The second part, known as annex B, contains provisions that can be adopted by each state jurisdiction.

The purpose of the model bill is to:

- protect public health and safety;
- ensure and enable provision of adequate information to consumers to enable them to make informed choices about food and to protect them against fraud and deception;

enable fair trade and the enhancement of trade and commerce in the food industry;

facilitate proactive, accountable and consistent enforcement and administration of the food acts.

Implementation of the model food bill will achieve a nationally consistent regulatory approach, which is co-regulatory, protects public health and safety as its primary aim and provides for a reduced regulatory burden on the food sector. National food safety standards address safety of foods, establish labelling requirements to inform consumers and provide detail to support the Food Act under which they sit.

This bill amends the Food Act to implement the model food bill agreed by COAG on 3 November 2000, together with the national food safety standards.

The bill incorporates a number of new definitions arising from the national reform process. For example, it no longer refers to food which is unfit for human consumption or food that is adulterated. The bill adopts the terms 'unsafe' and 'unsuitable' food.

In addition, the bill, in line with the model bill, provides a definition of 'food business'. This bill links 'food premises' and 'food businesses' to ensure that the actual premises on which food is prepared are still required to be registered under Victorian law. This bill does not change or affect the premises that are currently required to be registered under the Food Act.

The bill introduces a definition of 'primary food production' and excludes primary food production from the definition of 'food business' and the requirement to be registered. This means that premises on which primary food production takes place will not be required to register under Victoria's legislation.

The definition of 'primary food production' includes the packing, treating or storing of food on the premises where that food is grown, raised, cultivated, picked, harvested, collected or caught.

However, the effect is that packing sheds which store food produced or grown on other premises fall within the definition of a registrable premises.

It is intended that this limitation be examined with a view to recommending an exemption from registration for these packing sheds. It is not intended that this exemption extend to those premises where food is processed or offered for retail sale.

The bill also redefines a number of offences with respect to the sale of unsafe and unsuitable food and to false representations about food.

The more serious offences, which are indictable offences triable summarily, involve a person in handling food in a manner that a person knows, or should know, will render the food unsafe, or selling food that a person knows or should know is unsafe. The bill also provides that it is an indictable offence to falsely describe food or to sell food that a person knows or should know is falsely described when the likely result will be physical harm to a consumer who relies on the description.

The bill also creates less serious forms of all these offences, together with offences of engaging in misleading and deceptive conduct in the conduct of a food business, and of non-compliance with the food standards code.

The bill also codifies defences and, in particular, contains a defence of due diligence which allows a person, including a corporation, to prove that they took all reasonable precautions and exercised all due diligence to prevent the commission of the offence.

In line with the model bill, the bill significantly raises the penalties for offences with respect to food. This approach was the subject of national consultation. The penalties range from a maximum of two years imprisonment and/or a fine of \$100 000 for an individual, or \$500 000 in the case of a corporation for the more serious indictable offences. For summary offences, the penalties are a maximum of \$40 000 for an individual and \$200 000 in the case of a corporation.

These provisions are a reflection of the seriousness with which this government regards the sale of unsafe and harmful food to the public. More serious breaches can be tried before a jury. These indictable offences are also triable summarily.

The registration provisions of the current act and a number of other obligations fall on the proprietor of a 'food premises', rather than a 'food business'. Because the model bill places obligations on the proprietors of a 'food business', and because the food safety standards are enforceable against a 'food business', rather than a 'food premises', it has been necessary to provide provisions linking 'food business' and 'food premises'.

Other provisions in the bill reflect the emergency powers to be held by the secretary, agreed to in the model bill. These emergency powers are similar to the current powers under the act and they allow the secretary to make a range of orders in circumstances

where the order is intended to prevent or reduce the possibility of a serious danger to the public or to mitigate the adverse consequences of a serious danger to the public.

The model bill includes provisions for compensation arising from an improper use of the secretary's emergency powers. It has been agreed that the forum to determine such issues will be the Magistrates Court, where all other proceedings under the current act take place. Should the claim for compensation exceed the monetary limitation of the Magistrates Court it will go to the appropriate higher court.

The second component of the bill contains the changes arising from the government's consultation with the food industry in Victoria.

The current act provides that where a proprietor operates a food premises that is a member of a declared class of food premises, the proprietor must prepare a food safety program which will be audited by an approved food safety auditor.

It is recognised that many businesses, particularly food manufacturers and larger retailers, already have extensive quality assessment systems built in and have used private sector food safety or food quality auditors for many years. The amendments do not change the arrangements which apply to proprietors of food premises who wish to continue to develop their own food safety programs and use the services of private sector auditors.

However, many small food retailers have expressed significant concern about the cost and impracticality of these arrangements for their businesses. As a result, this bill offers them a choice by allowing them to elect to use a template food safety program and be monitored by local government.

It is important to note that this part of the bill maintains the obligation on the proprietor of a food business to have a food safety program, but allows most proprietors to elect to develop their own food safety program or to follow a template, where one is registered for the class of business, in order to make a standard food safety program.

To facilitate this, the bill provides for the development of templates, defined as a set of instructions for the creation of a food safety program. The bill provides that a template can be registered by the secretary as suitable for use by proprietors of the class for which the template has been registered.

It is envisaged that the secretary will register templates prepared by those industry associations who wish to provide one for their members and a series of other templates, commissioned by the secretary, for various food processing activities.

It is envisaged that proprietors who are able to choose to use a template will be able to select a template that matches the food processing activities taking place on their premises.

It is anticipated that a proprietor will be able to create a food safety program by following the instructions in a template. The proprietor's food safety program is then defined as a 'standard food safety program'.

If a proprietor uses a template for a different sort of business or one which does not cover all the food processing activities within their business, the proprietor is in breach of his or her obligation to prepare a food safety plan as defined in the bill.

If a proprietor chooses to prepare a standard food safety program, compliance with that food safety program will be monitored by the officers of registration authorities, in the main, environmental health officers employed by councils.

It is important to understand that the bill does not weaken food safety initiatives already in place. The obligation to have a food safety program is maintained. It is the means of developing a food safety program which is simplified by the provisions of this bill.

Where a proprietor in a particular class has already had a food safety program approved as adequate under the current act, the bill provides that they may elect for a period of two years to have compliance with that food safety program monitored by local government rather than have it audited. As a result, those businesses, which have already complied with the act, will not be required to pay for the services of a private auditor unless they choose to.

One of the most critical elements in ensuring food safety is to ensure that food handling skills are maintained and improved across the food industry. To achieve that goal, the bill introduces a requirement that a proprietor of a food business must nominate a food safety supervisor for each of its food premises. The food safety supervisor will be required to have met an appropriate competency standard in food handling which relates to the nature of the business.

The National Food Industry Training Council has developed guideline competency standards. Within these competency standards are standards specifically

identified for supervisors of food handlers. It is anticipated that the national food industry competency standards will be adopted in Victoria.

A third component of the bill simplifies and clarifies the role of local government in the administration of the act.

Since 1997, local government has expressed significant concern about the onerous responsibilities it places on officers to determine the adequacy of a food safety program. This bill removes that obligation. Furthermore, it provides that where a business has its food safety program audited by a private sector auditor, and the auditor's certificate has been provided to the registration authority, it is not necessary for the registration authority to re-examine the food safety program.

In addition, the bill amends the statutory immunity of local government by providing that any liability arising from any act or omission of an authorised officer will revert to the registration authority. Currently, a claim cannot be made against a registration authority. The bill therefore brings the act into line with government policy to ensure that access to fair remedies is possible.

Development of the bill has involved an extensive process of consultation and discussion with many people. Key stakeholders including members of the Food Safety Council, the Australian Hotels Association, the Restaurant and Catering Association of Victoria, Clubs Victoria, the Australian Institute of Environmental Health and the Municipal Association of Victoria have been most helpful and constructive in shaping these amendments.

Preventive food safety management carries a cost, but the benefit is improved public health and the continuing reputation of the Victorian food industry as a safe food producer. This bill ensures that the health of the community and reputation of our industry are protected within a simpler and more efficient framework.

I commend the bill to the house.

Debate adjourned for Hon. M. T. LUCKINS (Waverley) on motion of Hon. I. J. Cover.

Debate adjourned until next day.

**POLICE REGULATION
(MISCELLANEOUS AMENDMENTS) BILL**

Second reading

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

Hon. B. C. BOARDMAN (Chelsea) — Since the bill was introduced and passed by the Legislative Assembly, a number of significant changes and events affecting the Victoria Police have occurred — most importantly, the announcement and subsequent appointment of the new Chief Commissioner of Police. The opposition has not had the opportunity of expressing its best wishes to Christine Nixon and offering her its full support in the challenges that will await her in the forthcoming months. She has been appointed during a period in which the police are undergoing an extensive enterprise bargaining process and the chief commissioner's first task will be to provide leadership and guidance to the Victoria Police during that process.

Hon. I. J. Cover — We could have welcomed her if we had been invited to the swearing-in ceremony.

Hon. B. C. BOARDMAN — That is true, Mr Cover.

Hon. M. M. Gould interjected.

Hon. B. C. BOARDMAN — I am happy to take up the interjection of the Leader of the Government. I was not going to politicise the debate until Ms Gould opened her mouth. The Leader of the Government suggested that I am whining and whingeing. That is clearly not the case. I am making a point based on principle. Given that there was an event commemorating the appointment of a significant public official who will attract public and media attention and scrutiny, particularly when the event was held in Queen's Hall and some members of Parliament had been police officers in a previous life or had had a strong connection and involvement with police, you would have thought that as a matter of courtesy the Minister for Police and Emergency Services would extend an invitation to those members to attend the swearing-in ceremony. It would have enabled them to offer congratulations to the new chief commissioner.

Hon. M. M. Gould — The former Premier did not invite anyone to these events.

Hon. B. C. BOARDMAN — I again take up the interjection. Every time she opens her mouth she

embarrasses herself more. In 1992 when Neil Comrie was appointed the Chief Commissioner of Police and the ceremony was held at the Victoria Police academy, the then Premier, Leader of the Opposition and shadow police minister were present. At that ceremony there was wide-ranging representation from all political parties, yet the same level of professional courtesy was not extended on this occasion. It flies in the face of the lauding, accolades and promotion of itself as a so-called open and transparent government. They are nothing more than clichés.

I am delighted that the media in particular and the public in general are beginning to recognise that government members are imposters. Government members are enjoying their expense accounts, sipping chardonnay with their socialist friends and enjoying the highlights of being in government. They believe the lurks of government are a barrel of laughs. While government members continue on that course the public will form its opinion quickly and the Bracks government will continue to lose support.

The bill makes a number of administrative changes to the Police Regulation Act and in particular, as part of the government's election commitment, as brief as the law and order policy was, establishes a Police Appeals Board with power to make binding determinations on promotion appeals and reviews of police discipline decisions — an initiative welcomed by the opposition. It is useful to have the arrangements enshrined in legislation so there is certainty for members of the Victoria Police when individual members have to make representation or lodge appeals relating to a promotion.

Another key part of the bill is the provision that the chief commissioner must consult the Director of Public Prosecutions (DPP) before laying any disciplinary charges against a member of the police force arising out of an investigation of the ethical standards department of the Victoria Police or an investigation resulting from a complaint lodged by someone outside the police force. The Victoria Police are facing challenging times. Unfortunately, there is an increase in the number of serious complaints being made to the police that are receiving the backing and advocacy from bodies whose motives and justification may not be genuine. This is increasing the workload both within the ethical standards department and, as a result of the legislation, will potentially increase the work of the Director of Public Prosecutions.

The opposition requests the minister to ask the Minister for Police and Emergency Services and the Attorney-General whether the resources of the DPP's office will be increased commensurate with the

anticipated increase in workload resulting from the legislation. I hope the minister takes that issue on board and responds to the opposition. Although the opposition welcomes the initiative, it is essential that the government recognises that with additional responsibilities there must be additional resources to ensure that the role of the Director of Public Prosecutions is not jeopardised or made less efficient.

The minister stated in the second-reading speech:

The government is committed to ensuring that as many trained police members as possible are available for operational duties.

Honourable members would remember the pledge made during the election by the then Labor opposition to recruit an additional 800 police and to bolster police numbers by 1200 at the end of its first term in office. In addition to the 400 police who would have been trained automatically as a result of police policy, the Bracks government allocated further resources to have 800 additional police trained within its first term in office. As at 30 June 2000, as confirmed in the annual report of the Victoria Police, there was a net loss of two police compared with the previous 12 months. After the government had been in power for about eight months there was a net reduction in the police strength of two.

The first eight months of the government have not been particularly good. The government has now been in power for 18 months and the opposition is eagerly awaiting 1 July to examine the reports of government departments tabled in the Parliament so it can obtain a true indication of police resources. The opposition has received anecdotal evidence from police officers and from other agencies that have a relationship with the Victoria Police that as at the end of last month there had been a net increase of only 215 additional police. If the Bracks government is to deliver on its commitment of having 800 additional police at the end of its first term, it should at this stage have appointed an additional 450 police officers.

It has been estimated that, with current recruiting rates and the academy's present capacity to train police appropriately to ensure they have the necessary skills and ability to perform their tasks, 50 police would be the best possible achievement the government can hope for, which is well down on the expected 100.

I put the government on notice as of 3 May that unless it comes up with some solution — it would have to be a miracle-type solution, such as building a new police academy or something like that — it will not achieve the 800 target. The devious and manipulative way it has

promoted its policy to the people of Victoria will be exposed. Victorians will remember this.

At the Frankston East supplementary election the Labor Party how-to-vote cards had a chequered police band on both sides and said they showed how to vote for additional police in Frankston. That was an integral part of the then opposition's platform on increasing police resources in Victoria. It was devious, manipulative, incorrect and dishonest, and it lacked integrity and was unclear. The proof of the pudding is apparent today, because the government is way behind its expectations and does not have the potential to achieve its target. Come the next election it will be seen once again to have broken yet another promise.

I turn to the Frankston police station, a station for which I have a great deal of affinity. I worked there for three years between 1993 and 1996 and also did some training there in 1989 and 1990. That police station has been the subject of a degree of notoriety over past years and has been the object of much attention from local Labor Party members, especially the honourable member for Frankston East and the mayor of Frankston, Mark Conroy, the endorsed ALP candidate for the federal seat of Dunkley — how he can be impartial on these particular issues I do not know. The Frankston police station has received a lot of unwarranted and undue attention.

I always find that sort of attention hysterical, and I am dismayed by the Labor Party, particularly the local members, making claims about the strength of the force at the Frankston police station. I hope the minister listens to what I am about to say, because as of today the exact strength at the Frankston police station is 2 senior sergeants and 11 sergeants on the roster. Of those 11 sergeants, 3 are on leave, 1 is on long service leave, 2 are on annual leave and 1 is being transferred, so there is a vacancy for a sergeant. That leaves 7 sergeants available for operational duties. There are only 40 constables and senior constables, including trainees, available to respond in an operational capacity. That is a total strength of 51 members. Despite that, every time I hear the honourable member for Frankston East in the other place or read press releases or hear the Honourable Bob Smith or the Frankston mayor, Mark Conroy, they continually claim that the authorised strength at Frankston police station is 68 members. They take great delight in patting themselves on the back and claiming that they have achieved that target.

Only last week, when the Frankston City Council launched the community safety local drug and alcohol action plan as part of its community safety strategy, a plank of the Kennett government's Safer Cities and

Shires policy, the honourable member for Frankston East once again said how proud he was that the Bracks government had delivered on police numbers in Frankston. Nothing could be further from the truth. His public comments are a sham. It is disgraceful to think that he uses his position to continually put out misleading and totally incorrect figures in order to seek political advantage.

He is also negligent in the way he uses the figures. Since the introduction of local priority policing in December 1999 the area to which the Frankston police have to respond has increased by 30 per cent. Not once has the honourable member for Frankston East, the mayor of Frankston or the Honourable Bob Smith made reference to the increase in the geographic area for which the Frankston police station is responsible. That 30 per cent increase means the area now encompasses Seaford, Carrum Downs, Langwarrin and so on.

The honourable member for Frankston East says that when the Kennett government was in power there were 46 members at Frankston police station and there are now 68. Currently there are not 68 members at the station, but when there were 46, which was the operational strength at that time, the Frankston police had to cover an area that was 30 per cent smaller than the area for which they now have to respond.

If you do the arithmetic, Minister, which I am sure you are quite able to do, you will find that 68 is roughly a 30 per cent increase on 46, so there is no net gain because that increase merely keeps pace with the increase in area. How on earth can your backbenchers and your ALP colleague, the mayor of Frankston, claim credit and say they have delivered on police numbers! They are completely misleading and deliberately distorting the facts in an effort to achieve some sort of credibility. It is shameful. It is one of the issues on which the government will fail, and the community will not forgive them for that.

In my role as chairman of the parliamentary Drugs and Crime Prevention Committee I have the task of reporting to the Parliament every six months on crime trends, identifying areas of concern and making recommendations for the government to consider on how to address those areas of concern and implement policies that will lead to a reduction in crime. The committee tabled its first report in October last year. The report, *Benchmarking Crime Trend Data 1995–96 to 1999–2000*, is the result of a five-year study of Victoria Police statistics, which have been collated into an easy-to-read document so that members of the public can find a reasonable interpretation and be well

informed about the real situation with crime in this state.

Unfortunately the response from the government, including the police minister, has been total silence. I have received no response to the report. Some of the points the committee made about matters such as the steady increase in the number of robberies in retail outlets, the extraordinary increase in the number of robberies involving the use of syringes as weapons, the increase in aggravated burglary offences and the increased number of motor car thefts should have led to the government taking careful note of the report, examining what its recommendations were attempting to achieve, taking note of the explanations and qualifications in the report and providing a response setting out how the government will assist the Victoria Police and other appropriate agencies involved in crime reduction to address the areas identified by the committee as crucial matters that require immediate action.

The committee received a worthwhile response from the Victoria Police. It has taken on board the committee's work and recognised that the committee's reports have a degree of legitimacy and credibility and should be considered. It responded accordingly. But the government has not learnt any lessons. An all-party committee has clearly made recommendations on an area of policy. The government likes to promote itself and claim the high moral ground, which it did during the election campaign and has done subsequently, yet its response to the report has been deafening silence.

I was interested to read the Auditor-General's report *Implementing Local Priority Policing in Victoria* which was tabled this week. A number of recommendations were made in the report, to which I shall turn shortly, but I want to quote one sentence that appears on page 37 because it sums up where the government is failing. It states:

The development of community safety plans and the identification of validated local safety issues by committees is intended to then influence the allocation of police resources at the district level.

Under the local priority policing initiative, which was a policy initiative of the former Kennett government that thankfully has been embraced by this government, each municipality establishes a community safety committee that includes a broad range of representatives, including Victoria Police representatives, which then devises, as part of the Safer Cities and Shires project, a community safety plan that makes broad-based recommendations about issues of concern and identifies areas where municipalities might be able to respond at a local level.

Thankfully most of those plans have been implemented. The Auditor-General's report was initiated to audit the development of local priority policing and policy and to make recommendations on how the implementation of the policy might be improved.

As part of those recommendations a definite reference was made. Under the report reference 'Establishment of the community consultation model', which is at paragraph 5.31, the Auditor-General recommended improving the quality of community safety plans. Last week, as I said, the City of Frankston's community safety local drug and alcohol action plan was released by the mayor. Part of the ceremony included an extensive advertorial by the mayor's campaign manager for the upcoming federal election.

Coincidentally, the mayor's campaign manager is the honourable member for Frankston East in another place, who is also the parliamentary secretary for health. I am amazed that the work of the parliamentary secretary for arguably the most important portfolio in Victoria takes so little time that he can juggle his commitments and responsibilities to the minister, his responsibilities and obligations to the local community and his electorate office responsibilities to enable him to act as a campaign director and manager for a local ALP candidate at the next federal election. I find it amazing that he has so much spare time that he can act in that capacity.

Apart from all that, his candidate — the mayor — allowed him to give the advertorial I referred to, which was nothing more than a pat on the back for the government. He talked about all the government's wonderful initiatives. His comments were clearly based on hearsay. They lacked substance and were not of any great assistance to the council. He did not say whether the government would support the council through the allocation of resources so that its community safety policy can be implemented.

I return to the point I made about the community safety plans being a basis for the allocation of resources. I find it extraordinary that the mayor of the City of Frankston — an endorsed ALP candidate in a federal election whose campaign manager is the honourable member for Frankston East and parliamentary secretary to the Minister for Health — could devise a community safety plan which, under the policy of the Victoria Police and the government itself, will form the basis of resource allocation for the Frankston police station, and then sit back and watch police resources at the Frankston police station decline to a level that is becoming almost critical.

Time after time they have used the government's policy as a basis for self-promotion. It is appalling. The feedback from the community is quite strong. It will be interesting to see the result of the federal election, particularly in Dunkley. The mayor's failure in his civic obligations and his failure to be a non-partisan and equitable municipal representative will be exposed, and I am sure the community will vote accordingly.

The community safety plan lacks vision and clarity and is somewhat misguided. Apart from being only five and a half pages long, it is merely a combination of rhetoric, motherhood statements and obvious comments about initiatives that should have been put in place a long time ago following previous reports and studies — such as the first Penington report, the subsequent Penington report and a number of other initiatives in other municipalities. I would have thought members of the Frankston council, particularly the mayor, who promotes himself as a genuine law-and-order crusader, would have taken on board the recommendations of some of these other studies and used them to the best advantage and maximum benefit of the community.

This is the same mayor who in answer to a question from Steve Price about his initiatives on the heroin situation in Frankston admitted on radio that he had not even read the Penington report. He was promoting himself as someone who is in tune with the heroin issue and who has a number of personal initiatives he thinks might benefit the community, but he has not even read the pre-eminent report in Victoria on how to deal with the situation!

The community safety local drug and alcohol action plan contains three columns headed 'Objective', 'What are we going to do?' and 'Who is involved?'. I will read a couple of the objectives. One is:

Provide a safe environment for residents and visitors to the municipality.

How will the Frankston City Council provide a safe environment for the residents and visitors to the municipality? It will:

Conduct a safety audit of the train station area and immediate surrounds.

Fine. The council has obviously identified the train station area as being of concern, and it is quite within its rights to conduct an audit. But I inform the house that there has been audit after audit. The problems are fairly obvious and commonplace, and the responses by the Victoria Police are addressing the issues. The council will:

Trial the presence of a cleaner in the Young Street area.

The Young Street area is directly adjacent to the train station. I find it amazing that, considering Young Street is a high-density commercial area with strong retail activity and from which rates have been collected for many years, it is only now that the council is trialling the presence of a cleaner in the Young Street area. I am sure, because I have had direct feedback from the retailers in the Young Street area, that that is an extraordinary admission — that only as a result of this initiative will the council fulfil what are clearly municipal obligations.

As a third way of developing a safe environment, the council will:

Develop the Frankston City public toilets strategy to increase safety and improve amenity of municipal public toilets.

I am not sure exactly how that will provide a safer environment for residents and visitors. Maybe there is another agenda to that.

Considering that those are the three issues the Frankston City Council considers to be the crucial elements of — —

Hon. J. M. Madden — On a point of order, Mr President, I think we have given the honourable member a fair degree of scope in the debate. While I was prepared to listen for some time to his taking advantage of poetic licence, I would ask that you direct him to speak to the bill.

Hon. B. C. BOARDMAN — On the point of order, Mr President, I have already quoted from the government's second-reading speech and I am happy to quote it again:

The government is committed to ensuring that as many trained police members as possible are available for operational duties.

To deal with those operational duties it is essential that I outline the law enforcement response in the City of Frankston, which I represent. The community safety plan to which I am referring is an integral part of that and is very relevant to the debate.

The PRESIDENT — Order! The first respondent on behalf of the opposition is given a fair bit of latitude. Basically the remarks of the honourable member must be relevant to the matter before the house. The question before the house is that the bill be read a second time. In looking at the scope of the debate one looks at the purpose of the bill, which is:

... to amend the Police Regulation Act 1958 in respect of disciplinary provisions, the Police Appeals Board and other miscellaneous matters.

We are also entitled to look at the minister's second-reading speech — in this case it was pretty broad in its scope, and certainly the matters that have been raised so far appear to be in line with the tenor of the speech.

Other speakers are not necessarily given the same latitude. They will be more restricted, but the lead speaker for both the government — in the second-reading speech — and the opposition are given considerable latitude. Therefore, I do not uphold the point of order.

Hon. B. C. BOARDMAN — Thank you, Mr President. I recognise that this is an important debate, and the contribution I am making is more than relevant.

I hope the government, particularly the Minister for Sport and Recreation, is taking notice of the points I am canvassing, because they are exceptionally important. If the minister were genuine in his involvement as a member of the executive arm of government he would recognise that there are serious shortcomings in Frankston City Council's strategy and response at a local level to law enforcement. I hope he will take notice of these shortcomings and try to alleviate the problems.

Another important objective is to:

Respond to the issue of high burglaries in the municipality possibly associated with drug issue.

That is stating the obvious. It is an extraordinary admission for the council to say that there is a high level of burglaries in the municipality of Frankston, because from my role in chairing the crime trends inquiry I know that, on a comparable per capita basis, the burglary rate in Frankston is not high.

I am not sure what figures the Frankston City Council is referring to; perhaps it can provide any additional information to me. But what are we going to do? The council wants to support Neighbourhood Watch to enhance safety in local neighbourhoods. This is a remarkable strategy on Frankston council's behalf because Neighbourhood Watch and that other successful crime prevention initiative, Crime Stoppers, were two areas where the Victoria Police were told by the government to review its funding. After a little time those two Victoria Police programs would have been in jeopardy. Your mayor, your comrade, who is promoting Neighbourhood Watch, is doing it in what I consider to be a complete contradiction of government policy. By doing that, he is acknowledging the importance of Neighbourhood Watch. Perhaps the

minister should reconsider because it was he who instructed the Victoria Police to review their funding of Neighbourhood Watch and Crime Stoppers. Both those programs are successful models of crime prevention which are used by local communities to provide an appropriate response. Again, it goes to show that the effort and intention of the government is somewhat limited.

I found this next comment quite extraordinary. The objective was to 'support the police in their role as a diversionary and referral base for drug and alcohol users'. Under the heading 'What are we going to do?' it simply states, 'Provide training for police as required'. I hardly think local government is an appropriate authority to provide training for police as required, as stated in this document. I am not sure what consultation Frankston City Council or the community safety committee has had with the police to devise a training model, but it seems to me that particular comment is one that is misguided and certainly demands a degree of clarification.

Under the objective of improving the health and welfare of drug users, there is what I consider to be a foolish comment of 'undertake information strategies to promote safer injecting practices for users'. I thought in Victoria that injecting a drug of dependence was still an illegal offence. The use and possession of a drug of dependence is an offence under the Drugs, Poisons and Controlled Substances Act and requires investigation by the police. There is a certain element of the policy that the police have and a discretion that they can use, but if local government is undertaking information strategies that will promote safer injecting practices — I assume its intention is one of harm minimisation — my submission would be the intention should be to not provide safer injecting but to eliminate injecting practices totally. You do that through appropriate referrals, counselling and rehab and detox, which are parts of the Penington report that this government has not picked up.

The government is adopting a cavalier attitude to the drug debate. It is hoping that its silence will subsequently lead to a change in public perception or lead to public thinking that the government is doing something and therefore the problem will go away. I disagree strongly with that particular comment.

My final comment is on this particular plan, under the heading 'develop a coordinated methadone program across the relevant service providers'. The government, in conjunction with the Peninsula Division of General Practice, Peninsula Health, alcohol and drug agencies and local pharmacists, wants to support the

establishment of a specialised methadone clinic operating on a holistic model providing information, education and access to other assistance as required. A conclusion that could be drawn from that comment is that the council is pushing for a stand-alone facility that obviously will have to be subject to normal planning considerations and testing of the appropriateness of the facility which, when compared with the proposed model of injecting facility, would clearly provide the same service to the same clients, although it will be distributing and dispensing methadone instead of the clients attending the facility with their own illegally obtained substances.

It is quite bewildering that the councillors, particularly the mayor, have not gone public with this particular proposal to seek public comment and/or support as to whether the community would like to have within its municipality this facility. Considering the geographic layout of the city of Frankston, the facility would be in the retail area of the municipality, a stand-alone facility that would create the same type of environment which the public overwhelmingly had strong reservations about when the model of injecting facilities was first mooted. I hope the council takes on board that comment and realises that by making these types of statements one has to back them up with explanations, clarifications and a definite policy on how these initiatives will be implemented and how they will benefit the community, and who may or may not be affected.

Honourable members would be aware that an enterprise bargaining agreement currently being negotiated by the Chief Commissioner of Police and the Police Association has 38 very broad-based claims. I do not want to refer to it in great detail except to say that the opposition is supportive of the general thrust of the claim by the Police Association that the level of remuneration and some of their allowances and benefits require further scrutiny and debate. The first page of the claim by the Police Association states:

Over recent years salaries in Victoria have declined from the best paid to a situation where Victoria Police are now paid significantly less than their counterparts in New South Wales at the same time Victoria Police has remained Australia's pre-eminent law enforcement agency.

That is a true comment. Victoria Police does enjoy strong support from all sides of politics. There is no doubt that Victoria Police is Australia's pre-eminent law enforcement agency. Equally, there would be no doubt that Victoria Police would be totally deserving of an appropriate level of remuneration, benefits and allowances.

It was disappointing that when I asked the Minister for Industrial Relations whether she supported the claim by the Police Association her response was that within budget guidelines the police will receive 3 per cent, 3 per cent and 3 per cent for three years. That was her complete dismissal of the real issues. If she went through the basis of the claim and each point in detail, she would consider issues such as career structure and work-related allowances. She would also have to familiarise herself with salary packaging because you would think as the Minister for Industrial Relations she would be able to provide expertise and assistance to the police minister on formulating the government's response to this particular claim, although I am probably being optimistic that she would be able to provide such assistance. But issues regarding leave, overtime and superannuation are quite complex when one considers the duties and responsibilities of the Victoria Police. The government should give careful attention to the claim to ensure that there are desirable and equitable outcomes for the police.

The opposition congratulates Paul Mullet on his appointment to the position of secretary of the Police Association. The opposition wants to continue to maintain the strong and ongoing relationship with the Police Association.

I place on the record my protest over the actions by a certain section of the M1 demonstrators, involving \$2 million worth of damage, complete and utter inconvenience, loss of earnings and loss of revenue to retailers. The actions of some of them were disgraceful.

I also indicate that it may not have been in the best interests of the community for the police to not intervene in those protests. As one who has been involved in demonstrations from an operational perspective, I believe other options may have been available to the police. But considering the police action was more conciliation than enforcement, some undue influence might have been placed on the police to act in that way. I hope their follow-up investigation will lead to successful prosecutions of these people who clearly had an interest in disrupting the community rather than making a strong philosophical point.

The final point I make is a serious one that is undermining confidence and morale of the Victoria Police — that is, the increasing litigious environment in which the police are finding themselves.

A number of recent claims has cost Victoria Police in excess of \$2 million in awarded damages. It seems to be a trend, particularly with some of the antagonists involved in S11 and M1, which will continue and

worsen to a situation where operational confidence will be undermined and individual members performing their duties in the best interests of the community will hesitate when it comes time to effect an arrest.

Some of the more famous actions include the Tasty Nightclub, the Richmond Secondary College, the Horvath and Love case, the strip searching of a woman at the Narre Warren police station and the ongoing S11 claims. The courts have made their judgments and as a member of Parliament it would be irresponsible and unprofessional for me to make any comment about those judgments. I will simply say that obviously the courts viewed those particular cases seriously and awarded the level of damages they thought appropriate.

However, that sends a message to the officers of Victoria Police that maybe they have to think twice before they act. I await the government's response to this issue. I have received a good deal of evidence from people with whom I worked in the past and I now work in a different capacity. Victoria Police members are finding themselves in an increasing difficult situation when it comes to performing their operational duties because the threat of litigation is ever real.

The Police Regulation (Miscellaneous Amendments) Bill is a small bill that makes a number of administrative changes to Victoria Police which the opposition considers to be beneficial. It deserves to be passed.

Hon. D. G. HADDEN (Ballarat) — I speak in support of the Police Regulation (Miscellaneous Amendments) Bill before the house. The bill makes a number of miscellaneous amendments to the principal act, which is the Police Regulation Act 1958. The purpose of the bill is set out in clause 1 and is:

... to amend the Police Regulation Act 1958 in respect of disciplinary provisions, the Police Appeals Board and other miscellaneous matters.

Clauses 7 and 9 allow for the appointment of more than two deputy chairs to the Police Appeals Board and require that one member of that board be a legal practitioner of at least five years standing. Clause 9 further requires that at least three members of the Police Appeals Board, including at least one member who is a legal practitioner of at least five years standing, be present to hear an application for review of a decision to terminate the appointment of or dismissal of a police member. The bill also sets time limits for the lodgment of promotion appeals and applications for review of police discipline decisions.

Clause 10 inserts a new section 91MA into the principal act which in effect is designed to close hearings and prohibit the publication of proceedings in limited circumstances. Clause 11 amends section 91R of the principal act to make it a contempt of the board to publish or disclose information in breach of a non-disclosure or publication order under the previous clause.

The Scrutiny of Acts and Regulations Committee *Alert Digest* No. 1 of 2001 dated 25 February noted the following comments from the minister's second-reading speech:

The prospect of judicial review of a decision to close a hearing or suppress evidence will act as a disincentive to any overzealous use of these powers.

As I said, clause 11 inserts what can be called the contempt provision.

Clause 5 narrows the range of possible criminal offences detected in a disciplinary investigation on which the Chief Commissioner of Police must consult the Director of Public Prosecutions (DPP). This is called the section 71(2) amendment. Currently the chief commissioner is required to consult the DPP on any possible criminal offence detected during a disciplinary investigation. The new section 71(2) requires the chief commissioner to consult the DPP on possible criminal offences listed in the first schedule. This makes it clear that the chief commissioner may also consult the DPP in relation to other possible offences not included in the first schedule.

Clause 17 inserts the new first schedule into the act. The reportable offences contained in the first schedule of the bill include indictable offences that attract level 1, 2, 3 or 4 punishment of imprisonment — which is life, 25, 20 and 15 years respectively — or equivalent levels of fines. Also included are offences against the person, sexual offences, child stealing, theft, burglary, fraud, secret commissions, destroying or damaging property, false statements, contamination of goods, offences connected with explosive substances, conspiracy to commit an offence, incitement, attempts to commit an indictable offence, accessories in relation to a serious indictable offence, concealing of offences for benefit in relation to a serious indictable offence, and escapes.

Part 3 of the first schedule contains other statutory offences including the offence of breach of an intervention order under section 22 of the Crimes (Family Violence) Act 1997 which upon conviction attracts a period of imprisonment of up to five years.

Part 4 of the first schedule deals with common-law offences.

Clause 6 allows the deputy ombudsman and the minister to refer matters directly to the DPP in order to determine if criminal prosecution of a police member is warranted.

Clause 14 enables the Chief Commissioner of Police to authorise public servants and non-commissioned officers in addition to commissioned officers to direct the disposal of property in police possession. The purpose is to release police members from non-core jobs at police stations and return them to upholding the right and maintaining law and order in society.

Clause 15 clarifies the types of seized property whose ownership is disputed to which the process for a magistrate determining the ownership does not apply. There has been some confusion over this process and clause 15 clarifies that the process for a magistrate to determine the ownership of property seized does not apply to goods seized under what is known as a section 73 Magistrates' Court Act warrant to seize property.

Clause 16 clarifies that fees for police services may also be set for services provided by public servants in Victoria Police; for example, criminal history checks. The rationale for narrowing the scope of the section 71(2) requirements is to ensure that the DPP is not overburdened with referrals, including a large number that involve either no offence or offences of a trivial nature where a criminal prosecution would not be warranted. It is also to avoid unreasonable delays in the police discipline system where the process effectively stops until the DPP furnishes the Chief Commissioner of Police with advice. It will also enable a meaningful surveillance to be maintained on the more serious offences without being diffused by comparatively trivial ones.

The inter-agency working party established by cabinet to examine the issues raised by the section 71(2) amendment recommended that the possible offences on which consultation should be mandatory be contained in a schedule to the act — namely the first schedule — so as to be transparent and subject to direct parliamentary approval. It also recommended that the precondition for referral be the reasonable belief that an offence has been committed rather than that an offence may have been committed. The bill makes it clear that the list of offences in the first schedule does not preclude the chief commissioner from seeking the DPP's advice on non-listed offences.

The deputy ombudsman, as part of his role in monitoring internal police investigations, will be given the power to refer matters directly to the Director of Public Prosecutions for consideration as to whether a criminal prosecution is warranted.

The list of offences in the first schedule was subject to detailed discussion by the working group and was based on the more serious indictable offences rather than on those where factual circumstances would be comparatively trivial. As I said, almost all summary offences are excluded from that first schedule list, other than the offence of breaching any intervention order under the Crimes (Family Violence) Act, which becomes a criminal matter on the breach, and those matters contained in the Police Regulation Act, such as bribery. It is important to note that the level of impact on the Office of Public Prosecutions as a result of this bill is in the process of being quantified.

For the record, I state my thanks for and acknowledgment of the distinguished service and contribution of more than 30 years as a serving police officer of the retired Chief Commissioner of Police, Mr Neil Comrie. I had the pleasure of acquainting myself with him when he was in service in Ballarat in the late 1980s. He is a Ballarat boy, like our good Premier, and he has served the state well, just as the Premier is serving the state now. Most importantly, Mr Comrie remains the patron of the Creswick Blue Light RSL Light Horse Troop in my home town at Creswick, and the troop will be in Melbourne next week and at Flemington racecourse participating in the centenary of Federation celebrations. I urge all honourable members, particularly Mr Boardman, to view the 40-member troop, whose patron is Mr Comrie.

The historic swearing-in ceremony on 16 March 2001 of Victoria's new chief commissioner, Ms Christine Nixon, was an historic event and was certainly welcomed. Ms Nixon is the first woman Chief Commissioner of Police for this state and commenced in her new position on 23 April. I welcome the new chief commissioner, particularly given her outstanding qualifications and experience. There are some two or three pages of her curriculum vitae covering 28 years of service to the police force. I welcome her vision for the future of Victoria Police. She has an exceptional combination of leadership skills, extensive experience as a police officer and impeccable integrity.

No-one can doubt that Ms Nixon will be an eminent role model in encouraging young women to join Victoria Police. Women currently comprise about 15 per cent of total full-time police officers and recruits — for example, there are 2 female

superintendents; 4 female inspectors, one of whom is Ms Joy Cordy in my region; 20 female senior sergeants; 891 female senior constables; 334 female constables; and 93 female recruits. Victoria's second-highest serving female police officer is Detective Superintendent Sandra Nicholson of the ethical standards department.

Ms Nixon was awarded the Australian Police Medal in 1997 and is the inaugural president of the Australasian Council of Women and Policing. As I said, the swearing-in ceremony was held for logistical reasons in Queen's Hall, and Ms Nixon had first to be sworn in as a police officer of this state, because she was then an assistant commissioner in the New South Wales police force. By contrast, when Mr Comrie was sworn in as the chief commissioner, he was a serving officer in Victoria. Given that Ms Nixon has negotiated two enterprise bargaining agreements in New South Wales as assistant commissioner in charge of human resources, she is well qualified to negotiate the present claim by the Police Association for increased salary and allowances and a new career structure.

At pages 4 and 5 of the *Herald Sun* of 17 March the new chief commissioner is described in headings that say 'Force's new boss neatly fits the bill', 'Policewoman who always battles against the odds', 'Chief has plan to listen', 'Job a natural progression' and 'Boys in blue image fading'. We might have girls in blue shortly! We certainly have one at the top.

The Bracks government remains committed to an end target of 800 additional police by mid-2003. It is on track. As at March of this year there were 361 cadets at the Glen Waverley Police Academy. At the end of April there were an additional 341.6 equivalent full-time police, more than on 30 June 1999 under the former government. The minister stated in his media release of 28 March that the correct number for full-time equivalent police as at 30 June 1999 was 9346.7. As at 31 January this year the full-time equivalent number was 9402.6, which is an increase of 116.3 since this government came to office.

The Bracks government is getting on with the job of reversing the decline in police numbers inherited from the former Kennett coalition government. The attrition rate is normal — around 4 to 5 per cent, which equates with that of any other work force. The Victorian government and the Police Association, which is affiliated with Trades Hall Council, are working constructively on ways to reduce the attrition rate. There have been 27 000-odd phone calls to the new police recruitment line.

Hon. K. M. Smith — What is that in relation to?

Hon. D. G. HADDEN — More police, Mr Smith — more police recruits. It is fantastic!

In relation to consultation by the government with the Police Association, for the record and to allay any misunderstanding that may have arisen, I point out that the Minister for Police and Emergency Services in the other place did consult and fully brief Mr Ian Dosser, the discipline advocate at the association, who was the acting assistant secretary at the time. Further, the assistant secretary of the association was given a preliminary briefing by the minister shortly after the bill was introduced in the other place and was asked to provide someone who could be further briefed on the bill. If there is any communication failure within the Police Association the blame cannot be laid at the feet of this government.

In conclusion, I fully support this bill and commend it to the house.

Hon. P. R. HALL (Gippsland) — In speaking on Police Regulation (Miscellaneous Amendment) Bill, I take the opportunity of joining my colleagues in officially congratulating the new Chief Commissioner of Police, Christine Nixon, on her appointment and wishing her well in her position. I also thank former Chief Commissioner Neil Comrie for the magnificent job he did during his time in the job.

The National Party does not oppose the bill. It contains a number of amendments to the Police Regulation Act that will improve the functioning of various aspects of the police force and the National Party is happy to lend its support to those functions.

A number of amendments relate to the operation of the Police Appeals Board. The first, in clause 7, increases the number of members from which the board can be chosen. I understand the board will always consist of three people but not always the same three people. That is a commonsense provision that will prevent delays if one or more of those people is not available at any time.

The second amendment imposes time limits — 10 days for the lodgment of appeals against promotion and 14 days for the lodgment of appeals against other matters. As I understood the briefing, this is purely enacting what is currently in practice by regulation under the act.

The third amendment enables appeals boards to conduct closed hearings when it is in the public interest to do so. National Party members can imagine

circumstances in which a closed hearing may be desirable, so we do not oppose that amendment.

Clause 5 requires the Chief Commissioner of Police to consult with the Director of Public Prosecutions (DPP) on any possible criminal offences, and such offences will be listed in the first schedule, which is inserted by clause 17 of the bill. As has been said by other honourable members, the Chief Commissioner of Police is not limited to consulting the DPP on just these matters but may consult on other matters as well.

Clause 6 is about the deputy ombudsman, who inquires into complaints against members of our police force. He does so in a very fair way and I compliment him on the work his office performs. Clause 6 provides that in the course of any such investigation the deputy ombudsman can seek direct advice from the Director of Public Prosecutions on whether criminal proceedings should be taken against a police officer. That also is a fairly commonsense provision.

The last two matters to which I refer relate to public servants doing police work. I appreciate that there are many administrative functions that public servants could well undertake and so leave police officers free to perform operational duties, including work on the street. The bill provides that public servants can manage the disposal of unclaimed goods after they have been in the possession of the police for more than three months, and another provision enables public servants to perform police checks. Both those tasks can be quite capably undertaken by public servants.

That leads me to my last comment, which is on police numbers. It is made in the context of the second-reading speech, which states that as many trained police officers as possible should be available for operational duties. Without speaking about police numbers in general, as that issue has been canvassed by other contributors to the debate, I highlight the problem in many country police stations. Insufficient police officers are available to fill many of the vacancies in country police stations. For example, the last time I visited the police station at Orbost in East Gippsland, only two of the current eight positions were filled, and they were struggling to fill the six vacancies. It is a real concern when a town such as Orbost has only a quarter of its police strength. I understand that since my visit some weeks ago there have been a couple of additional appointments, which I welcome. However, that is typical of the situation that sometimes exists at country police stations, where it is difficult to fill vacancies.

As for what can be done about that, I encourage the government to embark upon a few actions to try to fill

the vacancies in country police stations. Firstly, it is important to undertake a program to recruit local young people to the police force. It is a proven fact that, following their education, country people are more likely to return to the country and fill professional positions than city people are likely to go to the country. It has been tried with doctors and found it to work. It should be tried more frequently with the police. I encourage the government to take its police recruitment campaign out into country areas to attract young people from the country to join the police force, because ultimately they will drift back to country areas and fill vacancies there.

Secondly, more realistic rural and remote allowances must be made available for members of the police force. Currently minimal allowances are paid to police officers who fill positions in remote areas. A better allowance rate should be paid for that work.

Thirdly, more assistance should be given for housing for police who move to country areas. In some areas it is difficult to obtain housing. More facilities should be made available through the department to assist with the provision of accommodation in some country towns.

As I said, there are problems in country areas. More police are needed. I have suggested three ways in which the problem could be addressed. I encourage the government to take up those three suggestions. I repeat that the National Party is happy to support the bill.

Hon. ANDREW BRIDESON (Waverley) — The debate on such a small bill has been very interesting. All the speakers before me have canvassed a wide range of issues. While not many may have spoken directly on the provisions of the Police Regulation (Miscellaneous Amendments) Bill their comments have been about matters that are relevant to the bill.

I join my colleagues in congratulating Ms Christine Nixon on her recent appointment as Chief Commissioner of Police. Victoria Police has a fine reputation. It is not only an outstanding police force in Australia but its reputation is of worldwide standing.

While I am in congratulatory mood, I place on the record that Barry Traynor, a former member for Ballarat East in the other place, should be congratulated. Recently I read that Barry has been promoted to the position of inspector. He will bring great experience and dignity to that position.

Honourable Members — Hear, hear!

Hon. ANDREW BRIDESON — The opposition does not oppose the bill. Previous speakers, particularly the Honourables Dianne Hadden and Peter Hall, have gone through the bill clause by clause. I will confine my remarks essentially to clause 14, which has the intention of allowing more members of the police force to undertake operational duties. That is something the community expects any government to be able to implement — that is, to have more police on the beat.

In tying that in with the work the new Chief Commissioner of Police has to do, the Honourable Cameron Boardman mentioned that one of her more serious concerns is raising the morale of members of the police force. That is something to which she will have to devote a lot of time, effort and consideration.

It has been brought to my attention that many police officers in Melbourne metropolitan areas and regional towns around Victoria are being turned into prison wardens. They are not able to work on the beat, as the expression goes, because they are looking after prisoners in police cells. I am advised that as of today, there are 309 prisoners in police cells. Cells in Victorian police stations have been built to cater for only 120 prisoners, so those cells are being stretched beyond their limits.

Some 119 of the prisoners locked in police cells — the conditions there are not as good as those in a prison — are sentenced prisoners. That is an indictment of the government. As I said, it is most unfortunate that the police are virtually acting as prison wardens.

Another matter to which the Chief Commissioner of Police needs to give attention is the amount of litigation, as mentioned by the Honourable Cameron Boardman, against police officers who have been doing the job that the community expects them to do.

It is very interesting to read on the ALP web site the aims of the government. This morning I looked at it because I thought it might give me some valuable insight into how police command is operating. I assume that is in conjunction with the aims of the Labor government. Under the heading 'A safe and just society', the policy states:

Labor will protect those who abide by the rules and will deal severely with those responsible for criminal conduct.

Point 7.1 is:

To create a safe Victoria, Labor will be tough on crime and its causes.

It states further that the objects of the police are to prevent crime and to protect personal safety and the security of Victorians. It states also that the government will compensate victims of crime. Although it is not in the realm of this debate, I place on the record that I am somewhat appalled that the government is cutting back financial payments to victims of crime.

Paragraph 7.2 of the ALP's policy for a safe and just society states that the government will be tough on criminals who infringe the rights of Victorians — their rights to be safe at home, in shopping centres, workplaces or in leisure spots. They are admirable platitudes, but it is a pity the police are unable to put them into practice. I am not sure but I surmise police command is not allowing the police to perform duties as the community would like them performed because police command is afraid of litigious situations — that is, if the policing is too hard, legal action will be taken against them and compensation may be payable.

That situation has led to the public slowly starting to lose confidence in police command and the police minister. It is essential that police do the job they have been paid to do — that is, to keep law and order on the streets.

It is also interesting to read the editorial in today's *Herald Sun* about the May Day demonstrations when much damage was done in the community. The editorial says the police were unable to do their job or to carry out their duties in a manner that would ensure they were implementing ALP policies. It is not my hope but the hope of the community that the demonstrators who caused property damage and disrupted the lives of ordinary Victorians will be brought to justice.

With those final comments, I thank those who briefed the opposition committee on police and emergency services. During a thorough briefing we questioned the public servants on many issues. They were able to satisfy us to the extent that the opposition's fears about the bill were allayed. With those few brief comments, I advise that the opposition does not oppose the bill.

Motion agreed to.

Read second time.

Third reading

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

That this bill be now read a third time.

I thank the Honourables Dianne Hadden, Cameron Boardman, Peter Hall and Andrew Brideson for their contributions.

Motion agreed to.

Read third time.

Remaining stages

Passed remaining stages.

AUDITOR-GENERAL'S OFFICE

Financial audit

Message received from Assembly seeking concurrence with resolution.

Assembly's resolution:

That, pursuant to section 17 of the Audit Act 1994:

1. Mr Christopher Lewis of KPMG be appointed to conduct the financial audit of the Auditor-General's office for the 2000–01 financial year in accordance with the conditions of appointment and remuneration contained in the report of the Public Accounts and Estimates Committee on the appointment of independent auditors to conduct financial and performance audits of the Victorian Auditor-General's office (Parliamentary paper no. 77, session 1999–2001); and
2. The level of remuneration for this financial audit be \$19 800 inclusive of GST; and
3. Mr Lewis be appointed for three years, subject to negotiation with the Public Accounts and Estimates Committee, of a suitable level of remuneration for future financial audits.

Resolution agreed to on motion of Hon. M. M. GOULD (Minister for Industrial Relations).

Performance audit

Message received from Assembly seeking concurrence with resolution.

Assembly's resolution:

That, pursuant to section 19 of the Audit Act 1994:

1. Mr Stuart Alford of Ernst & Young conduct the performance audit of the Auditor-General's office in accordance with the conditions of appointment and remuneration contained in the report of the Public Accounts and Estimates Committee on the appointment of independent auditors to conduct financial and performance audits of the Victorian Auditor-General's office (Parliamentary paper no. 77, session 1999–2001); and

2. The level of remuneration for the performance audit be \$220 000 inclusive of GST.

Resolution agreed to on motion of Hon. M. M. GOULD (Minister for Industrial Relations).

STATE OWNED ENTERPRISES (AMENDMENT) BILL

Introduction and first reading

Received from Assembly.

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

HEALTH SERVICES (HEALTH PURCHASING VICTORIA) BILL

Introduction and first reading

Received from Assembly.

Read first time on motion of Hon. M. M. GOULD (Minister for Industrial Relations).

ROAD SAFETY (ALCOHOL AND DRUGS ENFORCEMENT MEASURES) BILL

Introduction and first reading

Received from Assembly.

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

BUSINESS OF THE HOUSE

Adjournment

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That the Council, at its rising, adjourn until Tuesday, 15 May.

Motion agreed to.

ADJOURNMENT

Hon. M. M. GOULD (Minister for Industrial Relations) — I move:

That the house do now adjourn.

Scoresby: integrated transport corridor

Hon. M. T. LUCKINS (Waverley) — I direct to the attention of the Minister for Industrial Relations, as the representative in this place of the Minister for Transport, a response by the minister yesterday in answering a dorothy dixer relating to the government's plans for the Scoresby integrated transport corridor.

The minister said the government would examine providing express train services on the Ringwood, Frankston and Dandenong lines. The minister also said the government would examine the feasibility of a rail connection from Huntingdale in my electorate to Rowville through a high-density residential area.

I ask the minister to explain why he will not provide express train services for commuters on the Glen Waverley line in the centre of the so-called Scoresby integrated transport corridor. I further ask him to provide an undertaking that the amenity of my constituents will not be adversely compromised by any new railway construction.

Workcover: apprentices

Hon. B. W. BISHOP (North Western) — I direct a matter to the attention of the Minister for Industrial Relations as the representative of the Minister for Workcover in the other place. I have a number of constituents who operate small businesses that provide a source of employment for students, generally on a part-time basis. The students often go on to become apprentices in the business. There appears to be an anomaly in the Workers Compensation Act, specifically in the declaration under paragraph (j) of the definition of 'remuneration' in section 5 (1) regarding the employment of apprentices.

If my constituents were to employ a student or anyone else full time for 6 months or on a casual basis for 12 months, the employer would not be eligible to claim his Workcover costs if he then employed that person as an apprentice. That does not make it attractive for skilled tradespeople to employ apprentices. My constituent suggests establishing a monetary value of, perhaps, \$5000 to part-time or full-time employees prior to their becoming apprentices as a fairer and more practical way to manage the issue. I ask the minister to examine the issue to increase employment opportunities for apprentices.

Donor Treatment Procedure Information Register

Hon. E. C. CARBINES (Geelong) — I raise with the Minister for Industrial Relations, in her capacity as the representative of the Minister for Health in the other place, an issue regarding my constituents. Recently I met with a mother and her adult daughter. The adult daughter had been conceived by donor insemination and was born in 1977. Both mother and daughter had learnt of the Bracks government's announcement of the new voluntary register for donors and offspring conceived since 1988. They fully support and applaud the initiative, as it allows for the voluntary involvement of donors and their offspring in relation to biological and medical information.

However, as the daughter was born in 1977 she is currently unable to benefit from the Donor Treatment Procedure Information Register. My constituents are seeking an extension of the voluntary register to cover all offspring conceived by donor insemination and not just those born since 1988. As the daughter explained to me, it could possibly allow her to solve important unanswered questions about her life. I would appreciate the minister's consideration of this very important personal matter for my constituents and advise accordingly.

Port Phillip: court costs

Hon. P. A. KATSAMBANIS (Monash) — I raise for the attention of the Minister for Small Business, in her capacity as the representative of the Attorney-General in the other place, the ability of local councils to recover court costs during prosecutions under the Building Act and the Planning and Environment Act.

A representative of the City of Port Phillip wrote to the Attorney-General on 17 December last year highlighting an issue relating to the recovery of court costs. Local municipalities are charged with prosecuting builders who do not comply with the Building Act and the Planning and Environment Act. Councils not only have a legal duty but increasingly find they have strong concerns from local residents to ensure prosecutions are made so that builders comply with the provisions of the acts. However, in running prosecutions, many councils, including the City of Port Phillip, have found that the ability to recover court costs is difficult under the acts even though they may have successful prosecutions against builders. The cost of pursuing these actions in the Magistrate Court can run to many thousands of dollars, and in some cases, tens of

thousands of dollars. These costs are currently borne by ratepayers.

In its correspondence of 7 December to the Attorney-General the City of Port Phillip pointed out that the appropriate course of action could be to ensure that the Building Act and the Planning and Environment Act include appropriate cost recovery scales to ensure that when municipalities take these appropriate actions the ratepayers and residents are not left out of pocket. Unfortunately, even though we are five months down the track the Attorney-General has not responded to the correspondence from the City of Port Phillip.

I seek the minister's assistance to bring this matter to the attention of the Attorney-General and make it clear that the residents of my electorate, especially the residents of the City of Port Phillip, believe this is an extremely important issue and demand that he address it immediately.

South Oakleigh Secondary College site

Hon. ANDREW BRIDESON (Waverley) — I refer a matter to the Minister for Industrial Relations, representing the Minister for Finance in the other place. In 1998–99 the then Minister for Education, the Honourable Phil Gude, approved a million dollar refurbishment of the former South Oakleigh Secondary College Farm Road campus.

When the project is completed in the not-too-distant future, and the primary school vacates the present site, there will be a sizeable tract of land available. The Oakleigh South Primary School council and the local community would like the government to donate a substantial part of the site back to the community. There is a community expectation that the government will donate the land for a Federation park. Hong Lim, the honourable member for Clayton in another place, said on 6 December 1999 in a members statement that the community is expecting a more positive and visionary response from the Bracks Labor government. I understand that the Bracks government is on the record as saying that the said piece of land is available for sale and that the City of Monash could purchase a small percentage of the land for open space. This is hardly visionary.

It is timely for the government to reconsider its position on the eve of Federation Week. Will the Minister for Finance meet the expectations of the Oakleigh South community and the expectations of Hong Lim by donating land for a Federation park in Oakleigh South?

CFA: volunteers

Hon. E. J. POWELL (North Eastern) — I raise with the Minister for Sport and Recreation, who is the representative in this house of the Minister for Police and Emergency Services, the proper use of Country Fire Authority funds for training of firefighters by experienced volunteers. I have been contacted by a number of CFA volunteers complaining that training is being severely compromised by the United Firefighters Union (UFU) using its enterprise bargaining agreement to monopolise the delivery of training to volunteers.

Career firefighters are travelling hundreds of kilometres to train and assess country volunteers. They claim double time, travel and accommodation expenses when there are already suitably qualified volunteers available in local areas at a fraction of the cost. It is a shameful waste of taxpayers' money. Because the UFU has ruled that only career firefighters can deliver training and assessment of volunteers, the local expertise of suitably trained volunteers is being wasted. Volunteers who have been training and assessing prior to the enterprise bargaining agreement are the most experienced. They live in the area where they train and know the equipment and hazards with which volunteers are faced.

Rural volunteers need the respect of those who are training and assessing them. When an urban-based trainer has not had the experience of the rural volunteer, the trainer has a lack of credibility. The one example is the lack of wildfire fighting experience of urban career firefighters who deliver training to volunteers. Because rural volunteers have had many years of experience that training by the UFU is not being accepted. Some brigades have moved motions at brigade meetings that they will not accept career firefighters delivering training and assessing at their brigades. The higher cost will limit the amount of training available to volunteers. The lack of availability of career firefighters at times is causing brigades to have their training cancelled. That will seriously impact on the number of firefighters who will be trained and accredited before the next summer wildfire season.

Currently the UFU, which represents a couple of hundred career firefighters dictating to the CFA, a statutory authority, is saying that the 60 000 unpaid volunteers can be trained and assessed only with its approval or by the UFU. The CFA volunteers who have contacted me have expressed their disgust at that situation. Will the minister address this anomaly in the enterprise bargaining agreement so that volunteers can receive their training and assessment from local

experienced volunteers, which will also save taxpayers a lot of money?

Housing: heritage properties

Hon. ANDREA COOTE (Monash) — I raise a matter with the Minister for Small Business, who is the representative in this house of the Minister for Housing. I note with interest the proposed redevelopment of Excelsior Hall in the City of Port Phillip. I have also learnt of a heritage house in Clifton Hill, which was referred to the other night, being transformed into housing.

While this innovative means of preserving heritage buildings is interesting, I should be interested to learn of the costs involved. What other similar projects are being proposed throughout Victoria, and can I have a costing on them?

Harcourt bypass

Hon. P. R. HALL (Gippsland) — I ask the Minister for Industrial Relations to bring to the attention of the Minister for Transport a matter raised by Warwick Harwood from Harcourt in central Victoria, which is a long way from Gippsland but close to my old home town of Castlemaine.

The matter that Mr Harwood raised with me concerns the Calder Highway Harcourt bypass. As I understand it, the Minister for Transport has appointed an independent panel to receive community comment on only two of a number of options originally proposed for the Harcourt bypass. This is of concern to Mr Harwood and members of the Calder community action group. They are particularly concerned, especially as the previous roads minister, the Honourable Geoff Craigie, said he would be happy for the independent panel to receive opinions and arguments on all the available options, not only on two of them.

The simple request to the Minister for Transport is to extend the terms of reference of the independent panel to enable the Harcourt community to comment on more than just the two options to which they are restricted.

Rail: Huntingdale–Rowville service

Hon. B. N. ATKINSON (Koonung) — I raise a matter with the Minister for Industrial Relations, in the absence of the Minister for Energy and Resources, who is the representative in this house of the Minister for Transport. The government announced a feasibility study on the extension of the Huntingdale railway line to Rowville. I can see a by-election looming in the area

because this is a convenient announcement. The government has been sitting on it for some time.

The proposal to extend the railway line from Huntingdale to Rowville would have marginal benefits for my electorate and residents of the eastern suburbs overall. It would provide a connection for people in Rowville and would continue the radial pattern of our public transport system, particularly our fixed public transport system, which has always been a problem in its operation.

Will the minister look at an alternative plan, particularly given the federal funding that has been sought and commitment given towards construction of the Scoresby freeway, to consider using the freeway reservation to create a public transport link north and south in the eastern suburbs. It would be my preference that the minister examine the feasibility of a fixed rail system similar to those that have been developed in Perth.

The minister would be aware of what has happened in Perth with the construction of the new railway line to Joondalup in Perth's northern suburbs which has a railway line down the centre of the freeway. Given that the Scoresby freeway will be constructed in the near future, I suggest this is a fantastic opportunity to develop public transport at a considerable cost saving compared with a separate construction project. A railway line of that nature could link Ringwood, Dandenong and Frankston. It would link the Belgrave and Lilydale line as well as the Dandenong and Frankston lines for the first time, providing a ring-rail system, a vibrant north and south public transport link, improved accessibility to a wide range of community facilities and, I would suggest, operating efficiencies in the rail network.

I ask the minister to examine the proposal. If he believes a fixed rail project cannot be delivered, notwithstanding the benefits I have mentioned tonight, I urge him to examine a light rail system down the centre of the freeway, or at the very least an obahn system, so that public transport is improved.

Premier and Cabinet: economic summit expenses

Hon. D. McL. DAVIS (East Yarra) — The matter I raise for the Leader of the Government to bring to the attention of the Premier concerns purchasing decisions within the Department of Premier and Cabinet. I draw attention to a number of guidelines and regulations relating to how quotations are to be obtained and how policy is derived in this area. In particular I draw

attention to the verbal quotations policy of the Department of Treasury and Finance, which states:

In accordance with approved delegations purchases shall be made as follows:

if the estimated amount exceeds \$2000 at least three quotations shall be obtained if practicable; and

where verbal quotations have been obtained, the officer receiving them shall record the quotations ...

As I understand it, if supply exceeds \$5000 the written quotations policy applies. The written quotations policy requires the obtaining of specific written quotations up to the value of \$50 000.

I also note that regulation 10 of the Financial Management Regulations 1994, which deals with the limits on the incurring of expenses and obligations, states:

Expenses and obligations may be incurred or met by a person employed in a department only within the limits conferred on the person by the minister administering the department.

I understand that specifically refers to the Premier's department and to the Premier in this case.

I also draw attention to the purchasing principles numbered C2, which require the maintenance of a records system for purchases that will satisfy scrutiny and the exercising of appropriate levels of delegation in the decision-making process.

The specific invoices I am concerned about relate to the \$84 000 economic summit held in March 2000. The questions are, simply: did Rodney Maddock, a very senior officer of the Premier's department, sign off on his own expenses at the Windsor Hotel? If so, did he do that in contravention of the Financial Management Act? And has the Financial Management Act been breached in relation to the splitting of Windsor Hotel invoices that are well over \$10 000 for the Victorian economic summit?

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

Advertising: standards

Hon. B. C. BOARDMAN (Chelsea) — I raise a matter for the attention of the Minister for Industrial Relations, who is the representative of the Minister for the Arts. The minister will be aware of recent publicity about the appropriateness of public advertising. In the past couple of days a Tourism Victoria advertisement that promotes Melbourne has achieved some notoriety. Comments have also been made about Windsor Smith shoe company advertisements and their suitability. The

Minister for Women's Affairs has made some comments about that advertising and its appropriateness.

I was shocked today when I saw displayed on a tram the latest advertisement for the Mind and Body Gallery at the Melbourne Museum. Although the exhibition on at the moment is quite controversial, honourable members might be interested to know that the advertisement on the tram depicted a naked man lying on his back with his right leg at right angles to cover up any bits that need to be covered. The slogan was 'Take a hard look at yourself' — if it wasn't 'Take a hard look at yourself' it was 'Take a good look at yourself' or 'Take a look at yourself'. I submit that that comment in that advertising is utterly suggestive. I question the appropriateness of a picture of a naked man on a public tram in a public place as a way of publicising an exhibition at the museum.

I ask the minister to provide advice on why that advertisement depicting a naked man in a suggestive pose accompanied by a suggestive slogan is considered appropriate in light of responses from government ministers to other suggestive advertising.

Consumer affairs: security doors and screens

Hon. G. K. RICH-PHILLIPS (Eumemmerring) — The matter I raise for the attention of the Minister for Consumer Affairs relates to representations I have received from a constituent, Mr Viv Hyland, who is a resident of the electorate of Pakenham and has a business in the Dandenong electorate. The business is Mult-I-Fit, which is a manufacturer of security doors and screens.

I understand Mr Hyland is also a foundation member of the security manufacturers, installers and testers organisations and had a role in developing the Australian and New Zealand standards for security doors and shutters. Mr Hyland tells me the standards are AS 2803 for manufacturing and AS 2804 for installation.

Mr Hyland has advised me that in his view approximately 90 per cent of the security doors and shutters on the market do not comply with Australian standards. He is concerned that products that do not comply with the standards are advertised as security products and that consumers could be misled about the quality of the products. He is also concerned about the risk those products may pose in the event of fire at different premises.

Mr Hyland has been interested in this matter for a number of years. In 1998 he raised the matter with the

honourable member for Dandenong in the other place, who undertook to raise it with the government of the day and said the matter would receive priority in the event of the Labor Party coming to government. I have heard from Mr Hyland that since the honourable member for Dandenong has become the Minister for Major Projects and Tourism this matter has not been picked up. He has had no resolution on the proposal he put to the honourable member for Dandenong and has found that the matter has been pushed from area to area.

I ask the Minister for Consumer Affairs to take up some of the matters Mr Hyland has raised with his local member and to give him some advice on whether her department can pick up the issue of products that do not meet the standards for security doors and screens being sold to consumers.

AWU: funds

Hon. C. A. FURLETTI (Templestowe) — I raise a matter for the attention of the Minister for Industrial Relations. I refer to the minister's answer to my question without notice earlier today. After I asked my question on that occasion she effected a better flick pass than the Minister for Sport and Recreation did in his prime. The minister, in performing a Pontius Pilate, washed her hands of any involvement in what I regard as a series of serious financial discrepancies in one of the largest unions in Australia. She said the issue is a matter for New South Wales and is not within her portfolio responsibilities — after taking some advice from her backbench colleague the Honourable Bob Smith, to whom I will refer shortly.

If jurisdiction is the basis for the minister's refusing to answer the question, I draw her attention to a number of matters I believe create the necessary nexus to enable the minister to answer the question I put to her and to take seriously the gravity of the concerns raised by the auditors, Coopers and Lybrand — a very respected group.

I am talking about some half a million dollars. I will explain how that money was spent, and I ask the house's indulgence because in view of the basis for the minister's refusal to answer my question it will take longer than normal to explain the matter. The funds were spent in the following way: \$102 000 was spent on acquiring a house in Kerr Street, Fitzroy; \$181 000 went in cash withdrawals, without explanation; payments totalling \$162 000 were made to six companies, without explanation; and two payments of \$8500 each were made to an entity called Town Mode, a fashion house. All these transactions are of grave and serious concern and raise discrepancies. On

the basis of jurisdiction I ask the minister whether she is aware that the national office of the Australian Workers Union froze 10 of the 30 accounts that constituted the slush fund in Victoria? The solicitors acting for the AWU — —

Hon. R. F. Smith — On a point of order, Mr President, I have no problem with the Honourable Carlo Furletti raising these old-hat issues, but if he is going to do so, he should get it right. In fact the federal office did not — —

The PRESIDENT — Order! That is not a point of order. It is a point of view; it is another view on the matter. If Mr Smith had not interrupted, Mr Furletti would have been finished by now because he was getting to the last 15 seconds. I will give him 15 seconds to pose the question or make the request.

Hon. C. A. FURLETTI — Thank you, Mr President. I was in the middle of saying that the banks were here, the lawyers for the AWU were here and the transactions were directed from the AWU, Victoria branch, by its state secretary, Bob Smith.

Hon. R. F. Smith — On a point of order, Mr President, am I to believe that the Honourable Carlo Furletti is inferring that I — —

Honourable members interjecting.

Hon. R. F. Smith — I take umbrage at the suggestion that I was in some way involved in these transactions. I would like to clarify whether Mr Furletti is inferring that I had something to do with this transaction.

The PRESIDENT — Order! If the honourable member feels that the remarks that potentially identify him are offensive and he is seeking — —

Honourable members interjecting.

The PRESIDENT — Order!

Hon. R. F. Smith — I asked for clarification. If he was, I will be offended.

The PRESIDENT — Order! Will Mr Furletti enlighten the house on that issue?

Hon. C. A. FURLETTI — I expect that Mr Smith has been sitting next to Mr Theophanous for too long; he is suffering from premature evaluation again! The issue, Mr President, is one of jurisdiction. I am trying to establish whether control of this whole transaction was through Victoria.

The PRESIDENT — Order! I understand that. Let us deal with the matter raised by the Honourable Bob Smith. He has asked you the question: in making your reference, are you referring to him, because presumably that will lead to some objection from him?

Hon. C. A. FURLETTI — I was about to say that control was from the Victorian branch of the AWU and at that time the state secretary was Bob Smith. I have a letter that I am pleased to put on the record. It states:

Dear Brothers, I write to you following the finance committee meeting ... it is now my intention to lay charges against Bruce Wilson —

that is, under rule whatever —

These charges are currently being framed by my lawyers and will be forwarded to you as soon as practicable.

The letter is signed Bob Smith, state secretary of the AWU of Victoria. The point I was making is that that establishes the necessary jurisdiction and the necessary control for the minister to take responsibility. I therefore ask the minister again to immediately commission a formal inquiry into the transactions of the AWU over that period.

Responses

Hon. M. M. GOULD (Minister for Industrial Relations) — The Honourable Maree Luckins raised a matter for the Minister for Transport about the Scoresby extension and the effect it may or may not have for commuters on the Glen Waverley line. I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Barry Bishop raised a matter for the Minister for Workcover regarding a possible anomaly with apprentices. I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Elaine Carbines raised a matter for the Minister for Health with respect to donors and asked for an extension of the voluntary register for those who were offspring prior to 1988. I will pass that on to the minister to respond in the usual manner.

The Honourable Andrew Brideson raised a matter for the Minister for Finance with respect to land that the Oakleigh South Primary School community group would like to have made available for open space. I will pass that on to the minister and ask her to respond in the usual manner.

The Honourable Peter Hall raised a matter for the Minister for Transport from a group of Harcourt

residents regarding the Calder Highway bypass and the independent panel. I will pass that on to the minister and ask him to respond in the usual manner.

The Honourable Bruce Atkinson raised a matter for the Minister for Transport with respect to the extension of the Huntingdale railway line and a number of other issues and options that could be made available. I will ask the minister to respond in the usual manner.

The Honourable David Davis raised a matter for the Premier. I will ask the Premier to respond in the usual manner.

The Honourable Cameron Boardman raised a matter for the Minister for the Arts with respect to some public advertising. I will ask the minister to respond to him in the usual manner.

The Honourable Carlo Furletti raised an issue with respect to the finances of the Australian Workers Union a couple of years ago. As I said in my response earlier today with respect to the accounting rules and regulations that cover unions, under the Workplace Relations Act it is a federal matter.

Hon. M. R. THOMSON (Minister for Small Business) — The Honourable Peter Katsambanis raised a matter for the Attorney-General in relation to local councils' capacity to recover costs in relation to the Building Act 1993 and the Planning and Environment Act 1987 and the difficulty the City of Port Phillip has in recovering costs. He asked whether there is a mechanism through legislation or some way to recover costs. I will raise that with the Attorney-General to respond directly.

The Honourable Andrea Coote raised with the Minister for Housing projects that involve conversion of heritage housing for housing purposes. She asked how many such projects are envisaged and at what cost. I will pass that on to the minister for direct response.

The Honourable Gordon Rich-Phillips raised an issue in relation to Mr Hyland and Multi-fit in relation to the standards of security doors and shutters. I am happy to have a look at the question. It would be worth while if I could get some more details on that. It is a pity it was not followed up by the government of the day in 1998.

Hon. J. M. MADDEN (Minister for Sport and Recreation) — The Honourable Jeanette Powell raised issues relating to the training of Country Fire Authority volunteers and other associated matters. I will refer that to the Minister for Police and Emergency Services in the other place.

Motion agreed to.

House adjourned 6.49 p.m. until Tuesday, 15 May.

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, 1 May 2001

Premier: Independents — hire of cars

1425. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Are the three Independent members of the Legislative Assembly able to hire cars at public expense; if so, — (i) under what terms, conditions and circumstances; (ii) what was the cost in 1999–2000 of the use of those cars; (iii) what is the expected cost in 2000–2001 of the use of those cars; and (iv) what expense has been incurred for the hire of cars for each of those members to date.

ANSWER:

I am informed that:

The three Independent Members of the Legislative Assembly are entitled to the same entitlements in respect to hire cars as any other Member of Parliament.

- (i) All Members, including the Independent Members, are entitled to the provisions set out in the Parliamentary Allowances Regulations 1992.

Regulation 13 allows for an MP to claim cost of a taxi to a Melbourne home base if Parliament sits after 11.00pm.

Regulation 16 allows for an MP to claim for costs for use of transport in servicing their electorate if they have an electorate or province greater than 10,000 square kilometres and currently must not exceed \$3,561 per financial year for electorates and provinces between 10,000 and 20,000 square kilometres and \$7,128 per financial year for electorates and provinces 20,000 square kilometres or more. Mr C Ingram, MP and Mr R Savage, MP both represent electorates providing an entitlement to an allowance under Regulation 16.

Under the Presiding Officers' Guidelines, payments under Regulation 16 may be approved both for taxi travel and aircraft hire within the province or electorate and where a Member travels by air to Melbourne on electorate business and there is taxi travel to and from the airport. There are also some special circumstances.

Additional resources are available to each Independent Member to provide for employment of an adviser and improved facilities, in accordance with the Government's agreement to the Independents' Charter.

Funding is available each year for operational costs associated with the adviser's employment, and can be applied to a range of costs, including travel, motor vehicle hire, telephone and stationery. Subject to coming within budget, there is no restriction on hire of cars.

- (ii) Nil.
- (iii) Expenditure is likely to be minimal.
- (iv) Expenditure 1 July 1999 to 31 March 2001 on hire cars: Nil

Premier: Independents — hire of taxis

1426. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Are the three Independent members of the Legislative Assembly able to hire taxis at public expense; if so, — (i) under what terms, conditions and circumstances; (ii) what was the cost in 1999–2000 of the use of taxis; (iii) what is the expected cost in 2000–2001 of the use of those taxis; and (iv) what expense has been incurred for the hire of taxis for each of those Members to date.

ANSWER:

I am informed that:

The three Independent Members of the Legislative Assembly are able to hire taxis in accordance with the entitlements for each Member of Parliament.

- (i) The response to Q1425 is applicable.
- (ii) \$1,328.
- (iii) Unknown.
- (iv) Expenditure 1 July 1999 to 31 March 2001 on taxi hire: \$1,838

Premier: Independents — hire of limousines

1427. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): Are the three Independent Members of the Legislative Assembly able to hire limousines at public expense; if so, — (i) under what terms, conditions and circumstances; (ii) what was the cost in 1999–2000 of the use of those limousines; (iii) what is the expected cost in 2000–01 of the use of those limousines; and (iv) what expense has been incurred for the hire of limousines for each of those Members to date.

ANSWER:

I am informed that:

The three Independent Members of the Legislative Assembly are able to hire such vehicles in accordance with the entitlements for each Member of Parliament.

- (i) The response to Q1425 is applicable.
- (ii) Nil.
- (iii) Expenditure is likely to be minimal.
- (iv) Expenditure 1 July 1999 to 31 March 2001 on limousine hire: Nil

Police and Emergency Services: Pakenham police complex

1440. THE HON. B. C. BOARDMAN — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): In relation to the Pakenham Police Complex:

- (a) What is the total cost of relocation, reconnection and renovation of the building, including the expense of crane hire.
- (b) From where was the building sourced.
- (c) What is the building to be used for.

ANSWER:

Under the previous Government many police facilities across the State of Victoria were allowed to deteriorate. Pakenham is one such location where police members are working in unacceptable accommodation.

The cramped working conditions at the police station are being alleviated through the provision of additional buildings. These new buildings will provide members with a new ablutions block and change room facilities. More importantly, these works will enable the Cardinia Traffic Management Unit to relocate from Dandenong to Pakenham and into the community it services.

These buildings have become available due to the construction of the new Wonthaggi Police Station.

As the works are still in progress a final cost is not available.

Environment and Conservation: Bright waste water plant

1447. THE HON. E. G. STONEY — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Will the Minister supply all monitoring results of the quantity and quality of incoming wastes to the Bright Waste Water Plant for the year 2000.

ANSWER:

I am informed that:

Monitoring results of the quantity and quality of incoming wastes to the Bright Wastewater Treatment Plant for the year 2000 are shown in the attached Table.

**BRIGHT WASTEWATER TREATMENT PLANT (Questions 1447 & 1448)
MONITORING INFLOW, INFLUENT AND TREATED EFFLUENT DATA 2000**

Bright Inflow Data 2000	January	February	March	April	May	June	July	August	September	October	November	December
Inflow (ML)	16.599	7.798	9.611	9.333	15.238	19.4	20.1	22.4	34.815	41.8	41.95	21.42
Discharge to Land (ML)	-	-	-	-	-	-	-	-	-	-	7.8*	0#
Discharge to Golf Course (ML)	-	-	-	-	-	-	-	-	-	-	2.08	6.74

Note: No outflow measurements for discharge before November 2000

* Meter installed 13 November 2000#No discharge to land December 2000

Influent		January	February	March	April	May	June	July	August	September	October	November	December
B.O.D.	mg/l	250	120	390	370	410	66	190	99	140.00	220.00	180.00	320.00
SS	mg/l	190	110	460	420	510	82	230	140	200.00	290.00	200.00	370.00
pH		7.2	8.2	7.3	7.9	6.8	7.1	8	7.6	7.90	7.10	7.00	7.00
T.D.S.	mg/l	290	7	290	330	330	170	250	170	250.00	330.00	240.00	330.00
Nitrate	mg/l	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5	<0.5
Nitrite	mg/l	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02	<0.02
NH3-N	mg/l	32	65	64	65	73	28	59	34	38.00	28.00	24.00	37.00
ORG-N	mg/l	15	12	22	23	28	8	18	9.8	14.00	15.00	13.00	20.00
Tot N	mg/l	47.5	77.5	86.5	88.5	101.5	36.5	77.5	44.3	52.50	43.50	37.50	57.50
Tot P	mg/l	6.1	10	14	13	14	4.4	10	5.8	6.50	11.00	7.60	
Sulphate	mg/l	9	21	<40	<20	<40	<40	16	<20	15.00	<20	17.00	<8
Sulphide	mg/l	2		4	2.7	2.2	0.5	1.4	0.1	0.30	1.40	0.40	4.00
Oil & Grease	mg/l	17	8	15	29	29	<5	30	<5	13.00	7.00	5.00	23.00
Treated Effluent													
B.O.D.	mg/l	13.00	16.00	27.00	87.00	80.00	22.00	27.00	17.00	25.00	31.00	25.00	22.00
B.O.D.(Filt)	mg/l									<5	<5	<5	<5
SS	mg/l							7.00	7.00	70.00	70.00	46.00	46.00
pH		9.50	6.70	7.00	6.80	6.80	7.10			7.00	7.20	5.80	6.20
Nitrate	mg/l	<0.5	<0.5	<0.5	6.70	9.20	7.40	7.90	11.00	11.00	9.40	11.00	6.20
Nitrite	mg/l	0.02	<0.01	0.01	0.01	0.06	<0.01	0.13	<0.01	0.12	0.56	<0.007	0.57
ORG-N	mg/l							6.20	6.60	8.40	11.00	6.70	6.40
Tot N	mg/l	9.90	23.00	20.00	24.00	21.00	14.00	14.00	18.00	20.00	21.00	18.00	13.00
Tot P	mg/l	6.10	8.10	7.80	8.60	8.70	7.80	7.40	7.10	5.90	5.10	3.80	3.50
Ca	mg/l	6.00	9.00	9.00	11.00	11.00	10.00	9.00	9.00	7.00	5.00	5.00	3.00
Mg	mg/l	2.50	3.20	3.20	3.40	3.40	3.10	3.00	2.80	2.30	2.50	2.40	2.30
Na	mg/l	40.00	43.00	45.00	51.00	47.00	46.00	45.00	42.00	36.00	30.00	27.00	29.00
SAR		3.40	3.10	3.30	3.40	3.20	3.30	3.30	3.20	3.00	2.70	2.50	3.00
E.coli	Orgs/100ml	1300.00	5500.00	750.00	48000.00	1500.00	150.00	<50	<50	200.00	50.00	<50	250.00
EC	us/cm				340.00	360.00	320.00	320.00	310.00	270.00	260.00	230.00	220.00

Environment and Conservation: Bright waste water plant

1448. THE HON. E. G. STONEY — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Will the Minister supply all monitoring results of the quantity and quality of treated waste water from the Bright Waste Water Plant discharged to — (i) land (dredge hole or disposal area) for the year 2000; and (ii) Bright Country Golf Course for the year 2000.

ANSWER:

I am informed that:

Monitoring results of the quantity and quality of treated waste water from the Bright Wastewater Treatment Plant discharged to land and the Bright Golf Course for the year 2000 are included in the Table attached to Question 1447.

Environment and Conservation: Bright waste water plant

1449. THE HON. E. G. STONEY — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Will the Minister supply all details of test results on ground water monitoring bores in the vicinity of the Bright Waste Water Treatment Plant for the months of February, April, July and October for each of the years 1984 to 2000 inclusive.

ANSWER:

I am informed that:

Test results for ground water monitoring bores 1-3 from 1983 to 1999 are shown in the attached Table 1 and test results for ground water monitoring bores 1-3 from 1995 to 2001 and bores 4 to 11 from 2000-2001 are shown in the attached Table 2.

**BRIGHT WASTEWATER TREATMENT PLANT (Table 1)
MONITORING BORES TEST RESULTS 1983—1999**

Bore 1	DO (mg/L)	TKN (mg/L)	Nitrate (mg/L)	Nitrite (mg/L)	Total N (mg/L)	EC (us/cm)	pH	e coli (Orgs/100 ml)	standing water level
Apr-83							6.2	<1	
Jun-83							5.9	<1	
Jul-83							6.8	<1	
Aug-83							7.2	<1	
Sep-83							7.1	<1	
Oct-83						74 .	5.5	<1	
Nov-83						130	6.8-	<1	
Dec-83						130	6.2	1	
Jan-84						210	6.9	<1	
Feb-84							6.1	<1	
Jul-84						170	6.4	<1	
Jun-90	3.4		0.16		0.4	130	7.5	<1	
Jul-90	4		0.32		0.8	140	5.9	<1	
Aug-90	4.9		<0.01		0.2	79	5.1	<1	
Nov-90	2.7		0.03		0.4	180	6.1	<1	
Feb-91	2.4		0.02		0.2	120	5.7	<1	
Jul-91	2.4		`		0.8	120	6.2	<1	
Oct-91	7.8		0.12		0.7	43	5.7	<10	
Feb-92	7		<.01		0.28	110	5.7	<1	

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Bore 1	DO (mg/L)	TKN (mg/L)	Nitrate (mg/L)	Nitrite (mg/L)	Total N (mg/L)	EC (us/cm)	pH	e coli (Orgs/100 ml)	standing water level
May-92	8.2		0.06		0.2	120	6.1	<1	
Jul-92	10.5		0.11		0.11	120	6.2	1	
Oct-92	11.5		0.12		2.1	44	5.6	<1	
Feb-93	8.1		<0.05		0.4	120	6.1	700	
Apr-93	9		0.17		0.4	120	6.7	<1	
Jul-93	12		0.22		0.4	120	5.8	<1	
Oct-93	9.4		0.13		0.97	60	5.7	1	
Jul-95	8.5		0.03		0.31	130	6.3	1	
Apr-96		0.6	0.5	0.016	1.1	120	6.2	10	
Jul-96		0.3	0.1	0.007	0.4	130	6.6	26	
Feb-97		0.2	0.2	0.007	0.4	120	6.9	5	8.08
Jul-97									8.63
Oct-97									7.8
Apr-98									9.11
02-Jul-98		0.5	<0.5	<0.007	0.5	130	6.4	<20	8.5
14-Oct-98		0.6	<0.5	<0.007	<1.1	130	6.3	40	4.56
03-Feb-99		0.5	<0.5	<0.007		130	6.6	<10	8.43
07-Apr-99		0.6	<0.5	<0.007	<1.1	140	6.3	<10	9.56
01-Jul-99					0.5	110	6.6	0	
03-Nov-99									"empty"

Bore 2	DO (mg/L)	TKN (mg/L)	Nitrate (mg/L)	Nitrite (mg/L)	Total N (mg/L)	EC (us/cm)	pH	e coli (Orgs/100 ml)	standing water level
Apr-83							5.8	<1	
Jun-83							5.6	<1	
Jul-83							5.8	<1	
Aug-83						61	7.2	<1	
Sep-83						21	7.1	<1	
Oct-83						52	5.5	<1	
Nov-83						64	6.4	<1	
Dec-83	-					27	5.4	1	
Jan-84						44	5.5	<1	
Feb-84						44	5.9	<1	
Jul-84						55	6.1	<1	
Jun-90	3.8		0.16		0.6	42	6.5	6	
Jul-90	5.7		0.05		0.6	33	5	<1	
Aug-90	7.2		1		1.5	42	5.7	<1	
Nov-90	2.4		<.01		0.6	34	5.1	3	
Feb-91	0.9		0.06		0.9	26	4.5	800	
Jul-91	3.1		0.07		0.6	24	4.7	<1	
Oct-91	8.6		0.08		0.8	46	6.1	<10	
Feb-92	6		<.01		0.56	43	5.2	5	
May-92	8.2		0.03		0.2	21	5.3	50	
Jul-92	9.9		0.11		0.31	48	6.7	<1	
Oct-92									
Feb-93	7.2		<.05		0.6	30	5.9	16	

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Bore 2	DO (mg/L)	TKN (mg/L)	Nitrate (mg/L)	Nitrite (mg/L)	Total N (mg/L)	EC (us/cm)	pH	e coli (Orgs/100 ml)	standing water level
Apr-93	8.8		0.06		0.5	38	5.8	2	
Jul-93	12		0.17		0.7	46	5.7	<1	
Jul-95									
Apr-96	1.4		0.5	0.01	2	47	5.5	300	
Jul-96	0.3		0.1	0.007	0.4	54	6.4	76	
Feb-97	0.7		0.2	0.007	0.7	48	5.6	5	3.005
Jul-97									4.6
Oct-97									3.22
Apr-98									6.295
02-Jul-98	0.6		<0.5	<0.007	0.6	55	6.2	<20	5.015
14-Oct-98	0.6		<0.5	<0.007	<1.1	47	5.7	<10	0.1
03-Feb-99	0.8		<0.5	<0.007		42	5.6	<10	2.685
07-Apr-99	0.6		<0.5	<0.007	<1.1	50	5.7	<10	4.103
03-Nov-99	0.4		<0.5	<0.007	<0.9	33	5.7	<10	

Bore 3	DO (mg/L)	TKN (mg/L)	Nitrate (mg/L)	Nitrite (mg/L)	Total N (mg/L)	EC (us/cm)	pH	e coli (Orgs/100 ml)	standing water level
Apr-83							6.3	<1	
Jun-83							5.2	1	
Jul-83							5.4	<1	
Aug-83						54	7.1	<1	
Sep-83						28	6.6	<1	
Oct-83						48	5.2	<1	
Nov-83						51	5.8	<1	
Dec-83						40	5.4	1	
Jan-84						48	5.5	3	
Feb-84						56	5.5	<1	
Jul-84						43	5.5	<1	
Jun-90	8.7		0.71		1	48	6.3	<1	
Jul-90	8.2		1		1.1	44	5.3	<1	
Aug-90	4.9		<.01		0.2	79	5.1	<1	
Nov-90	1.4		<.01		0.3	70	4.9	9	
Feb-91	5		0.04		0.1	75	4.5	<1	
Jul-91	8.9		0.6		1.1	55	4.7	9	
Oct-91	6.4		0.03		0.7	79	5.4	<10	
Feb-92	6		0.02		0.56	83	4.9	<1	
May-92	8		0.31		0.4	65	5.2	3	
Jul-92	9.8		0.32		0.32	64	5.2	<1	
Oct-92	11.2		0.02		2.5	83	5.4	<1	
Feb-93	8.9		<0.05		0.2	80	5.7	1	
Apr-93	8.1		0.17		0.6	81	5.7	<1	
Jul-93	12		0.27		0.7	73	5.5	<1	
Oct-93	9.5		0.12		0.54	78	5.5	<1	
Jul-95			1.9		2.3	120	5.4	16	
Apr-96	0.6		0.5	0.007	1.1	110	5.6	10	
Jul-96	0.7		0.64	0.007	1.3	100	6	30	
Feb-97	0.5		0.2	0.007	0.5	130	5.8	5	3.075

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Bore 3	DO (mg/L)	TKN (mg/L)	Nitrate (mg/L)	Nitrite (mg/L)	Total N (mg/L)	EC (us/cm)	pH	e coli (Orgs/100 ml)	standing water level
Jul-97									4.64
Oct-97									2.96
Apr-98									5.665
02-Jul-98	0.8		2	<0.007	2.8	76	5.9	<20	4.545
14-Oct-98	0.7		4.3	0.007	5	160	5.7	<10	1.185
03-Feb-99	0.7		<0.5	<0.007		160	5.7	<10	3.005
07-Apr-99	0.6		<0.5	<0.007	<1.1	150	6	<10	4.206
03-Nov-99	0.6		<0.5	<0.007	<1.1	160	5.8	<10	

**BRIGHT WASTEWATER TREATMENT PLANT (Table 2)
MONITORING BORES TEST RESULT Bores 1-3 1995—2001 & Bores 4-11 2000—2001**

1995—1996

Month	Description	D.O. mg/L	Kjeldahl Nitrogen mg/L	Nitrate Nitrogen mg/L	Nitrite Nitrogen mg/L	Tot.Com. Nitrogen mg/L	E.C. uS	pH	E.Coli orgs/100ml
July	Bore No.1	8.5		0.03		0.31	130	6.3	1
April	Bore No.1		0.6	0.5	0.016	1.1	120	6.2	10
July	Bore No.2								
April	Bore No.2		1.4	0.5	0.01	2	47	5.5	300
July	Bore No.3	8.6		1.9		2.3	120	5.4	16
April	Bore No.3		0.6	0.5	0.007	1.1	110	5.6	10

1996—1997

Month	Description	Kjeldahl Nitrogen mg/L	Nitrate Nitrogen mg/L	Nitrite Nitrogen mg/L	Tot.Com. Nitrogen mg/L	E.C. uS	pH	E.Coli orgs/100ml	Depth from Nat.Surf.
July	Bore No.1	0.3	0.1	0.007	0.4	130	6.6	26	
February	Bore No.1	0.2	0.2	0.007	0.4	120	6.9	5	8.080
July	Bore No.2	0.3	0.1	0.007	0.4	54	6.4	76	
February	Bore No.2	0.7	0.2	0.007	0.7	48	5.6	5	3.005
July	Bore No.3	0.7	0.64	0.007	1.3	100	6.0	30	
February	Bore No.3	0.5	0.2	0.007	0.5	130	5.8	5	3.075

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1997—1998

Month	Description	Kjeldahl Nitrogen mg/L	Nitrate Nitrogen mg/L	Nitrite Nitrogen mg/L	Tot.Com. Nitrogen mg/L	E.C. uS	pH	E.Coli orgs/100ml	Depth from Nat.Surf.
July	Bore No.1								8.63
October	Bore No.1								7.80
April	Bore No.1								9.11
July	Bore No.2								4.600
October	Bore No.2								3.220
April	Bore No.2								6.295
July	Bore No.3								4.640
October	Bore No.3								2.960
March	Bore No.3								

1998—1999

Month	Description	Kjeldahl Nitrogen mg/L	Nitrate Nitrogen mg/L	Nitrite Nitrogen mg/L	Tot.Com. Nitrogen mg/L	E.C. uS	pH	E.Coli orgs/100ml	Depth from Nat.Surf.
July	Bore No.1	0.5	0.5	0.007	0.5	130	6.4	20	8.500
October	Bore No.1								4.560
February	Bore No.1								8.430
April	Bore No.1	0.6	0.5	0.007	1.1	140	6.3	10	9.560
July	Bore No.2	0.6	0.5	0.007	0.6	55	6.2	20	5.015
October	Bore No.2								0.100
February	Bore No.2								2.685
April	Bore No.2	0.6	0.5	0.007	1.1	50	5.7	10	4.103
July	Bore No.3	0.8	2	0.007	2.8	76	5.9	20	4.545
October	Bore No.3								1.185
February	Bore No.3								3.005
April	Bore No.3	0.6	0.5	0.007	1.1	150	6.0	10	4.206

1999—2000

Month	Description	Kjeldahl Nitrogen mg/L	Nitrate Nitrogen mg/L	Nitrite Nitrogen mg/L	Tot.Com. Nitrogen mg/L	E.C. uS	pH	E.Coli orgs/100ml	Depth from Nat.Surf.
July	Bore No.1				<0.5	110	6.6	0	
November	Bore No.1	Empty	Empty	Empty	Empty	Empty	Empty	Empty	Empty
February	Bore No.1	Empty	Empty	Empty	Empty	Empty	Empty	Empty	Empty
April	Bore No.1	0.8	<0.5	<0.01	0.8	130	6.4	40	

Month	Description	Kjeldahl Nitrogen mg/L	Nitrate Nitrogen mg/L	Nitrite Nitrogen mg/L	Tot.Com. Nitrogen mg/L	E.C. uS	pH	E.Coli orgs/100ml	Depth from Nat.Surf.
October	Bore No.9	0.6	<0.2	0.013	0.6	170	6.0	<2	3.060
February	Bore No.9	0.6	<0.2	0.01	0.6	160	6.2	<2	4.440
April									
October	Bore No.10	0.4	0.5	<.007	0.9	76	5.7	<1	3.650
February	Bore No.10	0.3	0.35	<0.007	0.6	67	5.8	<2	5.860
April									
October	Bore No.11	0.3	1.6	0.016	1.9	70	5.7	<1	3.180
February	Bore No.11	Dry Bore	Dry Bore	Dry Bore	Dry Bore	Dry Bore	Dry Bore	Dry Bore	Dry Bore
April									

Consumer Affairs: problem industries

1454. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Consumer Affairs: Further to the answer to Question No. 1115 given in this House on 14 November 2000:

- (a) What are the seven “problem” industries identified in 2000–01 for programs to improve them.
- (b) What tools will be used for each.

ANSWER:

(a) The seven “problem” industries are:

- Motor car traders
- Small business registration
- Fundraisers
- Estate Agents
- Landlords
- Travel Agents and
- Finance brokers

(b) There are a wide range of enforcement and compliance tools which can be used. Prosecution is the last resort and is generally exercised against flagrant offenders or matters involving a serious breach of the law. In the majority of cases alternative enforcement strategies are used to promote compliance. These include written warnings, voluntary undertakings, enforceable undertakings, injunctive action to ensure compliance or prohibit action and disciplinary action.

Small Business: Small Business Advisory Council

1462. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Small Business: How many members of the Small Business Advisory Council are — (i) under 20 years of age; (ii) between 20 and 25 years of age; (iii) between 25 and 30 years of age; (iv) between 30 and 40 years of age; (v) between 40 and 50 years of age; and (vi) over 50 years.

ANSWER:

Specification of age is not a requirement to be considered for membership of the Small Business Advisory Council.

Small Business: Small Business Advisory Council

1464. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Small Business: What is the occupation of each of the 20 members of the Small Business Advisory Council.

ANSWER:

The occupation of each of the members of the Small Business Advisory Council is as follows:

NAME	POSITION
Alan Wein	Managing Director, HOUSE
Lynda Bertoli	Managing Director, Sage Computer Support Pty Ltd
John Breen	Director, Small Business Research Unit, Victoria University
Owen Brown	Managing Director, Brown's Motors
Jeannie Chapman	Director, VOCOM Promotional Services
Alan Giles	Owner, Malvern Hotel Chief Executive Officer, Australian Hotels & Hospitality Association
John Gilmour	Owner, Gilmour's Comfort Shoes Pty Ltd
Irene Goonan	Owner, Wraggs & Wool (Wangaratta) President, Australian Retailers Association Victoria
Virginia Jackson	Director, Harlock Jackson Pty Ltd (Town Planners)
(David) Kai Ping Jin	Managing Director, Aust-China Group Pty Ltd
John Maroulis	Director, Edison Consultants, Building Services Engineers Part Owner & Operator, Rumbles Fine Foods (Geelong West)
Tracey Matthies	Owner, Morwell Southside Motel
Barbara Murdoch	Proprietor, IGA Supermarket, Chiltern
Peter Nicholls	Managing Director, Production Parts Pty Ltd
Jenny Stonier	Managing Director, Jenny Stonier Consulting
Joan Sturton-Gill	General Manager, Sturton-Gill Engineering
Walter Vertriest	Owner, Leimac Constructions
Jodie Willmer	Membership Services Co-ordinator, Victorian Tourism Operators' Association
Douglas Wright	Managing Director, Wright Business Marketing

Small Business: Showcasing Small Business program

1465. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Small Business:

- (a) What is the total cost of the "Showcasing Small Business" program of initiatives to date.
- (b) What is the anticipated total cost of the program for 2000-2001.
- (c) What was the total cost of the "Vic Export" initiative.
- (d) How many people have registered on the "Vic Export" site to date.

ANSWER:

The total cost of the Showcasing Small Business program as of 28 February 2001 was \$136,807, out of a total budget for 2000/01 of \$280,000.

The Vic Export initiative is being developed through a two-stage implementation process. Stage 1 established the web site (www.export.vic.gov.au) at a cost of \$67,128.84. To date, the cost of Stage 2, which will add additional services to the web site, is \$82,929.

Stage 1 of the Vic Export web site was launched in October 2000. As at 28 March 2001, 2134 people had visited the site, of which 865 people have registered to undertake development of an export plan.

Small Business: Showcasing Small Business program

1467. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Small Business: Further to the answer to Question No. 1357, given in this House on 28 November 2000, on what date did the Minister meet each of the five entities promoted in the Showcasing Small Business package.

ANSWER:

I met each of the five businesses featured in the Showcasing Small Business Statement during my Listening to Small Business program on the following dates: 9, 10 & 16 February 2000 and 7 & 14 June 2000.

State and Regional Development: Regional Economic Development program

1469. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What projects have received funding under the Regional Economic Development Program since 1 July 2000.
- (b) What was the funding allocation for each and who was the funding recipient.

ANSWER:

Since 1 July 2000, I have approved 22 Regional Economic Development Program grants to the value of \$880,035. These grants have been provided for a range of programs including Investment Attraction, Business Planning Workshops, Enterprise Development Grants and the Business Development Program.

The funding recipients have been rural councils and private enterprise firms.

State and Regional Development: Council and Regional Development Bodies program for economic development

1470. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) Which Councils have received funding under the Council and Regional Development Bodies Program for Economic Development since 1 July 2000.
- (b) What was the funding allocation for each project.

ANSWER:

Since 1 July 2000, I have approved grants to 38 councils, regional development bodies and service providers under the Council and Regional Development Bodies Program, for projects encompassing infrastructure support, industry opportunity studies, marketing and promotion strategies, infrastructure assessment studies, and industrial land studies.

State and Regional Development: local initiatives program

1472. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What projects have received funding under the Local Initiatives Program since 1 July 2000.
- (b) What was the funding allocation for each and who was the funding recipient.

ANSWER:

The Local Initiatives Program has been consolidated under the Rural Leadership and Community Events Program. Since 1 July 2000, I have approved ten community events grants totalling \$75,000 to rural and regional councils, community organisations, private firms and environmental organisations.

State and Regional Development: rural communities program

1473. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What projects have received funding under the Rural Communities Program since 1 July 2000.
- (b) What was the funding allocation for each and who was the funding recipient.

ANSWER:

Since 1 July 2000, I have approved 77 Rural Community Development Program grants totalling \$2,877,000 to 31 regional councils, for the purposes of implementing a range of infrastructure projects that restore community pride and enhance community ownership.

State and Regional Development: Living Regions, Living Suburbs Support Fund

1474. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What projects have received funding under the Living Regions, Living Suburbs Support Fund since 1 July 2000.
- (b) What was the funding allocation for each and who was the funding recipient.

ANSWER:

Since 1 July 2000, I have approved funding for a total of 11 projects to the value of \$3,226,388. Recipients have included rural councils, State Government departments and not-for-profit community organisations.

The projects include community facilities, significant streetscape enhancements, a heritage centre, nature reserve upgrades, multimedia projects and regional tourism events.

State and Regional Development: responsibilities of assistant minister

1478. THE HON. BILL FORWOOD — To ask the Honourable the Minister Assisting the Minister for State and Regional Development: Since the Minister's appointment as Minister Assisting the Minister for State and Regional Development, what specific responsibilities or tasks has the Minister been allocated by the Minister for State and Regional Development with regard to industry sectors of oil and chemicals, minerals processing and environmental and energy technology services, specifying in each case — (i) the

responsibility or task involved; (ii) the date or dates when the responsibility or task was allocated; (iii) how this responsibility or task was communicated to the Assisting Minister; (iv) the duration of each responsibility or task; and (v) the precise nature of the work undertaken.

ANSWER:

I have a range of general responsibilities across the state and regional development portfolio in my capacity as Minister Assisting the Minister for State and Regional Development. I also have particular responsibility assisting the Minister for State and Regional Development in the industry sectors of oil and chemicals, minerals processing and environmental and energy technology services.

My responsibilities for these matters are ongoing.

Ports — union support

1481. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Energy and Resources: In relation to the Minister's recent comment that the Government's "vision" for the ports can only be achieved with the support of "industry, unions and the community," to what union bodies is the Minister referring.

ANSWER:

In my two annual presentation to the ports industry, I have stated that I look forward to working with everyone involved in the ports industry including port owners, unions and the community to achieve a world class freight transport system. The Bracks Government is committed to a more democratic approach which involves working in partnership with the community and key stakeholders. Port owners, shippers, stevedores, shipowners, transport operators, unions and the ports' work force have all made significant contributions to the industry.

The "union" bodies to which I refer include the Maritime Union of Australia; Transport Workers Union; Construction, Forestry, Mining and Energy Union; Australian Workers Union; Australian Services Union; National Union of Workers; Communication, Electrical and Plumbing Union; and Victorian Trades Hall Council; and any other organisation representing the interests of workers in or associated with the ports sector.

Ports: stevedoring

1482. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Energy and Resources: In relation to the Government's commitment to establish a third stevedore at the Port of Melbourne, what is the suggested time line for the progress of this proposal.

ANSWER:

As the Honourable Member will be aware, I announced the Government's decision to proceed with the calling of expressions of interest from the private sector to develop a third container terminal in the Port of Melbourne on 2 April 2001. Subject to a suitable proposal being received, the timeframe for consideration of proposals, selection of a preferred tenderer and award of contracts, is expected to be approximately 12 months from formal release of documentation.

Ports: stevedoring

1483. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Energy and Resources: In relation to the Government's commitment to establish a third stevedore at the Port of Melbourne:

- (a) What consultation has the Government conducted with the industry.
- (b) What has been the outcome of this consultation.

ANSWER:

(a) Consultation to date on the Westgate project has been extensive. In particular, industry, community, and government consultation has been undertaken in relation to the Webb Dock Environmental Effects Statement (EES), which included the Westgate Terminal Project. Preliminary consultation has also taken place with:

- Australian Chamber of Shipping (ACOS);
- Australian Property Institute;
- Property Council of Australia;
- Local governments neighbouring the Port;
- Victorian Channels Authority (VCA);
- Port Melbourne Business and Industry Group;
- Relevant unions;
- Cargo owners representatives; and
- All owners of infrastructure that may be affected by the development.

Consultation will continue as the project progresses.

(b) There is significant industry support for the introduction of a third international container terminal operator at the Port of Melbourne in the importer/exporter and shipping line communities. Of particular significance is the level of support being expressed by international shipping lines.

Ports: stevedoring

1484. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Energy and Resources: In relation to the Government's commitment to establish a third stevedore at the Port of Melbourne:

- (a) What research has been conducted into the proposal's impact on stakeholders.
- (b) What has this research established.

ANSWER:

(a) Extensive research has been undertaken into the social, environmental and economic impacts of the establishment of a third container terminal in the Port of Melbourne. This work has been undertaken by the Melbourne Port Corporation (MPC) and endorsed by the responsible Government Departments.

(b) Research into the impact of the project on stakeholders has established that the project will result in:

- a significant positive impact on economic growth, jobs, business costs and competition policy;
- positive distributional impacts on industry in metropolitan and regional areas;
- some possible visual and environmental impacts on surrounding districts which will be managed in accordance with the conditions imposed as part of the approval of the Webb Dock EES.

Ports: intermodal terminals — West Wodonga and Morwell

1485. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Ports: In relation to the Minister's plan to develop intermodal terminals at West Wodonga and Morwell:

- (a) What is the time line for this project.
- (b) How is the Government consulting with key stakeholders.
- (c) What is the estimated cost of this project.

ANSWER:

West Wodonga Freight Terminal

- (a) Construction of the West Wodonga Freight Terminal is expected to commence in the second quarter of 2002 and be completed by 2004.
- (b) The City of Wodonga and State Government has consulted with Rail Freight companies, rail track authorities, rail passenger service providers, operators of existing intermodal terminals, importers and exporters, domestic producers and land developers for a number of years. In principle support for the concept has been provided by all parties, subject to technical detail and commercial negotiations being resolved. The community, in general, is well aware of the proposal and has welcomed State and Commonwealth commitment to the Wodonga Rail Relocation Project.
- (c) The total estimated cost of the Wodonga Rail Relocation Project is estimated to be \$57 million.

Gippsland Intermodal Freight Terminal (located in Morwell)

- (a) A scoping study is expected to be completed in May 2001.
- (b) The Latrobe City Council, surrounding shires, rail freight operators, National Logistics Coordinators, domestic producers, importers and exporters have actively participated in the study. Consultation with other stakeholders will commence when priority actions have been identified.
- (c) The cost of the study is approximately \$50,000.

Environment and Conservation: north-east region — weed control

1486. THE HON. W. R. BAXTER — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What funds have been allocated to weed control on public land in the North East region of the Department of Natural Resources and Environment in each of the past five financial years (including 2000–01) specifying in each case the allocation to — (i) parks; (ii) State forest; and (iii) other public land.

ANSWER:

I am informed that:

The funds allocated to weed control on the various categories of public land in the North East Region of the Department of Natural Resources and Environment in each of the past five financial years (including 2000/2001) are shown in the table below.

Land Type	2000/2001 \$	1999/2000 \$	1998/1999 \$	1997/1998 \$	1996/1997 \$
National Parks and Conservation Reserves	437,395	343,227	332,156	321,446	315,440
State Forest	231,394	242,574	272,695	283,353	288,569
Other Public Land	32,034	29,102	nil	nil	nil
Total	700,823	614,903	604,851	604,799	604,009

Note:

- The Department of Natural Resources and Environment’s financial reporting system changed during the period in question, resulting in difficulties in obtaining precise information on allocations for 1997/1998 and earlier. Accordingly, figures for these periods are estimates.

- Allocations for National Parks and Reserves are for direct operating costs and do not include a range of additional base costs such as field service, staff labour and vehicles.
- Allocations for the Public Land pre 1998/1999 are based on local knowledge from Regional Land Victoria staff who advised that there had been very little, if any, funding for the period 1996/1999 inclusive.

Environment and Conservation: blackberry — biological control

1488. THE HON. W. R. BAXTER — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What research is being undertaken by or on behalf of the Department of Natural Resources and Environment to identify an effective biological control of blackberry and what is the budget for this research in the current financial year.

ANSWER:

I am informed that:

The Department of Natural Resources and Environment (NRE) is a partner in a national project on the biological control of blackberry managed by the Cooperative Research Centre for Australian Weed Management (CRC Weeds). The research is focused on monitoring the impact of the blackberry rust fungus in south-eastern Australia and selecting more damaging isolates of the rust fungus in Europe for eventual introduction into Australia.

For the current financial year NRE is contributing \$40,600 and the project has a total annual budget of \$280,000.

Multicultural Affairs: ethnic organisations — funding

1489. THE HON. C. A. FURLETTI — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Multicultural Affairs):

- (a) Which ethnic organisations have received funding since July 2000.
- (a) What amount of funding was provided to each to enable them to develop a web page.

ANSWER:

I am informed that:

- (a) Since July 2000, the Victorian Multicultural Commission (VMC) has finalised funding under its Multicultural Festivals and Events Program. Sixty-two community organisations received funding. To date, the VMC, which allocates funding to culturally and linguistically diverse community organisations under the Multicultural Affairs portfolio, has not finalised funding under its other programs. The following groups have been funded under the program:

Funded Festivals 2000/01

Funding Type	Organisation Name
Festivals/Events	
	3ZZZ
	African Communities Association of Moonee Valley Inc
	African Migrants Community Initiative Inc
	Albury Wodonga Ethnic Communities Council Migrant Resource Centre & Information Centre Inc
	AUSTCARE
	Australian Arabic Council
	Australian Lebanese Association of Victoria

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Funding Type	Organisation Name
Festivals/Events	
	Australian Multicultural Foundation
	Australian Nadur Association Inc
	Australian Turkish Association Inc
	Banksia Gardens Associated Inc
	Bendigo Easter Fair Inc
	Bendigo Festival of Cultures Inc
	Brimbank City Council
	Central Highlands Asian-Australian Association of Victoria
	Circolo Pensionati Italiani Di Mildura and Sunraysia
	City of Albury
	City of Kingston
	City of Melbourne
	Cosmic Harmony Foundation Inc
	Croatian Senior Citizens Club - Sunshine Inc
	Cyprus Community of Melbourne & Victoria
	Darebin City Council
	Department of Education, Employment and Training
	Ethnic Communities Council of Victoria
	Footscray District Football League
	Geelong Ethnic Communities Council Inc
	Goulburn Valley Chinese Fellowship Association
	Greek Australian Youth Club of Coburg
	Greek Cypriot Parent & Youth Club of Sunshine Inc
	Halkidikeon Association Aristotele the Stageritian
	Hellenic Community of the City of Moorabbin Ltd
	Hungarian Embroiderers Circle & Immigration Museum
	Keysborough Turkish Islamic & Cultural Centre
	Kurdish Association of Victoria
	Madeira Folk Dancing 'Perola Do Atlantico' Inc
	Marrn-Ak Association Inc
	Mildura Arts Festival Inc
	National Celtic Folk Festival
	Ngalvi No Te Kuki Airani
	Ovens Valley International Festival Inc
	Police and Community Multicultural Advisory Committee
	Red Cliffs Folk Festival Committee Inc
	Robe to Bendigo Planning Group
	Rotary Club of Mooropna Inc
	Rotary Club of Pascoe Vale
	Samoan Advisory Council of Victoria Inc
	SBS Radio Melbourne
	Singh Sabha Sports Club
	Springvale Neighbourhood House
	St. Albans Good Friday Association Inc
	St. Paul's Feast Committee West Sunshine
	The B'nai B'rith Anti-Defamation Commission Inc
	The Boite (Victoria) Inc
	The Melbourne Irish Festival Committee Inc
	The Roxburgh Park Homestead Community Centre
	Tibetan Buddhist Society
	Ukrainian Youth Association of Australia (Melbourne) Inc

Funding Type	Organisation Name
Festivals/Events	
	Victorian AIDS Council Inc.
	Vietnamese Community in Australia - Victoria Chapter
	Weerama Festival Committee Inc
	Women's Festival Committee

Summary for 'Funding Type' = Festivals/Events (62 detail records)

- (b) Furthermore, the VMC does not provide funding directly to ethnic community organisations to develop a web page. The VMC has set aside funding through VICNET of the State Library of Victoria, to provide training to individuals of various cultural and linguistic backgrounds in developing web sites. VICNET is the Government's community Internet publishing expert and has the resources to deliver efficient Internet training programs.

Multicultural Affairs: Hellenic Antiquities Museum

1491. THE HON. C. A. FURLETTI — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Multicultural Affairs):

- (a) What is the current status of the Hellenic Antiquities Museum.
- (b) What is the date of the next Hellenic Antiquities exhibition.

ANSWER:

I am informed that:

The Hellenic Antiquities Museum (HAM) was opened in November 1998. The opening followed extensive discussions with the Greek Government's Ministry of Culture. A written agreement with the Greek Government did not exist at the time of the Museum's opening. While the previous Government pursued a formal agreement with the Greek Government, the Greek Government arranged to loan the HAM authentic antiquities to facilitate further exhibitions.

Two exhibitions, involving loans from the Hellenic Republic, have taken place, however there have been issues with costs, forward planning, and obtaining agreement on the provision and frequency of exhibitions. In order to address these issues, it was intended to conclude a Memorandum of Understanding (MOU) between the Greek Government's Ministry of Culture and Museums Board of Victoria.

The Minister for Arts has written to the Greek Minister for Culture indicating this Government's willingness to continue negotiations on the MOU at the Greek Government's convenience.

Housing: public — emergency

1493. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing and Aged Care): In relation to emergency housing, what was the percentage of housing reserved for use as emergency housing in 1999 and 2000, respectively, and what is the percentage of housing reserved for use as emergency housing in 2001.

ANSWER:

The Transitional Housing Management (THM) program subsumed the previous Emergency Housing/Housing Information Support Program (EH/HSIP) in July 1997. This change saw a separation of tenancy management and support.

Emergency housing provided by the Office of Housing (OOH) comprises both crisis and transitional housing stock.

Crisis Supported accommodation provides an immediate response to people who are homeless and in crisis. Accommodation is provided from one night up to six weeks and is closely linked to support. Accommodation includes women's refuges, youth refuges and major crisis accommodation services.

The THM program complements the provision of crisis supported accommodation. Accommodation is provided for up to 12 months (18 months for youth). The program is closely linked to the Supported Accommodation Assistance Program to effectively address the housing and support needs of homeless people and those at risk of homelessness.

Figures available for the periods 1998–99 and 1999–00 indicate that crisis and transitional housing comprised 3.76 per cent and 3.84 per cent of the total OoH stock respectively.

In addition, THMs have been advised that they can now use up to 5 per cent of their stock for short term emergency housing and this is applicable for 2001.

Ports: third terminal

1495. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Ports: How will the development of a third terminal at the Port of Melbourne impact on the intermodal potential of the Dynon Swanson precinct.

ANSWER:

The intermodal impact of the development of the third terminal on the Dynon-Swanson precinct is expected to be positive.

The Melbourne Port Corporation and Department of Infrastructure are involved in extensive planning to ensure that both the road and rail networks are able to handle the growing container trade through the port. A particular emphasis is to increase the modal share of rail in port freight movements as per the Government's objective. This planning includes consideration of the possibility of increased trade through a third container terminal at Westgate.

The Westgate Terminal Project aims to improve the efficiency and innovation of freight services in the Melbourne stevedoring and terminal operations market. The increased competitive environment should add further pressure on all players to pursue efficiencies and commit to investment in intermodal infrastructure.

Ports: extension of dock rail

1496. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Ports: In relation to the Minister's proposal to extend the on-dock rail to West Swanson and Webb Docks:

- (a) What is the time line for this project.
- (b) How is the Government consulting with key stakeholders.
- (c) What is the estimated cost of this project.

ANSWER:

West Swanson Dock

- (a) I expect a technical feasibility study to be completed in May. Implementation is estimated to take about 6 months after a decision is made to proceed.
- (b) The project structure has comprised a steering group; technical working parties; and a stakeholder group. This has ensured wide consultation at all levels.

- (c) The MPC concept estimate for the project is \$8.5 million.

Webb Dock

- (a) MPC and DOI are currently finalising an Inception report to consolidate the alignment issues, design concepts and feasibility estimates. The draft for discussion is expected to be circulated in May 2001.

The requirement for this connection will be demand driven. Consequently, the precise timing for the connection will be determined by the level and rate of development in the port, south of the Yarra River.

- (b) During development of the Webb Dock Rail Link Inception Report, significant consultation has taken place with the major stakeholders. In addition, the inception report will be widely circulated as a discussion draft with the objective of canvassing the appropriate project development and delivery mechanism and identifying a process to facilitate a suitably functional and aesthetic solution.
- (c) The estimate in the draft inception report suggests the current cost of the project would be in the order of \$60 million.

Industrial Relations: departmental staff salaries

1631. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sitings.

Premier: departmental staff salaries

1632. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): As at 31 December 2000:

- (a) What was the median base salary across the Premier's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed that:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Premier and Cabinet, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Workcover: departmental staff salaries

1633. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Workcover): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed that:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Treasury and Finance, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Finance: departmental staff salaries

1634. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Finance): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed that:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Treasury and Finance, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Health: departmental staff salaries

1636. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.

- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Human Services, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Multicultural Affairs: departmental staff salaries

1637. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Multicultural Affairs): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed that:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Premier and Cabinet, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Energy and Resources: departmental staff salaries

1638. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Natural Resources and Environment, scheduled to be tabled in the Spring 2001 Parliamentary Session.

State and Regional Development: departmental staff salaries

1640. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sitings.

Environment and Conservation: departmental staff salaries

1641. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual reports of the Department of Natural Resources and Environment and the Environment Protection Authority, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Agriculture: departmental staff salaries

1642. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Agriculture): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.

- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Natural Resources and Environment, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Local Government: departmental staff salaries

1644. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Local Government): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of infrastructure, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Ports: departmental staff salaries

1645. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Ports: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of infrastructure, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Sport and Recreation: departmental staff salaries

1646. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sitings.

Education: departmental staff salaries

1647. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed as follows:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Education, Employment and Training, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Post Compulsory Education, Training and Employment: departmental staff salaries

1648. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Post Compulsory Education, Training and Employment): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.

- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed as follows:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Education, Employment and Training, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Police and Emergency Services: departmental staff salaries

1649. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Justice, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Corrections: departmental staff salaries

1650. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Corrections): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Justice, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Planning: departmental staff salaries

1651. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Planning): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of infrastructure, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Manufacturing Industry: departmental staff salaries

1652. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Manufacturing Industry): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sittings.

Racing: departmental staff salaries

1653. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Racing): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.

- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sitings.

Major Projects and Tourism: departmental staff salaries

1654. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Major Projects and Tourism): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sitings.

Gaming: departmental staff salaries

1655. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Gaming): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

I am informed that:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Treasury and Finance, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Youth Affairs: departmental staff salaries

1656. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Youth Affairs: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to

\$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Education, Employment and Training, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Small Business: departmental staff salaries

1657. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of State and Regional Development, scheduled to be tabled in the Spring 2001 Parliamentary Sittings.

Attorney-General: departmental staff salaries

1658. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Attorney-General): As at 31 December 2000:

- (a) What was the median base salary across the Attorney-General's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.

- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Justice, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Women's Affairs: departmental staff salaries

1659. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Women's Affairs): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment relevant to the Women's Affairs portfolio will be contained in the 2000/2001 annual report of the Department of Premier and Cabinet, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Community Services: departmental staff salaries

1660. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Community Services): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Human Services, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Aboriginal Affairs: departmental staff salaries

1662. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aboriginal Affairs): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Natural Resources and Environment, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Consumer Affairs: departmental staff salaries

1663. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Consumer Affairs: As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources, which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Justice, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Small Business: Liberty Liquor

1669. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Small Business: On what date did the Minister first receive legal advice from the Victorian Solicitor-General's Office in relation to the Woolworth's purchase of Liberty Liquor.

ANSWER:

Upon becoming aware of Woolworths' intentions to acquire licences that would raise its holdings above the 8% limit, my Department initiated queries to determine whether Woolworths' proposed acquisition is consistent with the *Liquor Control Reform Act 1998*. As part of its investigations, the Department sought the advice of the Victorian Government Solicitor. The Department provided me with a copy of the advice on 28 March 2001.

Ports: Victorian freight and logistics strategy

1675. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Ports: In relation to the Minister's proposal to establish an integrated Victorian Freight and Logistics Strategy:

- (a) What is the time line for this project.
- (b) How is the Government consulting with key stakeholders.
- (c) What is the cost of this proposed project.

ANSWER:

- (a) The strategy development process will produce a range of outputs over approximately the next twelve months. I anticipate a range of preliminary reports to be available by the second half of this year and a final strategy to be completed in early 2002.
- (b) A high-level industry forum was conducted in December 2000 and briefings have been provided to the Victorian Sea Freight Industry Council, the Secretariat for the National Logistics Action Agenda and a range of other groups.

Further stakeholder consultation will be focused on responses to the development of initial findings and targeted at a number of industry reference groups as the strategy develops and its preliminary conclusions are tested for relevance and appropriateness.
- (c) To date the Department of Infrastructure has budgeted \$200,000 for the development of the Victorian Freight and Logistics Strategy.

Ports: Geelong — rail link

1676. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Ports: In relation to the Government's financial commitment to cover half of the cost of linking wharves at the Port of Geelong to the national rail network:

- (a) Over what period will these funds be available.
- (b) How will the remaining half of funds required be sourced for the project.

ANSWER:

- (a) The Government has offered \$4.5 million towards provision of standard gauge rail access to key wharfs at the Port of Geelong; the Bulk Grain Pier, Corio Quay and Lascelles wharf. The \$4.5 million is part of up to \$170 million to be made available from the Regional Infrastructure Development Fund over the three years from 2000/01 to 2002/03.
- (b) I have previously announced that Government and industry partners will jointly fund the provision of infrastructure that will deliver standard gauge access to the Bulk Grain Wharf at the Port of Geelong. The Department of Infrastructure is continuing to work with stakeholders to substantiate the business case for investment in dual gauge connection to Lascelles Wharf and Corio Quay.

Environment and Conservation: Mentone Beach closure

1678. THE HON. J. W. G. ROSS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): In relation to the closure of the Mentone Beach in early January 2001 owing to high E-coli levels:

- (a) What was the source of the pollution.
- (b) On what date was pollution understood to have first occurred in the Mentone area.
- (c) On what date was it first discovered by the Environment Protection Authority.
- (d) On what date was the public notified in the press.
- (e) What steps has the Government taken to minimise the re-occurrence of the e-coli levels which represents danger to swimmers.

ANSWER:

I am informed that:

- (a) The source of the pollution was traced to a blocked sewer pipe at the Mentone Beach Surf Life Saving Club. All surrounding drains were checked by the EPA and found to be dry or have acceptable levels of *E.coli*
- (b) The first reports of the overflow were received by the City of Kingston on 3 January 2001.
- (c) The incident was reported to the EPA by the City of Kingston on 3 January 2001 as soon as they became aware of the problem.
- (d) The EPA conducted tests over the following two days (3 & 4 January 2001) to establish whether the incident had affected beach water quality. Conclusions of these tests on 5 January 2001 suggested beach water quality was found to have been affected with high bacterial levels. A media release was immediately issued by the EPA alerting the public to avoid swimming in the Bay waters around the Mentone Life Saving Club until water quality conditions returned to being acceptable.
- (e) The EPA worked closely and cooperatively with the City of Kingston to ensure the overflow was repaired. The City of Kingston conducted routine checks of the sewer to confirm the problem was resolved, and liaised closely with the EPA and South East Water throughout the investigation process.

Environment and Conservation: shellfish harvesting — prosecutions

1681. THE HON. J. W. G. ROSS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): In relation to the high level of the reaping of shellfish at the Williamstown back beach and at Altona Foreshore, between the Altona Workingmans Club and Millers Road:

- (a) How many infringement notices have been issued in the past 2 years.
- (b) How many prosecutions have been instituted in the past two years.
- (c) What plans has the Department of Natural Resources and Environment developed to stop the illegal gathering of shellfish in the municipalities of Hobsons Bay and Wyndham.

ANSWER:

I am informed that:

- (a) 111 penalty infringement notices were issued during 1999 and 2000. 110 penalty infringement notices were issued for the first quarter of 2001.
- (b) 48 prosecutions were instituted in 1999 and 2000. Prosecution figures for the first quarter of 2001 are not currently available as many of these matters are still pending.
- (c) To target the illegal shellfish gathering in the municipalities of Hobsons Bay and Wyndham the following plans have been developed:

Departmental Fisheries Officers:

- Undertake regular daylight and after dark patrols to coincide with the optimum time that shellfish is harvested.
- Undertake surveillance in unmarked vehicles and plain clothes throughout the area.
- Target known offenders as well as unknown harvesters of illegal shellfish during patrols.
- Target point of sale outlets such as grocery and supermarket stores.

The Department located fisheries officers in new facilities at Kyle Rd, Altona North in March 2000. As a direct result, patrols of the problem area have increased by 25%.

There are signs warning the community against collecting shellfish in the area.

Next summer the Department intends to recommence a community education program aimed at creating greater awareness and understanding of shellfish collection regulations with a focus on Port Phillip Bay region. The program will include a media and advertising campaign, which will involve metropolitan newspapers as well as ethnic media. Currently the Department is liaising with representatives of ethnic communities to seek their cooperation in this program. The Department will soon employ an ethnic liaison officer who will work in the Fishcare Program. This officer will concentrate on training volunteers to inform and educate their own communities.

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, 2 May 2001

Premier: consultancies

1191. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 1 July 2000, if any, hired by the Premier or his department.
- (b) On what dates was each contracted.
- (c) For how long was each contracted.
- (d) What was the nature of each consultancy.
- (e) What is the basis and rate of each of their payments.

ANSWER:

I am informed that:

In responding to this question my response is guided by information required to satisfy reporting requirements for details of consultants engaged under the Financial Management Act 1994 for the Department's Annual Report.

Since 1 July 2000 to 31 December 2000 the Department of Premier and Cabinet (including Arts Victoria) has engaged one consulting firm with a contract value above \$100,000. The following details are provided:

Provider: Miller Consulting Group Pty Ltd

Project Description: VPS Pay and Classification Review

Approved Contract Value: \$160,000 (expenditure to date \$67,600)

With regard to details of those consultants engaged by the Department with contract values under \$100,000 the following aggregated data is provided:

Total number of consultancies: 13

Combined total contract values: \$424,603.38 (see attached list of combined consultancies)

In response to Question part (e) I advise that consultants engaged by the department are required to sign contracts with standard terms and conditions for payment of invoices, unless otherwise negotiated.

QUESTIONS ON NOTICE

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COUNCIL

Wednesday, 2 May 2001

PERIOD 01/7/00 to 31/12/00

CONSULTANT	DESCRIPTION	TOTAL AMOUNT
BUCHAN COMMUNICATIONS GROUP PTY LTD	AUSTRALIA DAY	\$30,000.00
CINEMA POINT PROJECTS PTY LTD	PREPARATION OF SPEECH NOTES	\$1,260.00
DELOITTE TOUCHE TOHMATSU	REVENUE REVIEW FOR ARTS PORTFOLIO AGENCIES	\$98,000.00
ERNST & YOUNG	REVIEW OF SWIFT'S CREEK TASK FORCE REPORT	\$5,475.00
MAGGIE MAGUIRE & ASSOCIATES	2001 AUST DAY CELEBRATIONS - Management Fee	\$66,000.00
PETER JONES SPECIAL EVENTS PTY LTD	AUSTRALIA DAY MILLENNIUM MARCH - Management Fee	\$14,500.00
PETER JONES SPECIAL EVENTS PTY LTD	OLYMPIC FLAME TO MCG 30JUL00 - Management Fee	\$15,000.00
ROOT PROJECTS	CULTURAL BROADBAND NETWORK	\$61,423.38
LATROBE UNIVERSITY	SOCIAL EXCLUSION AND POVERTY	\$15,850.00
SWINBURNE UNIVERSITY	SOCIAL BENCHMARKS AND INDICATORS	\$45,595.00
CSIRO MATHEMATICAL AND INFORMATION SERVICES	INTEGRATED DATA MANAGEMENT SYSTEM -SUPPORT ACCESS TO AND MANAGEMENT OF PUBLIC RECORDS	\$6,000.00
SWEENEY RESEARCH	QUALITATIVE STUDY ON RACIAL & RELIGIOUS VILIFICATION	\$35,200.00
THOMAS HOGG CONSULTING	REVIEW	\$30,300.00
TOTAL EXPENDITURE		\$424,603.38

Workcover: consultancies

1200. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Workcover):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 20 October 1999, if any, hired by the Minister or the Minister's department.
- (b) On what dates was each contracted.
- (c) For how long was each contracted.
- (d) What was the nature of each consultancy.
- (e) What is the basis and rate of each of their payments.

ANSWER:

I am informed that:

The Honourable Member is referred to the Department of Treasury and Finance Web site <http://www.tenders.vic.gov.au/contracts/public/> for consultants engaged by the Department that are over \$100,000.

46 consultancies under \$100,000 were engaged with cumulative contract values of approximately \$1.8 million.

Consultants engaged by the Department are required to sign contracts with standard terms and conditions for payment of invoices, unless otherwise negotiated. Specific schedules of payment terms such as daily/hourly rates or project-staged payments are negotiated on a contract by contract basis.

Finance: consultancies

1201. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Finance):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 20 October 1999, if any, hired by the Minister or the Minister's department.
- (b) On what dates was each contracted.
- (c) For how long was each contracted.
- (d) What was the nature of each consultancy.
- (e) What is the basis and rate of each of their payments.

ANSWER:

I am informed that:

The Honourable Member is referred to the Department of Treasury and Finance Web site <http://www.tenders.vic.gov.au/contracts/public/> for consultants engaged by the Department that are over \$100,000.

46 consultancies under \$100,000 were engaged with cumulative contract values of approximately \$1.8 million.

Consultants engaged by the Department are required to sign contracts with standard terms and conditions for payment of invoices, unless otherwise negotiated. Specific schedules of payment terms such as daily/hourly rates or project-staged payments are negotiated on a contract by contract basis.

Treasurer: consultancies

1204. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Treasurer):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 20 October 1999, if any, hired by the Minister or the Minister's department.
- (b) On what dates was each contracted.
- (c) For how long was each contracted.
- (d) What was the nature of each consultancy.
- (e) What is the basis and rate of each of their payments.

ANSWER:

I am informed that:

The Honourable Member is referred to the Department of Treasury and Finance Web site <http://www.tenders.vic.gov.au/contracts/public/> for consultants engaged by the Department that are over \$100,000.

46 consultancies under \$100,000 were engaged with cumulative contract values of approximately \$1.8 million.

Consultants engaged by the Department are required to sign contracts with standard terms and conditions for payment of invoices, unless otherwise negotiated. Specific schedules of payment terms such as daily/hourly rates or project-staged payments are negotiated on a contract by contract basis.

State and Regional Development: consultancies

1205. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 1 July 2000, if any, hired by the Minister or the Minister's department.
- (b) On what dates was each contracted.
- (c) For how long was each contracted.
- (d) What was the nature of each consultancy.
- (e) What is the basis and rate of each of their payments.

ANSWER:

Consultancies \$100,000 and over engaged by the Department of State and Regional Development since 1 July 2000, are posted to the web site of the Victorian Government Purchasing Board (under the Contracts Publishing System).

I am advised that from 1 July 2000 to 30 September 2000, there were a total of 21 consultancies less than \$100,000 engaged by the following divisions within the Department: Industry Victoria, Multimedia Victoria, the Policy Division, the Science, Technology and Innovation Division, Corporate Services and the Portfolio Coordination and Strategic Management Division. The amount paid for these consultancies is \$716,967.

Gaming: consultancies

1218. THE HON. D. McL. DAVIS — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Gaming):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 20 October 1999, if any, hired by the Minister or the Minister's department.
- (b) On what dates was each contracted.
- (c) For how long was each contracted.
- (d) What was the nature of each consultancy.
- (e) What is the basis and rate of each of their payments.

ANSWER:

I am informed that:

The Honourable Member is referred to the Department of Treasury and Finance Web site <http://www.tenders.vic.gov.au/contracts/public/> for consultants engaged by the Department that are over \$100,000.

46 consultancies under \$100,000 were engaged with cumulative contract values of approximately \$1.8 million.

Consultants engaged by the Department are required to sign contracts with standard terms and conditions for payment of invoices, unless otherwise negotiated. Specific schedules of payment terms such as daily/hourly rates or project-staged payments are negotiated on a contract by contract basis.

Consumer Affairs: Consumer and Business Affairs Victoria services

1453. THE HON. BILL FORWOOD — To ask the Honourable the Minister for Consumer Affairs: Further to the answer to Question No. 1114 given in this House on 16 November 2000:

- (a) Have the surveys to determine levels of consumer awareness of CBAV and its services now been conducted; if so, what were the results.
- (b) What is the size of the survey sample for CBAV customer satisfaction.
- (c) How are non-users identified to participate in the surveys.
- (d) Which demographic groups appear under-represented as users of some of the CBAV services, according to the customer satisfaction surveys.

ANSWER:

- (a) The sample survey which is to determine levels of consumer awareness of CBAV and its services has not yet been conducted.
- (b) The size of the survey sample used in the client satisfaction surveys has varied, according to the service that was the subject of the satisfaction survey and the response rate achieved for the specific survey. For example, for the 2000 survey of the consumer and residential tenancies telephone inquiry service, a sample of 269 clients of the service was needed to achieve 202 completed interviews.
- (c) Non-users are not included in the client satisfaction surveys. A random sample of Victorians aged 18 years or over will be used for the survey of consumer awareness of CBAV and its services. This survey will include questions to identify whether the respondent has used any CBAV services.
- (d) Client satisfaction surveys conducted for the consumer and residential tenancies telephone inquiry service indicate that persons in the age groups 15-19 years, 45-55 years and 65 years and older, males, and persons who report speaking a language other than English at home may be under-represented as users of the service, compared to the corresponding distributions for the Victorian population at the 1996 Census.

Housing: public — maintenance program

1479. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing and Aged Care): Has the Government reviewed the Maintenance Program and Procedures; if not — (i) when will this be carried out; and (ii) how long is it expected to take.

ANSWER:

Maintenance Program & Procedures have been examined and a number of improvements to past Office of Housing maintenance policies and procedures have been implemented. These improvements are expected to have positive outcomes for the maintenance service delivered to public housing tenants.

New contracts for head maintenance contractors have been advertised. Features of the new contracts sought are:-

- Improved monitoring of timeliness of services, increased head contractor reporting requirements and additional Office of Housing contract compliance powers.
- Increased emphasis on quality assurance. Increased emphasis on occupational health and safety. Head contractor accountability has been increased to include the requirement for more rigorous documentation of work

processes, supervision and staff training, in regard to compliance with both the contract and occupational health and safety legislation.

- Contract penalties have been increased for sub-standard works and late delivery of services.

A new cleaning contract has also been developed. Again, contractor accountability has been increased to include a greater emphasis on the quality of cleaning and the responsiveness of the services provided.

The Office of Housing is also currently implementing more streamlined communication processes between contractors and Housing staff, including use of Internet technology for communicating works orders, and a simplified system for identification of works to be undertaken.

From 1 July 2001, all head contractors will be required to be connected to the electronic works ordering system. Further enhancements to allow head contractors to more effectively manage and respond to maintenance requests will be released incrementally during the next twelve months.

Multicultural Affairs: initiatives

1490. THE HON. C. A. FURLETTI — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Multicultural Affairs): What new initiatives have been implemented since January 2000 by the Government to — (i) coordinate a whole-of-government approval to multicultural bonds; (ii) monitor the responsiveness of Government services to cultural diversity; and (iii) improve communication and enhance consultations with multicultural communities.

ANSWER:

I am informed that:

In relation to your reference to “multicultural bonds” there are no such items of policy or program and I suggest that the Honourable member clarify his question.

With respect to items (i) and (ii), I am pleased to report that since January 2000 the monitoring and responsiveness of government services and communication and enhancement through consultations has been improved through the Victorian Multicultural Commission’s (VMC) expanded consultative processes, which has included regional Victoria. This enables specific issues to be brought back to relevant departmental areas for attention.

This approach has under-pinned the work program of both the VMC and the Victorian Office of Multicultural Affairs (VOMA). Furthermore, VOMA is currently examining material from departments that will improve the assessment and reporting arrangements and provide meaningful quantitative and qualitative information.

In addition, the cultural and linguistic diversity of this Government’s Cabinet, the high number of Ministers of non-English speaking backgrounds, means that the issue of addressing multicultural issues is incorporated within the decision-making processes within Cabinet and therefore across all portfolios.

Housing: public — disability

1494. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing and Aged Care): In relation to disability housing, what was the percentage of housing reserved for use as disability housing in 1999 and 2000, respectively, and what is the percentage of housing reserved for use as disability housing in 2001.

ANSWER:

As at September 1999, some 13,800 or 19.3% of the public housing portfolio comprised properties that had some form of disability modifications, classified into three major categories – substantial, minor and ramps.

In October 1999, the Office of Housing commenced a review of disability data in order to more comprehensively capture and categorise the information. The review was intended to provide a more refined understanding of the disability modifications within the public housing portfolio, and in turn, to facilitate the process of providing appropriate accommodation for tenants with special needs.

After the review, the new categories of disability modifications were full, major and minor. As a result of the new categories, 1999 and 2000 data are not directly comparable.

Subsequently, as at 30 June 2000, 19,233 public housing properties, or 26.70% of the public housing portfolio, were assessed to have modifications suitable for persons with disabilities.

As at 20 March 2001, 20,097 public housing properties, or 27.75% of the public housing portfolio, had some form of disability modification suitable for persons with disabilities.

Housing: municipalities — affordable housing targets

1630. THE HON. R. H. BOWDEN — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the development of municipal affordable housing targets:

- (a) What is the Government's strategy in developing such targets.
- (b) Which municipalities are involved.
- (c) What progress has been achieved to further this initiative.
- (d) Has the Government established these municipal targets; if so, what are the targets for each municipality.
- (e) What criteria have been employed for the establishment of these targets.
- (f) Have there been time lines set for each municipality to achieve the established targets; if so, what are the details for each municipality.

ANSWER:

- a) An Affordable Housing Steering Committee comprising State and local government representatives has been established. The role of this Committee is to consider how State and local government can work in partnership to improve affordable housing outcomes.
- b) All local governments were invited to participate in the Affordable Housing Workshop in June 2000. The Affordable Housing Steering Committee that emerged from this workshop comprises representatives from local government peak bodies including the Municipal Association of Victoria, the Victorian Local Governance Association and individual local governments. In addition, local government officers were involved in a series of working groups convened by the Committee to assist with the development of the strategy. In the coming months, there will be broad consultation with the local government sector.
- c) The Affordable Housing Steering Committee is currently working in this area.
- d), e) & f)

These issues are being considered as part of the broader process described above.

Housing: departmental staff salaries

1661. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90,000; (ii) \$90,000 to \$100,000; (iii) \$100,001 to \$110,000; (iv) \$110,001 to \$120,000; (v) \$120,001 to \$130,000; (vi) \$130,001 to \$140,000; (vii) \$140,001 to \$150,000; (viii) \$150,001 to \$160,000; (ix) \$160,001 to \$170,000; (x) \$170,001 to \$180,000; (xi) \$180,001 to \$190,000; (xii) \$190,001 to \$200,000; (xiii) \$200,001 to \$210,000; (xiv) \$210,001 to \$220,000; (xv) \$220,001 to \$230,000 (xvi) \$230,001 to \$240,000; (xvii) \$240,001 to \$250,000; (xviii) \$250,001 to \$260,000; (xix) \$260,001 to \$270,000; (xx) \$270,001 to \$280,000; (xxi) \$280,001 to \$290,000; (xxii) \$290,001 to \$300,000; and (xxiii) \$300,001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Human Services, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Housing: transitional housing management program

1664. THE HON. R. H. BOWDEN — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Has the Government commissioned a full review of the Transitional Housing Management program in addition to the review that was commissioned by the previous Government; if so — (i) what is the nature and scope of this review; (ii) what is the name of the consultant carrying out the review; (iii) what is the estimated total cost of the review; (iv) when is the review likely to be completed; and (v) when will the outcome of the review be made available.

ANSWER:

- The Office of Housing is considering the Transitional Housing Management (THM) Program within the context of the development of the Victorian Homelessness Strategy (VHS). Recommendations from the VHS in regard to the THM program will be coordinated with recommendations made for other programs to facilitate the development of a cohesive and effective response to homelessness in Victoria.
- The cost of this work has been met through the normal operational budget of the Office of Housing. No external consultancies are involved.

Housing: housing establishment fund

1665. THE HON. R. H. BOWDEN — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What proportion of clients has the Government assisted to move from transitional housing to public or private rental through the Housing Establishment Fund during its term in office.
- (b) Will the Minister provide a detailed breakdown for 1999, 2000, 2001, respectively.

ANSWER:

- The Housing Establishment Fund (HEF) is not available to clients accessing public or community managed housing. This includes clients exiting transitional housing and entering public or other longer term community housing options.
- The intention of HEF is to improve access to private rental accommodation for homeless people, and to assist low income renters to stay in private rental. HEF is also used to purchase crisis accommodation for homeless people in immediate need of access to housing on a short term basis.
- Data for HEF is collected on a financial year, not calendar year basis. However, an estimate of levels of assistance for each calendar year are:

1999	16,500 HEF Assists*
2000	22,250 HEF Assists
2001	26,750 HEF Assists

*During 1998-1999 improved reporting arrangements were introduced for Transitional Housing.

Housing: public housing stock

1666. THE HON. R. H. BOWDEN — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Will the Minister provide details of the number of public housing stock upgraded to meet appropriate minimum standards of amenities, size and energy efficiency during the Government's term in office for each financial year, including the annual targets established.

ANSWER:

I am informed that:

The number of existing stock upgraded or planned for upgrade over the last two financial years is as follows:

1 July 1999 to 30 June 2000	2032 units significantly upgraded
1 July 2000 to 30 June 2001	3087 units planned for significant upgrade

There was no published annual target for upgrade in the 1999/2000 or 2000/2001 financial year.

Housing: public housing stock

1667. THE HON. R. H. BOWDEN — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What incentives has the Government developed to encourage private landlords to provide stock for long term public and community housing.

ANSWER:

The Government has commissioned work on the long term future of Social Housing in Victoria. A key element of this work is to consider ways of attracting private and community sector investment in social housing. The Office of Housing will further consider the issue of encouragement to private landlords to provide stock for long term public and community housing when this work is completed.

An Affordable Housing Steering Committee comprising State and Local Government representatives has been established. The role of this Committee is to consider opportunities for improving affordable housing outcomes including consideration of opportunities to work with the private sector to encourage the provision of affordable stock.

Housing: public housing stock

1668. THE HON. R. H. BOWDEN — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Has the Government developed a planning framework with local government to encourage construction of affordable housing stock by private developers; if so, will the Government provide a copy of this framework and other relevant details relating to this matter; if not, will the Government advise as to the progress it has made towards this initiative as well as an expected timeframe for the completion of the planning framework.

ANSWER:

An Affordable Housing Steering Committee comprising State and Local government representatives has been established to work on these issues. The Committee's role is to consider opportunities for improving affordable housing outcomes including consideration of opportunities to work with the private sector to encourage the provision of affordable stock.

The Committee has convened a number of working groups with a range of stakeholders including representatives of the development industry and will be consulting the local government sector on the opportunities and directions it has identified.

Aged Care: departmental staff salaries

1674. THE HON. P. A. KATSAMBANIS — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): As at 31 December 2000:

- (a) What was the median base salary across the Minister's Department in the VPS 1, VPS 2, VPS 3, VPS 4, VPS 5 and "other" broadband classifications, respectively, according to — (i) gender; and (ii) for all employees.
- (b) How many equivalent full-time staff were employed in each classification.
- (c) What proportion of total equivalent full-time staff were employed in each classification.
- (d) What was the median length of service for females and males, respectively, in each classification.
- (e) How many executives were employed that were in receipt of a total annual remuneration package of — (i) less than \$90 000; (ii) 90 000 to 100 000; (iii) \$100 001 to \$110 000; (iv) \$110 001 to \$120 000; (v) \$120 001 to \$130 000; (vi) \$130 001 to \$140 000; (vii) \$140 001 to \$150 000; (viii) \$150 001 to \$160 000; (ix) \$160 001 to \$170 000; (x) \$170 001 to \$180 000; (xi) \$180 001 to \$190 000; (xii) \$190 001 to \$200 000; (xiii) \$200 001 to \$210 000; (xiv) \$210 001 to \$220 000; (xv) \$220 001 to \$230 000; (xvi) \$230 001 to \$240 000; (xvii) \$240 000 to \$250 000; (xviii) \$250 001 to \$260 000; (xix) \$260 001 to \$270 000; (xx) \$270 001 to \$280 000; (xxi) \$280 001 to \$290 000; (xxii) \$290 001 to \$300 000; and (xxiii) \$300 001 and above, and how does this compare with the number of executives employed in each level as at 30 June 2000.

ANSWER:

The information requested would require an inordinate amount of time and resources which are not available.

Comprehensive information on the composition of public service employment within my Department will be contained in the 2000/2001 annual report of the Department of Human Services, scheduled to be tabled in the Spring 2001 Parliamentary Session.

Housing: Metropolitan Fire and Emergency Services Board — communication package

1677. THE HON. ANDREA COOTE — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the Minister's consultation with the Melbourne Fire and Emergency Services Board and the proposed communication package:

- (a) In what languages was this package produced.
- (b) How many estates have access to this package.
- (c) To whom were the packages sent.
- (d) What was the full cost of this exercise.
- (e) From where was the funding sourced.
- (f) When will this communication package be completed.
- (g) Is its completion on schedule with the original project time line.
- (h) What does the package include.

ANSWER:

Translated information

The 'Fire Safety In Your Home' video is available in 5 community languages: English, Arabic, Chinese (Mandarin), Spanish, and Vietnamese.

The 'Fire Safety In Your Home' information sheets and the 'Fire Orders' stickers are available in 17 community languages: English, Arabic, Cambodian, Chinese, Croatian, Greek, Italian, Macedonian, Polish, Romanian, Russian, Serbian, Somali, Spanish, Tigrigna, Turkish and Vietnamese.

Distribution of the package

Fire Awareness sessions are conducted in high and medium density public housing developments. This includes high-rise and walk-up estates in inner metropolitan areas and smaller developments or clusters of housing in outer metropolitan and country locations.

The 'Fire Safety In Your Home' video is available in Housing Offices, and is played in the foyer of a number of offices. It is also shown during Fire Awareness Sessions. All written material is also made available at these sessions. Floor Plans are discussed at sessions containing high-rise and walk-up buildings.

Fire Orders stickers were sent to all tenants with the Tenant Newsletter in May 1999 and are fitted in vacant properties by Housing staff, as required. 'Fire Safety In Your Home' booklets, and translated information sheets if required, are given to new tenants at sign-up.

All Housing Offices have stocks of written material and translations appropriate to their area. Any requests for translations not held at the local office can be organised through the central Emergency Branch. Tenant support groups such as Rental Housing Support Providers and the Tenants Union of Victoria also have stocks of all written material

In addition, details of the availability of Fire Safety information have been included in the tenant newsletter.

All information has been developed in partnerships with the Melbourne Fire and Emergency Services Board (MFESB).

Costs to produce and distribute the package

Costs up to 30 March 2001

Fire Safety In Your Home Video - \$49,063
 Fire Safety In Your Home Booklet & Information Sheets - \$26,032
 Translation of Fire Safety In Your Home Information Sheets into 16 Languages - \$10,500
 Fire Awareness Session Posters & Brochures - \$2,051
 Standard Fire Orders Stickers - \$14,872
 Home Fire Escape Plans - \$1,045
 13 Fire Awareness Sessions at an approx. average cost of \$200 per session

Total \$106,163

Upcoming costs

Floor Plans (for high-rise and walk-up blocks) – estimated \$25,000
 Installation of Floor Plans – estimated \$15,000

Total (estimated) \$40 000

Recurrent Costs

Fire Safety In Your Home Booklet & Information Sheets - \$10,000
 Fire Orders stickers - \$2,500
 Fire Awareness Session (20 sessions p.a. @ approx \$200 per session) - \$4 000

Total (estimated) \$16,500

Funding source.

The fire safety communication package is funded through the Office of Housing’s Rental Operations budget.

Time lines for completion of the communication package

The communication package has been completed, but will be modified over time as required.

There have been thirteen Fire Awareness Sessions conducted for public housing residents to date, with a further 6 sessions booked between now and 7 June 2001. It is proposed that the Emergency Branch, in conjunction with the Metropolitan Fire and Emergency Services Board and the Country Fire Authority, will conduct approximately 20 sessions per annum, on an ongoing basis.

Completion against original project time lines

Production of the video and written material was completed on schedule. The original aim of 20 sessions per year is also on target

Information Package

The package includes:-

- ‘Fire Safety in Your Home’ Video (approx 14 minutes)
- ‘Fire Safety in Your Home’ Booklet & Information Sheets. These provide fire safety messages regarding cooking, electricity, naked flames, smoke alarms, home escape plans, fire orders and emergency information.
- Fire Orders stickers
- Home Fire Escape Plans
- Fire Awareness Sessions
 - Posters & Brochures to promote session
 - ‘Fire Safety In Your Home’ video / booklets

- Fire Orders stickers and Home Fire Escape Plans
- Representation from the fire brigade
- MF&ESB Community Education Bus (when available)
- BBQ
- Giveaways provided by MFESB (Fire Blankets, wooden spoons, diaries, puzzles, CD Roms)
- Floor Plans (for high-rise and walk-up buildings).

