

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-FOURTH PARLIAMENT**

**FIRST SESSION**

**30 November 2000**

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## Thursday, 30 November 2000

The PRESIDENT (Hon. B. A. Chamberlain) took the chair at 10.02 a.m. and read the prayer.

### PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

#### Budget estimates

Hon. R. M. HALLAM (Western) presented report for 2000–01, together with appendices, extracts from proceedings, minority report and minutes of evidence.

Hon. R. M. HALLAM (Western) (*By leave*) — I believe every member of this chamber, indeed this Parliament, can be proud of the extent to which Victoria now leads public sector accounting and reporting standards. It has clearly become the pacesetter. Over the past five years it has made giant strides, and I pay tribute to the former Kennett government and the Bracks government alike. Not only has Victoria become the leader, but it has become a minesweeper as well, because it is setting the standards and tackling the problems as they emerge.

I do not recall either legislators or accountants getting excited too often, but in this case there is some excitement because the concept of public sector reporting has been turned on its ear. What was a basic form of cash accounting just a few years ago has now been truly converted. Based on the accrual principles, reports now provide fewer opportunities to camouflage or to manipulate; data is more conducive to good management; commitments and outcomes are being reported rather than there being simply a summary of the cheque book; and government is being treated as a business. The standard of data provided to the stakeholders is now much better in respect of time limits and usefulness.

I give credit where it is due. The Bracks government's move to involve the Auditor-General in commentary on the budget in advance rather than simply reporting on outcomes in hindsight can only assist in that agenda. There are still problems such as getting more meaningful performance measures, working out how to integrate environmental and social judgments with the traditional bottom line, how to value infrastructure and heritage assets, and so on. However, we are tackling those problems head on, and we should be proud of the extent to which we are achieving that.

The Public Accounts and Estimates Committee has become a central and critical player in urging and supporting the Parliament, the government of the day, the Auditor-General, and the accounting profession to

persist with that reform agenda. That has been remarkable, given that it is an all-party parliamentary committee with plenty of opportunities to be diverted by partisan politics.

The report continues that role and that reform process. This year sees a further important initiative in that the budget security process will now be two phased. The first phase will see a continuation of the traditional estimates process — that is, an examination of the budget in advance — which will be strengthened in future by including all ministries in each year. The second phase is a review of the results being undertaken by the committee when the year is completed. I acknowledge that the committee ran into some timing difficulties this year, but I advise Parliament that that will be overcome next year and each year thereafter. I can report that the new process will involve greater discipline and promote greater standards of stewardship and better information going out to the taxpayer.

The report makes a number of key findings and a whole range of specific recommendations, all designed to further improve the standard of financial reporting across the public sector. I congratulate all my colleagues on the committee and I extend my congratulations to the entire support team. I particularly mention our chairman, Peter Loney, the honourable member for Geelong North in another place, and the executive officer, Michele Cornwell. The report comes with a huge dose of blood, sweat and tears.

I truly regret that the report could not have been completed before the Legislative Assembly rose for the Christmas recess because that denied the honourable member for Geelong North the honour of formally tabling the report, which would have been appropriate given that he is the chairman of the committee and given his outstanding contribution to the process and the report itself. I commend the report to the house.

**Laid on table.**

**Ordered that report, appendices, extracts from proceedings and minority report be printed.**

### PAPERS

**Laid on table by Clerk:**

Australian Food Industry Science Centre — Report, 1999–2000.

Budget Sector — Quarterly Financial Report for the period ended 30 September 2000.

Murray Valley Citrus Marketing Board — Report, 1999–2000.

**WORKCOVER: REPORT**

**Hon. P. A. KATSAMBANIS** (Monash) — I move:

That the Council take note of the report of the Workcover authority for the year 1999–2000.

It is interesting to note that among the range of information contained in the report of the Victorian Workcover Authority, tabled only a few short months ago in this place, the authority estimates on page 8 that the accumulated deficit and therefore the unfunded liability of the authority fund as at 30 June 2000 was \$453.1 million, an increase from the previous year.

Subsequent to the tabling of the annual report of the Victorian Workcover Authority, the latest estimates, which were given at a hearing of the Economic Development Committee last Monday, reveal that the revised estimate for the unfunded liabilities of Workcover as at 30 June 2000 is \$781 million.

**Hon. T. C. Theophanous** — On a point of order, Mr President, my understanding of the debate of the annual report at this time is that it is limited to a discussion about what is in the report and should not relate to events that may have occurred subsequent to the annual report being tabled.

The honourable member is now seeking to debate events that occurred at a hearing of the Economic Development Committee in which it was revealed that the unfunded liability of the previous government was \$781 million. The government is happy to discuss that unfunded liability, but Mr Katsambanis's remarks should be about the annual report. Mr President, I seek your guidance on this issue.

**Hon. M. A. Birrell** — On the point of order, Mr President, Mr Theophanous suggests there is a rule when there is none. He has again invented something in his own mind. There are no rulings on this, and certainly nothing to sustain Mr Theophanous's argument. Secondly, I take up the offer he made in his point of order to debate the unfunded liabilities. I welcome his interjection and specific statement, because that is what should occur. To that extent I support the point of order he has raised. Thirdly, apart from pointing out that he is a fool — —

**Hon. T. C. Theophanous** — Mr President, I seek a withdrawal of that statement.

*Honourable members interjecting.*

**The PRESIDENT** — Order! The house has before it a point of order. It will deal with that first, and if

Mr Theophanous wishes to raise a further matter the house will deal with that at the time.

**Hon. M. A. Birrell** — The point I am making, Mr President — —

**Hon. C. C. Broad** — He is entitled to ask for a withdrawal.

**Hon. T. C. Theophanous** — He can continue to abuse me until he finishes! You just make up new rules as you go along.

**The PRESIDENT** — Order! The ignorance of Mr Theophanous on these matters is profound. The house is dealing with a point of order. The rules of the house are that if a point of order is under consideration that matter will be finished with first. Once that matter is finished with Mr Theophanous can seek to have a particular expression withdrawn. However, I advise him to remember the rule about expressions.

**Hon. M. A. Birrell** — The comment on the point of order that has been raised is that it is entirely appropriate for a member to set a context for the discussion that he or she is making regarding the report that has been tabled — in this case, the annual report of the Victorian Workcover Authority. There is no standing order that constrains the member and prevents him from discussing a topic that has been raised in setting the context for the report or, as Mr Theophanous has suggested, being able to discuss matters such as unfunded liabilities that arise out of the discussion of the Workcover annual report.

**The PRESIDENT** — Order! On the point of order raised by Mr Theophanous, basically he is right. This is a time for consideration of reports that come under this provision. However, honourable members are able to put the reports into a context, so it does not necessarily mean they must stop at a particular time. Essentially I am half agreeing with Mr Theophanous that the major focus should be on the annual report.

Having dealt with that matter, Mr Theophanous has another matter he wishes to raise.

**Hon. T. C. Theophanous** — I do not wish to persist with the matter.

**Hon. P. A. KATSAMBANIS** — I note that the government is concerned about the political consequences of the issues I am raising. Imagine how the people of Victoria, particularly the business people of Victoria, who have been subjected to significant Workcover premium increases, feel. They are concerned about the potential increases they are likely

to face in the future as a result of the government's bungling of Workcover.

As I was saying, Mr President, the annual report refers to an accumulated deficit of \$423 million as at 30 June. Since the tabling of the report the authority has revised that figure significantly upwards. More important than the revision of the figure is the reasons given in the report for the increases in unfunded liabilities. The report states on page 8:

This slippage has largely been caused by an increase in the cost of benefits paid to claimants rather than an increase in claim numbers.

The authority is saying that the unfunded liabilities have increased because people are getting more money. However, more importantly, the revised figures had a significantly different explanation. The house is told that the reason the actuaries at the Victorian Workcover Authority have revalued the figures from \$423 million to \$781 million — we are not sure whether this is the final figure — is not as a result of increased benefits but as a result of the last-minute rush in August this year to file common-law claims relating to the period prior to November 1997.

The house is told that these liabilities have blown out because of a larger than expected level of common-law claims. The government can rightly say that that was as a result of the common-law period going back to 1997, which was the province of the previous government, and that is correct.

**Hon. D. G. Hadden** interjected.

**Hon. P. A. KATSAMBANIS** — Yes, Ms Hadden, honesty is important, and we would welcome the government being more honest than it has been to date. Government estimates on the impact of the reintroduction of common-law claims in the Workcover system and the actuarial calculations on the impact and, therefore, the premiums struck in May of this year to accommodate the reintroduction of common law, were based on the historical evidence of common-law claims under the old common-law system.

The house has debated that issue in minute detail, and it has highlighted how previous history was being used as a way of calculating potential liabilities in the future and the impact of the new system of common law introduced by the government. There has been a blow-out from the liabilities incurred under the old system, which puts into question all the actuarial calculations about the future impact of new common-law proceedings. Apparently the government was not expecting the 2000 claims received in August

this year that related to the old common-law system. That history was not factored into the calculations when the new premiums that resulted in increases were struck.

The authority itself admitted as much in a report in the *Age* yesterday, when the chief executive of the Victorian Workcover Authority, Bill Mountford, admitted that many small businesses were faced with increases in premiums of up to 85 per cent as a result of the government's politically motivated changes in May.

**Hon. G. W. Jennings** — That is what Bill Mountford said?

**Hon. P. A. KATSAMBANIS** — That is what he said in yesterday's *Age*.

**Hon. G. W. Jennings** — It is a direct quote?

**Hon. P. A. KATSAMBANIS** — It was in an article on the front page of yesterday's *Age*. If Mr Jennings missed it he was not looking too far into the paper. The article puts into question whether those premiums have been struck at the correct level. The government said it used historical evidence of common-law claims to strike the premium at 2.18 per cent. Subsequent to the tabling of the report that identified an unfunded liability figure there was a complete blow-out of that unfunded liability from \$423 million to upwards of \$780 million. That figure has not yet settled down and I am not sure whether the actuaries will revise it once more. It was based on new evidence that the incidence of common-law claims is higher than was anticipated.

What has the government done? It has opened the door to new common-law claims. Despite what is said in the report and despite the liability figure provided — —

**Hon. T. C. Theophanous** — Are you saying the report was wrong?

**Hon. P. A. KATSAMBANIS** — It was right at the time, Mr Theophanous. I have no reason to doubt that the actuarial figures at the time the report was presented were the best available to the actuaries. However, I put to the house that subsequent to the tabling of the report evidence has shown that common-law claims have blown out the unfunded liability of the Workcover system.

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

**Hon. P. A. KATSAMBANIS** — If Mr Theophanous listened he might learn something. Based on the blow-out of common-law claims in the recent past that has just been identified and the fact that

the new premium structure was calculated on the historical evidence of such claims, and given that the incidence of such claims is higher than was anticipated, it is quite clear that the level of premiums is under threat and the government will need to account for that to the public and the business people of Victoria.

In yesterday's *Age* article Mr Mountford again made the point that it was clear given the blow-out there would not be any decrease in premiums in the immediate future. Given the history of common-law claims, the history of the Labor Party on Workcover and workers compensation generally, and the recent blow-out in unfunded liabilities, the business people of Victoria are questioning whether the significant increase in premiums they have worn will be the last, or whether it is the first of many. It is time that the government was brought to account on Workcover premiums.

**Hon. W. R. BAXTER** (North Eastern) — I took notice of Mr Theophanous's earlier point of order, and I will endeavour to restrict my contribution to the contents of the report. In so doing I must express my regret and distaste that the Minister for Workcover saw fit to have his photograph placed on the front page of the report. I believe it is entirely inappropriate that the ego of a minister, particularly a new minister, is such that he would acquiesce to having his photograph placed on 6000 copies of an annual report, particularly when the government has been party to increasing premiums to such an extent and especially after it assured the public of Victoria that the reintroduction of common-law rights would result in only a relatively minor increase in premiums. As honourable members know, increases of up to 85 per cent were acknowledged in the newspapers yesterday by the chief executive of the authority, Mr Mountford.

I am concerned at Mr Mountford's comment in yesterday's *Age* that Workcover needed to regain the trust of employers. That is a fairly instructive phrase, because there is no doubt that employers in this state have totally lost confidence in the government's ability to run the Workcover system. Employers recall the stewardship of workers compensation of the Cain and Kirner Labor governments, where a huge unfunded liability built up that required a special surcharge to pay it off over the subsequent five or six years, and that the former coalition government, particularly under the then Workcover minister, Mr Hallam, was able to reduce premiums to 1.9 per cent of payroll. Now, within 12 months of the government's coming to office, extraordinary increases in premiums and a loss of confidence in Labor's ability to run the Workcover system efficiently are being witnessed. The chief

executive of the authority acknowledges that confidence and trust needs to be regained.

Mr Mountford also said yesterday that premiums could not be reduced because safety levels had not significantly improved since 1993. I refer honourable members to page 7 of the Victorian Workcover Authority's annual report, which in a series of tables headed 'Key results and trends' appears to be totally pitched at showing that safety levels have increased and injury rates have reduced. The subheading is 'Reducing work-related injury, illness and death'. The report shows there has been a reduction in the number of reported claims and that the number of back claims has reduced over a five-year period. Fortunately it also shows that the number of death claims has come down remarkably over five years. Page 8 shows that return-to-work figures are better, and so on. It is difficult to reconcile Mr Mountford's claim in the paper yesterday that safety has not improved over the past seven or eight years with the contents of the annual report.

I am beginning to wonder what the government is on about. Is it setting out to sell a story to the employers of Victoria that it is all their fault that this is happening, instead of taking into account that the premium increases may well be due to the reintroduction of common-law rights?

I believe the report uses extravagant language. Under the heading 'Message to stakeholders' at page 10, it states:

For its part, the new Labor government has set a clear reform agenda for Workcover.

That is fairly pejorative language. It conveys to the reader the notion that Workcover was in diabolical trouble when the government came to office — —

**Hon. D. McL. Davis** — That was not so.

**Hon. W. R. BAXTER** — As Mr Davis says, that was clearly not so. It is inappropriate language to use in the annual report of an authority. The report further states:

It has embarked on a robust program of legislative reform, which includes the restoration of access to common-law for seriously injured workers. The government also initiated a review of Victoria's OHS arrangements to achieve a clearer focus on workplace health and safety.

There is a great deal of concern among Victorian employers that this is all becoming a bit one sided and that the government wants to blame every industrial accident on employers. The suggestion is that accidents



are always the employer's fault and it is not acknowledged that there may be fault on the part of employees, whether it be through carelessness, tiredness, or something else. There is little capacity for employers to be able to vet whether employees are fit to do a particular job.

Previously in the house I have raised a concern expressed to me by a large employer in Wodonga who employs, among others, forklift drivers. It is dangerous for other people working on the factory floor to have forklifts travelling hither and yon, up and down narrow aisles, and a good deal of care needs to be taken. The employer is very concerned that under Workcover and occupational health and safety legislation he has no capacity to require an employee he suspects might have had too much to drink while at lunch to submit to a test.

Yet if that driver causes an accident, the employer now believes he has some criminal liability or is under some criminal threat for having an unsafe workplace — yet he has little capacity to do anything about making sure his employees are fit for work.

To reinforce that I turn to page 45 of the annual report, which talks about the Victorian Workcover Authority's own management of health and safety:

Safety is an inherent value of Workcover and shall be incorporated into the way that all work within the authority is carried out.

I have no argument with that.

Accordingly, managers will be held accountable for providing a safe and healthy workplace, and safe systems of work. Best practice will be applied to maintain or improve these.

I emphasise the phrase 'managers will be held accountable'. I accept that managers should be held accountable, but they have to be given the wherewithal to ensure that people under their charge are fit and able to work at that time.

I refer to a matter that was raised by Mr Best not so long ago. Following an unfortunate death in an industrial accident in Bendigo, in a test case the factory manager was prosecuted by Workcover for being negligent. Despite the fact that he was not an owner or a shareholder in the company — he was simply an employee — the case went to the County Court. He was found not guilty — he was totally exonerated of any misdeed — yet somehow or other he was forced to pay \$57 000 in costs because Workcover was pursuing the matter as a test case. He was hung out to dry because Workcover wanted to make its mark. It did — and it lost! However, Mr Best's constituent is now out of pocket to the extent of \$57 000.

I am aware that members are under time constraints and that Mr Theophanous has used some of the time on raising a point of order. But I express my concern that Victorian employers are losing confidence in Workcover. The government needs to ensure it is much more even-handed in dealing with employers regarding premium increases.

**Hon. G. W. JENNINGS** (Melbourne) — The house has been afforded a short time to discuss the annual report of the Victorian Workcover Authority for the year 1999–2000. At the end of my contribution I hope to have the chance to refer to some of the good news stories in the annual report.

Members opposite have gilded so many lilies — they adorn the chamber! — in talking about the structure and the financial position of the scheme the government inherited that in response I will concentrate on some of the key financial indicators and address the picture that is so starkly painted on page 4 of the report.

I will detail the story of the financial performance of the Workcover scheme. Let us look at the first dot point of its financial performance — that is, the net operating loss of \$127 million in this financial year compared with \$176 million in 1998–99. That could be a good news story, given that the loss for this year is lower than it was in the previous year.

Let us look at the investment performance of the scheme. Investment revenue increased to \$589 million, up from \$330 million in the year before. That is due to higher investment returns of 14.8 per cent compared to 8.5 per cent in 1998–99. That is a good news story, too — but how could it be? It is important for the house to note that if it were not for that improved investment performance, the operating loss for 1999–2000 would have been substantially larger.

The final dot point of the financial performance is the funding ratio of 91.2 per cent, compared with 93.2 per cent in the previous year. In his contribution Mr Katsambanis referred to the table on page 8, which shows the scheme's funding ratio. Let us look at the trend line of the scheme's financial status that the government inherited. The table shows that in 1995–96, under the Kennett government, the funding ratio was 102 per cent; in 1996–97, it was 100 per cent; and in 1997–98, it was 96 per cent. The house may detect that the trend line is going down. In 1998–99 the funding ratio year was 93 per cent, and in the year in which the Brack's government came to office the funding ratio was 91 per cent. As I said, the trend line has been consistently falling, from 102 per cent in 1995–96 to 91 per cent in 1999–2000.

Earlier this year Parliament debated the financial structure of the schemes. On the question of whether the Workcover premium regime could be adjusted, one opposition speaker after another said there was no justification for the government's increasing the premium to cover that falling funding ratio — Mr Katsambanis was one of those opposition members who argued that there was no requirement to adjust premiums upwards.

The house has already been alerted to the fact that the blow-out in the accumulated deficit and unfunded liability of the scheme is attributable to claims that were made leading up to November 1997, the time at which the scheme was adjusted to remove the right of injured workers to make common-law claims. As Mr Katsambanis said, and as I believe Mr Baxter said in his contribution, the report was underpinned by the best available actuarial advice, as was the debate when consideration was given to adjusting the premiums in restoring workers' common-law rights.

The government has been responsible in ensuring that the scheme is financially viable. It has been pilloried in this place and in the community by the opposition parties for responding appropriately and adjusting the premium regime to ensure that the scheme is financially viable into the future. I congratulate the minister on his work — even though he was criticised for having his photograph on the cover of the report — for ensuring that the scheme is financially viable. That is the important matter the house should be addressing.

**Motion agreed to.**

## MAGISTRATES' COURT (INFRINGEMENTS) BILL

### *Second reading*

**Debate resumed from 21 November; motion of Hon. M. R. THOMSON (Minister for Small Business).**

**Hon. C. A. FURLETTI (Templestowe)** — I am pleased to answer the call on this last day of the spring sessional period and contribute to the debate on the Magistrates' Court (Infringements) Bill, which the opposition supports. It commends the government on the numerous aspects of the bill that implement recommendations of the Public Accounts and Estimates Committee set out in the report tabled in Parliament in September 1997.

Before addressing the bill I congratulate the Public Accounts and Estimates Committee under the then chairmanship of the Honourable Bill Forwood. I also

pay tribute to the efforts of the Honourables Theo Theophanous, from the government, and Ron Best, from the National Party. Particular commendation goes to the Honourables Bill Forwood and Neil Lucas, who were members of the subcommittee that undertook the inquiry that has led to the legislation being debated today.

An analysis of the report shows that under the previous government the Department of Justice had initiated legislative steps to deal with many of the problems the bill addresses. If honourable members want to seek out the background for the purposes of the bill, I can give them no better advice than to recommend that they read the excellent report to which I have referred. Its conclusions include 14 proposals, and it makes 44 recommendations based on those proposals.

The main thrust of the bill relates to persons who for any reason risk imprisonment for failing to pay fines under the PERIN — penalty enforcement by registration of infringement notices — system. To explain the way the bill will work it will be of assistance for me to take the house through some of the history of the PERIN system. The system was first proposed in 1959 under the Road Traffic (Infringements) Act, which relates to parking offences. The bill was introduced by the then Victorian Attorney-General, the Honourable Arthur Rylah.

The 1997 committee report states:

The current situation is that there are some 26 acts authorising the issue of infringement notices for over 850 offences, with penalty levels ranging from \$15 for certain offences by pedestrians and bicyclists and for minor littering to \$2000 for offences involving tow trucks.

These levels are ordinarily lower than the maximum statutory penalty for the offence in question, but are fixed.

That highlights the purpose of the PERIN system, which is to issue infringement notices allowing offenders to pay less than maximum fines for the purposes of expiating liability. The alternative procedure, the one that was operating when I began my experience in the law, was: the commission of an offence; the apprehension of the offender; the issue of a summons, which involved the offender's attendance at court; the hearing, if that was to happen, of the evidence; and, if the person was convicted, the imposition of the penalty. For minor offences the penalty was generally a fine, and it was found that with minor offences in particular that system clogged up the courts. The penalty infringement notice system was therefore introduced.



An effective and descriptive flow chart that appears at page 19 of the committee's report shows the system that gives rise to the matters the bill addresses. The enforcement path under the PERIN system begins with an infringement notice being issued and involves some 20 steps. It involves the issuing of an infringement notice, and if the penalty is not paid a courtesy letter is issued; if the fine is still not paid, the infringement notice is registered with the PERIN court; administratively an enforcement order is issued, although it comes under the authority of the PERIN court; and if the amount is still not paid the penalty enforcement warrant is issued. At that point the Sheriff's Office becomes involved and the Sheriff attends the address of the defendant shown on the warrant and seeks to collect the fine. A final notice is issued. If the fine is still not paid, a warrant is printed and demand is made by the Sheriff or the bailiff. If it is still not paid, the defendant is put on seven days notice that failure to pay will result in the execution options, which include, most significantly, jail.

A person can be arrested and jailed under the PERIN system of enforcement, whereas under the normal summons process, where a fine is imposed by a court, the defendant must be brought back to the court and the court must determine whether and what enforcement procedure should be imposed. There is an anomaly between the two systems. The main purpose of the bill is to correct that anomaly and to ensure that all persons who run the risk of being jailed for non-payment of fines have the opportunity to present themselves before a magistrate so that their particular circumstances can be considered and analysed.

The difficulties in the system were addressed in the recommendations of the Public Accounts and Estimates Committee. At present if the Sheriff arrests the defaulter, the defaulter is taken to jail, but a provision in the Corrections Act enables the Secretary of the Department of Justice, although the secretary has delegated authority to the governor of a prison or a police jail, to grant a custodial community permit.

Those permits are regularly used in lieu of physical detention for fine defaulters. They permit defaulters to conduct community work credited at \$20 an hour to exiate their liability. Conditions are often imposed on the permits, but they are a more effective way of allowing fine defaulters to pay their debt to society.

It is worth putting on the record a comparison of the costs of imprisonment and community-based orders, given that a custodial community permit is a type of community-based order. In 1996–97 the annual cost per prisoner was just over \$39 000, whereas the annual cost

per offender with a community-based order was just under \$1800. The difference is clear.

The number of custodial community permits is not as dramatic as one might think, and I am grateful for the advice the department's advisers provided to the opposition's Attorney-General's policy committee. Some 2.3 million infringement notices are issued annually and 400 000 enforcement orders are made each year. Some 700 people are arrested on infringement warrants, and of those about 120 do not qualify for custodial community permits (CCPs). The bill is directed towards that small number who do not qualify either because they have previously breached the conditions of a CCP or because they simply do not want to participate. Although 120 is a small number, the number of outstanding warrants is quite large. I will refer to those figures when I turn to the writing off of fines, which is referred to in the bill.

The main provision in the bill is contained in clause 13, which inserts in the Magistrates Court Act a new part 4 relating to the imprisonment of infringement notice defaulters. The main purpose of the bill is to ensure that people who can pay, do pay, and do not sit on their hands waiting for the inevitable to occur. The bill implements recommendations that there be warnings on all notices and warrants advising defaulters that imprisonment is an enforcement option if they continue to refuse to pay through the various steps I referred to earlier.

The bill provides that in the event of the jail option becoming a reality, the court will be obliged to analyse a defaulter's personal, mental and financial situation before that person is deprived of his or her freedom. Magistrates will be obliged to satisfy themselves of two things. The first is that the reason defaulters find themselves in front of the court does not relate to a mental disorder or an intellectual incapacity such as illiteracy or incompetence to understand. It is regrettable that individuals can still find themselves before courts through no fault of their own, simply because they do not understand what the matter is about or what the ramifications will be. The bill provides that magistrates must take into account and be satisfied that defaulters are appropriate persons to appear before the court and that they do so through their own fault.

Nevertheless, the court must be satisfied that circumstances exist which warrant the use of its discretion to set aside, dismiss or adjourn for up to six months a PERIN warrant. Persons must present themselves before the court and satisfy the magistrate that circumstances exist which should not lead to their being incarcerated.

One of the opposition's concerns relates to the fact that although the term 'mental disorder' is referred to in the bill, no definition of the term is given. An oblique reference was made by the Parliamentary Secretary for Justice in the other place to definitions being included in other legislation. With respect, I suggest to the government that that in itself may need some further examination, and I refer that failing to the government for further comment.

The second thing about which magistrates must be satisfied is whether any financial hardship or other exceptional circumstance exists in cases before them. Those matters can be taken into account by magistrates in determining whether imprisonment is an appropriate outcome. In fairness, all that provision is doing is giving to those who have fallen foul of the PERIN system the same opportunity that applies to people who have been fined by a court order under the summons procedure — that is, the opportunity to present themselves before a magistrate, to plead why they should not be sent to jail and to convince the court that other avenues — for example, formal community-based orders which courts are entitled to provide — would be more appropriate.

If under the system persons appear before the court and are unable to satisfy the magistrate that their personal conditions are such that they should not go to jail, there is no other avenue available but for them to go to jail. It should be noted that notwithstanding the relative inflexibility that exists under the PERIN system, one of the options available to magistrates if the circumstances warrant it is to reduce the jail term a defaulter would normally be obliged to serve by up to two-thirds. Another option is, as I said, to impose a community-based order.

The main thrust of the bill is to put into effect recommendation 41 of the report presented by the Public Accounts and Estimates Committee. I am pleased that the government has taken up that sensible recommendation and implemented it in that way.

I do not intend to go through all the clauses of the bill. However, clauses 3 to 7 relate to the Sheriff's powers in the execution of the enforcement warrants to which I referred.

A number of areas are somewhat clouded and require clarification, and the bill goes a long way towards that end — for example, currently it is not clear whether the Sheriff and his or her officers have power to break into and enter premises they believe are occupied by defaulters. Clause 3 makes it clear that, while the Sheriff is empowered to break and enter, he or she is

not obliged to do so. Clause 3(4) provides that, despite the Sheriff not being required to break into a place, the Sheriff:

must not arrest the person named in the warrant unless the person executing the warrant reasonably believes that there is not sufficient personal property of the person named in the warrant on which to levy the sums named in the warrant ...

That means that if the Sheriff is refused entry but believes assets are there which would satisfy a warrant, he or she should not arrest the defaulter, but rather, seek assistance from the police — for example, by their paying another visit to seek to satisfy the warrant by seizure and sale of property rather than through arrest. That clarifies an existing anomaly.

Clause 4 provides to the Sheriff's officers the power to require a person to give his or her name or address. I must admit that I was surprised when I saw that provision, because I had understood that to have always existed. However, it does not, and this provision clarifies the situation. Clause 4(2) requires the Sheriff to have reasonable grounds for the belief that a person may be the defendant named in a warrant. That will have the effect of disallowing the Sheriff to stop people willy-nilly to ask names and addresses and allays fear in that regard.

Clause 4 also gives to the Sheriff a power of restraint — namely, to restrain anybody who is hindering the Sheriff or a person assisting the Sheriff in the exercise of that officer's duty. It also clarifies an existing anomaly in joint initiatives between the Sheriff and police officers — for example, at roadblocks or breathalyser stops. It clarifies the position by enabling the Sheriff or responsible officers, once the vehicle has stopped, to keep the vehicle stationary and do certain things in the exercise of the Sheriff's powers.

Clause 5 allows for the provision of information by specified agencies to the Sheriff, the registrar of the PERIN court, and contractors or subcontractors supporting the functions of those authorities. It is interesting that those authorities may request information from the specified agencies but it is not mandatory for the information to be provided. During the briefing I expressed to the advisers some concerns I had about invasions of privacy, but I have been assured that privacy issues have been taken into account and are not affected.

Clauses 6 deals with how unsold seized property by the Sheriff is to be treated and clause 7 provides for PERIN procedures to be applied to certain commonwealth offences.

The next significant provision is clause 8, which again resolves and rectifies an anomaly. As the law currently exists it contains no provision for the PERIN court to register anything other than the full amount of the infringement notice. Consequently the situation exists where, if somebody partly pays a fine, the PERIN system does not permit registration of the balance, and it is therefore difficult to recover the balance of the fine. The clause introduces a sensible amendment which allows for the registration of not only the whole but of any part of a fine, which will allow the system to pursue a defaulter for non-payment of part of an instalment. That will be done through the issuing agency being able to accept instalments and the PERIN registrar being able to accept parts of the fines on infringement notices.

Clause 10 gives the registrar of the PERIN court substantial discretion. I applaud the introduction of the provision, because it allows the registrar to refer matters that he or she considers appropriate to open court. It is a fact that registrars are probably the first point of contact. The current system takes a defaulter from the registrar to the next step — that is, imprisonment. Through contact, through experience, and perhaps through knowledge of the individual, if any of the special circumstances which have been referred to are found to exist the registrar, on seeing a warrant or enforcement order cross his desk, may consider it appropriate to on his own initiative withdraw the warrant or revoke the enforcement order and refer the matter to open court for further consideration. Given the registrar's role and contacts, I would expect that the registrar could engage a duty lawyer to guide the defaulter — the defendant — through the necessary process. The opposition supports the provision and commends the government for introducing that discretion.

Currently enforcement orders do not expire, although warrants expire after five years. In its *Report on Outstanding Fines and Unexecuted Warrants* the Public Accounts and Estimates Committee made a special point at paragraph 5.27 about writing off fines. Clause 11 would have both warrants and enforcement orders expiring after five years. Enforcement orders outstanding since 1986 are still current and form part of the PERIN court debt core, notwithstanding that the likelihood of their collection is probably negligible.

Honourable members are advised that the clause is introduced for accounting purposes to clear what would commercially be deemed bad debts from the accounts of the PERIN court's books. The government says that is good business and the opposition supports the logic of the proposal, but is concerned to ensure that the government is not just attempting to write off its bad

debts without diligently pursuing those who owe fines. I suggest it would send the wrong message if it became known that if people could evade collection for five years they would get off scot-free. It is also punitive for those who are honest and law-abiding and accept responsibility for their actions and pay their fines.

I accept the comments of the Public Accounts and Estimates Committee (PAEC) in paragraph 5.27 of its *Report on Outstanding Fines and Unexecuted Warrants*:

It is a waste of public resources to pursue defaulters in cases where there is no serious prospect of obtaining the money.

The opposition acknowledges the government's intention but I seek comments from the minister, perhaps in her response, on the opposition's concerns because we are not dealing with small amounts of money.

I refer again to the PAEC report, which is a great source of information. It states that in 1994–95 — which is already more than five years ago — outstanding fines and costs had blown out to \$366.6 million from \$41.3 million in 1986–87. That included fines due to local government, but of the \$366.6 million, \$289.1 million was payable to the state and of that amount \$85.1 million had been written off as bad debts and \$166.9 million was regarded as doubtful. Therefore only \$114.6 million was regarded as collectable, and of that amount, \$87.1 million was payable to the state.

I am advised that the \$366.6 million of outstanding costs and fines in 1994–95 has now reached some \$500 million — with the state having an interest in about half that amount — and that approximately \$175 million of that amount is regarded as non-recoverable and that the recovery of some \$49 million is classified as 'doubtful'. As I said, we are not dealing with small amounts of money and that is why the opposition is concerned that the government ensures that the expiration of warrants and enforcement orders is well documented and scrutinised. The opposition would prefer that it is scrutinised by the Auditor-General.

Clause 4 is a retrospective transitional provision, to which in this instance the opposition does not object. It provides that the operation of the bill will affect infringement notices, enforcement orders and warrants issued — and without saying it, obviously not executed — prior to the commencement of the bill. It also applies to warrants issued earlier than five years prior to the commencement of clause 11, which provides that enforcement orders will be deemed to have expired on the commencement of that clause, so

the statute of limitations effect is immediate on the commencement of the bill.

As the retrospectivity is beneficial for those who are affected — that is, defaulters — and on that basis it creates rather than removes rights, the opposition does not oppose it.

The opposition supports the bill and wishes it a swift passage.

**Hon. D. G. HADDEN** (Ballarat) — I support the Magistrates' Court (Infringements) Bill which amends the Magistrates' Court Act, the Sentencing Act and the Chattel Securities Act 1987.

The purpose of the bill is to give infringement notice defaulters a chance to have a court hearing before being imprisoned. It facilitates the use of instalment arrangements for the payment of infringement penalties and expands the powers of Sheriff's officers in the enforcement of infringement penalties. It also makes minor amendments to the Sentencing Act and the Chattel Securities Act.

As I said, a main purpose of the bill is to ensure that infringement notice defaulters are not imprisoned without a hearing before a court. At the end of the enforcement process under the current system infringement notice defaulters are arrested and imprisoned without a judicial hearing. They can be imprisoned for one day per \$100 or part thereof owing under the infringement notice and costs; no opportunity is available for defaulters to state their case before the court so that it can determine whether imprisonment is an appropriate penalty.

Most infringement notice defaulters who are imprisoned under the current system are granted what is known as a custodial community permit (CCP) under the Corrections Act. It allows infringement notice defaulters to be released from prison to perform community work instead of serving prison terms.

Each year approximately 2.3 million infringement notices are issued in Victoria; 700 people are arrested for payment default; and about 120 of them do not receive custodial community permits but are imprisoned.

Clause 13, which deals with procedures for imprisonment, inserts part 4 into schedule 7 of the Magistrates' Court Act. Proposed clause 21 of schedule 7 will apply where a person who is arrested and lodged at a police jail appointed as a prison under a penalty enforcement warrant is either assessed as being unsuitable for or is not issued with a CCP within

48 hours of being lodged at the jail. The person must be brought before a court as soon as practicable. If it is not practicable to bring the person before a court within 48 hours of his or her being lodged at the police cells, the person must be released and given notice as to his or her future appearance before the court. If that person does not further appear there is provision later in clause 13 for a warrant to be issued for his or her arrest and for the Sheriff to execute that warrant.

Under the new system proposed in this bill, infringement notice defaulters who do not receive a community custodial permit will go to court for a hearing. Where a defaulter has a mental disorder or intellectual impairment the court will have an important discretion to discharge the fines against that person or the matter may be adjourned for a time subject to conditions. Where an infringement notice defaulter is experiencing exceptional circumstances the court may grant that person a community-based order, which as we know involves performing work for the benefit of the community.

The new system proposed in the bill will ensure that a judicial hearing takes place to determine whether imprisonment is the most appropriate sanction in the circumstances. Clause 13 inserts proposed part 4 into schedule 7 of the Magistrates' Court Act. Proposed clause 23(1) of schedule 7 covers the adjournment of a hearing where a person is given an opportunity to be heard before a court so that the court can determine the ultimate sanction, whether it be the discharge of the fine or the adjournment of the matter for up to six months.

Proposed clause 23(2) provides that the court may act only if it is satisfied that the main reason that the offence has been committed by the person not paying the fine or defaulting on an instalment arrangement is that the person has one or more of the following: a mental disorder, an intellectual impairment, a brain injury or dementia. The court must be satisfied on those grounds. No doubt the court will not be satisfied merely on the word of someone who says he or she has a mental disorder. The satisfying of such criteria will be based on medical evidence by way of either a report from a doctor, psychiatrist or psychologist or a certificate stating the person's mental or intellectual disorder or impairment as described in the proposed clause.

Mr Furletti discussed concerns raised in the other place by Dr Dean, the honourable member for Berwick and the shadow Attorney-General, about the definition of mental disorder in the bill. Mr Furletti also referred to the response by the parliamentary secretary to the Attorney-General. The government's response was that



extensive consultation had occurred with the departments of Justice and Human Services and that the definitions of mental disorder and intellectual impairment as they appear in the bill accord with the relevant acts under the responsibility of the relevant ministers.

I will take a moment to refer to the Crimes Act. The definition of mental impairment in that act includes:

... impairment because of mental illness, intellectual disability, dementia or brain injury;

Butterworths *Australian Criminal Law Dictionary* states:

There is no single legal definition of mental disorder in the Australian jurisdictions. In Western Australia, 'mental disorder' is any illness or intellectual defect that substantially impairs mental health but generally not including a handicap by which a person is an intellectually handicapped person. ... In other jurisdictions, 'mental disorder' is significantly different to 'mental illness': For example (NSW) Mental Health Act 1990 ss 9, 10. In criminal law the mental disorder of an accused person will only provide a defence if it constitutes a disease of the mind or mental illness. For example, a mental disorder arising from unintentional intoxication does not amount to a state of disease of the mind for the purposes of an insanity defence ... In New South Wales and for federal offences, the charge may be dismissed —

that is, the charge of unintentional intoxication —

where the defendant is suffering some form of mental disorder ... The fact that the offender is suffering from some form of mental disorder at the time of the commission of the offence is relevant to sentencing.

The said dictionary further defines a mentally ill person as:

A person suffering from mental illness where there are reasonable grounds for believing that care, treatment or control of the person is necessary for the protection of that person or others from serious physical harm or for the protection of that person from serious financial harm or serious damage to that person's reputation.

The Mental Health Research Institute of Victoria has produced information on what is a mental illness. It says that mental illness:

... interferes with emotion, thought processes, behaviour and perception.

The Mental Health Council of Australia describes mental illnesses, which may also be called mental disorders, as:

... medically identified conditions that have certain features that include the kind of symptoms experienced and their duration.

The council further states that:

Mental illness is common.

About 20 per cent of adult Australians, or one in five people, will experience a mental illness at some stage of their lives. Each year a further 20 000 Australians are found to have a mental illness. Mental illness is more common than many physical illnesses, including asthma and diabetes.

The council explains that mental illnesses can be separated into two main categories, psychotic and non-psychotic. Psychotic illnesses include schizophrenia and bipolar disorder, which is manic depression. Non-psychotic illnesses include phobias, anxiety, some forms of depression, eating disorders and obsessive compulsive disorder. While the symptoms of those illnesses are often not evident to others they cause considerable personal distress and can usually be relieved by appropriate treatment.

The definitions section of the Victorian Mental Health Act states:

'mental disorder' includes mental illness ...

The definition of 'mental illness' refers to the meaning given in section 8 of the act. Section 8 is in division 2 of the act and is headed 'Criteria for admission and detention as an involuntary patient'. Section 8(1A) states:

... a person is mentally ill if he or she has a mental illness, being a medical condition that is characterised by a significant disturbance of thought, mood, perception or memory.

Under subsection (2) a person is not to be considered to be mentally ill by reason only of any one or more of 13 criteria, 12 of which are: a particular political opinion, a particular religious opinion, a particular philosophy, a particular sexual preference or orientation, a particular political activity, a particular religious activity, sexual promiscuity, immoral conduct, illegal conduct, being intellectually disabled, antisocial personality, or being of a particular economic or social status or a member of a particular cultural or racial group.

Paragraph (k) provides that a person is not to be considered to be mentally ill by reason of his or her taking of drugs or alcohol. Subsection (3) states that a person having taken drugs or alcohol does not:

prevent the serious temporary or permanent physiological, biochemical or psychological effects of drug or alcohol taking from being regarded as an indication that a person is mentally ill.

Clause 11 provides for the writing-off of enforcement orders that are more than five years old. During

Mr Furletti's valuable contribution the house heard about the figures provided by the Public Accounts and Estimates Committee on the enormous number of outstanding fines. The bill will go a long way towards addressing that problem.

Clause 11 inserts proposed clause 14A(5) in schedule 7 of the act. It states:

An enforcement order that has expired may be reinstated by the registrar on the application of the enforcement agency.

All is not lost. If circumstances change beyond the five-year period, that provision would be activated. Proposed subclause (8) states:

A reinstated enforcement order expires 5 years after it was reinstated.

The bill also provides for the part payment of fines or their payment by instalment. That is an important provision given that there is no room to move under the penalty enforcement by registration of infringement notice (PERIN) court system as it stands. An offender either pays all or nothing; if nothing is paid, the offender suffers the dire consequences.

The bill provides that the infringement notices issued by Victoria Police or local government officers can be paid by instalment. The notices will be able to be registered and will become subject to the enforcement provisions in the bill. That will encourage the issuing agencies not only to accept but also to offer instalment arrangements.

In my time as a practising solicitor before entering Parliament there were — no doubt there still are — many genuine fine defaulters who were eager to pay their fines but needed time to do so; but no provision was made for such arrangements. The bill provides a fair regime not only for the person who is required to pay but also for the authority collecting the money.

Clause 10, which inserts proposed clause 10A in schedule 7 of the act, gives the registrar an important power to revoke an enforcement order and refer a matter to an open court for hearing and determination if he or she is satisfied that that would be the more appropriate way to deal with the matter. That introduces an important and fair discretionary power.

At present the Sheriff lacks a number of the basic powers held by other enforcement officers, such as a power to demand a suspected defendant's name and address. Clauses 3 and 4 contain a number of basic powers to assist the Sheriff in the performance of his or her duties. Clause 3 makes it clear that where peaceful entry to search a property is refused by a person named

in the warrant and that person claims not to have any property that can be seized, the Sheriff's officer is not obliged to break and enter to search the property provided he or she has a reasonable belief that the person does not have sufficient property to satisfy the execution of the warrant.

Other provisions in clause 4 give the Sheriff special powers when executing warrants so that the person named in a warrant may be requested to state not only his or her name and address but also the ordinary place of residence or business. In making that request the Sheriff is required to inform the person of the grounds for his or her belief about the person's identity. If the person refuses or fails to comply with that reasonable request, he or she can be found guilty of an offence, the penalty for which is five penalty units. The Sheriff can temporarily restrain a person who is hindering the execution of a warrant and can also assist the police at roadblocks.

The bill strikes a balance between encouraging infringement defaulters to pay their fines early and allowing them to seek alternative sanctions sooner rather than later. It also gives the courts suitable options for dealing with infringement defaulters. In recent years honourable members would have read media stories about fine defaulters being jailed. It is abhorrent that that should happen — and even worse that fine defaulters have been imprisoned in mainstream prison populations.

Providing access for all to a fair criminal justice system demands that a person is able to appear before a court and be given the opportunity to argue his or her case. The bill will ensure that infringement defaulters will be accorded natural justice. I commend the bill to the house.

**Hon. R. M. HALLAM** (Western) — The Magistrates' Court (Infringements) Bill has four purposes. Firstly, it requires that an infringement notice defaulter must appear before a court before being imprisoned. Secondly, it is designed to facilitate an instalment arrangement for the settlement of infringement notices, and to that degree the bill represents an important administrative initiative. Thirdly, it puts a time limit on unsatisfied enforcement orders — in other words, it allows for the write-off of uncollectable on-the-spot fines. Fourthly, it expands and clarifies the powers of the Sheriff. I will turn to each purpose in that order.

Under the criminal justice system less serious offences result in the issuing of infringement notices — the technical term for on-the-spot fines — most commonly

resulting from parking and traffic infringements. The rationale of the process is to divert such matters from the courts, thereby saving time and resources. Many thousands of infringement notices are issued each year.

The persons to whom the infringement notices are addressed have the choice of either paying the fines and finishing the matters or defending the alleged infringements in court, and the likely costs and time factors are set out on the notices.

If they do nothing they get second notices for the alleged offences. If they still do nothing they get third notices from the penalty enforcement and registration of infringement notices (PERIN) court. If they continue to do nothing warrants are issued and the Sheriff turns up to seize property of the value required to satisfy the warrants, although I note that some property cannot be seized in that context. If there is insufficient property the Sheriff is able to take the bodies — that is, in those circumstances he is able to arrest the defendants.

Under the current system most defendants would be released under custodial community permit notices and thereby do sufficient community work to satisfy the warrants. However, some persons are not qualified to be released on CCPs. In those circumstances, they are automatically imprisoned for terms that equate to a day for each \$100 or part thereof of the warrants.

The second-reading speech draws a relevant comparison by noting that if a person does not pay a fine that has been imposed directly by a court, that person would be brought before the court before a prison sentence was applied.

The second-reading speech makes the valid point, which I am sure is supported by all members of this chamber, that going to jail should only ever be the result of the exercise of judicial power; it should not be the result of an administrative process. That is what the bill is about. The amendments acknowledge that where a warrant is unsatisfied and a defendant would otherwise be held in custody he or she must appear before a magistrate within 48 hours of being released and thereby give the court the opportunity to determine whether it is appropriate to impose a jail sentence.

Where the court is satisfied that the defendant suffers an intellectual impairment, which is sadly quite often the case, the court may dismiss the warrant in whole or in part — it may determine that the warrant be deferred for six months and then be reheard — or may place the defaulter on a community-based order.

Given all the circumstances, if it is held that the defendant should go to jail the court may reduce the

term of the sentence by up to two-thirds. The point is made — well made, in my view — that the magistrate would have less stringent options available to him as a result of the process. That is done deliberately to send a message to all at large that it is better in those circumstances to appear before the courts earlier in the process or at least to demonstrate that a defaulter would lose something by doing nothing. We in the National Party think that is fair enough and are prepared to support the change.

The second change concerns instalment settlements. The law does not currently provide for a partly paid infringement notice to be registered in the PERIN system, with the obvious result that agencies find it much less attractive to accept an offer of settlement by instalments. In many cases that is at the cost not only of the defendant but of the system as well. The situation will be remedied, at least to the extent that the obvious disincentive for settlement by instalments has been removed. That is a good thing because it provides the system with additional flexibility. I am sure there would be many instances where a defendant would offer to pay by instalments and have no intention of meeting any other than the first instalment, thereby attempting to defer the evil day a little longer. Against that, I am sure in many circumstances a defendant is genuine in devising and offering an instalment plan that would see the debt eventually settled in a way that did not unnecessarily extend the harm or, if you like, the penalty.

The third issue I spoke of is the introduction of a time limit on unsatisfied orders. Under the current law a warrant that remains unserved for five years simply lapses, but the enforcement order under which it was made remains in force indefinitely. In the past that has been a feature of public sector accounting because of the substantial value of unsatisfied enforcement orders. The bill specifies that an enforcement order that remains unserved would also lapse after five years. In other words, if the warrant cannot be served in that period, what is the point in pursuing the enforcement order, particularly given that even if allowed to lapse the enforcement order could be resurrected should the particular offender be located at some time in the future?

Members of the National Party do not oppose that principle; they acknowledge that it is consistent with good accounting theory. We also acknowledge that it is consistent with a specific recommendation framed by the Public Accounts and Estimates Committee. We have no argument with the concept of writing off uncollectable debts. Indeed, in the private sector one would be criticised for not writing off all known

uncollectable and doubtful debts. So members of the National Party have no argument with the concept.

However, a couple of questions flow from that, given that in the past members have been inclined to use the extent of uncollected warrants as some sort of criticism or implication of slack administration. We certainly acknowledge that the change is a major shift in government policy. For instance, members of the National Party would be very interested to learn from the government what the expected dimension of the proposed write-off would be, how it would be recorded each year, and how it would be vetted before the write-off was determined. I might also say we are intrigued as to why the fact of that write-off, given its potential dimension at least, did not rate a mention in the second-reading speech. Here is a substantial shift in government policy, a change that will have a dramatic impact on the balance sheet, yet it did not rate a mention at all. Not even the fact of the write-off, much less the amount involved, appeared in the second-reading speech.

I understand the minister is to report to the chamber during the third-reading debate on this precise issue, and we acknowledge in advance of the response that the government intends to give that the minister has been kind enough to show us the terminology she intends to use. I might also say we would be looking for some comment about the size of the write-off in due course.

The fourth issue I mention briefly is the shift in and expansion and clarification of the Sheriff's powers. Currently it appears that an officer of the Sheriff has no power to request the name or address of any person and is apparently unable to require the production of identifying documents. The bill gives power to an officer of the Sheriff in circumstances where a person is suspected of either being or knowing of the defendant. Failure to comply in those circumstances would become an offence if the defendant refused to give a name and address. In those circumstances the bill allows for an officer of the Sheriff to temporarily restrain the person where there is an attempt to hinder the execution of a warrant.

The bill clarifies two other issues. The first is that an officer of the Sheriff can require the production of a driver's licence when he or she is serving on a police roadblock, and that is simply offered by way of clarification of the existing law. I note also that the Sheriff will have authority to dispose of property that has been formally seized and remains unclaimed for any reason. Again I am told that is simply a clarification of existing circumstances.

In conclusion, I report that members of the National Party believe the changes are both practical and reasonable. Our only reservation is the write-off of unsatisfied enforcement orders. Again I make the point that we are not concerned about the principle involved and in fact welcome the fundamental decision. Members of the National Party are more interested in the actual results of that decision and how they will be recorded in the future, given that we are talking about a substantial shift in the state's reported position on the annual balance sheet and particularly given that the government repeatedly claims that it is open and accountable. I am pleased to report that the National Party does not oppose the bill.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Hon. M. R. THOMSON** (Minister for Small Business) — By leave, I move:

That this bill be now read a third time.

I shall refer to a couple of issues that were raised in the debate. I will deal first with an issue raised by the Honourable Roger Hallam about the amount of debt that will be written off. It is roughly of the order of \$50 million in the first year, and in subsequent years it will be considerably less. However, according to the accounts they have already been written off.

I am also advised that, as outlined in its annual report, the Department of Justice accounts note any outstanding debt due to unpaid infringement notices. The accounts also note how much of the debt is considered doubtful and how much is considered recoverable.

Clause 11 provides that enforcement orders for the recovery of infringement penalties will expire five years after they are made. Any different treatment of accounts due to changes in accounting standards or legislation must be noted in the departmental accounts. As a result, any differences in the amounts reported in the accounts in the annual report as a result of clause 11 will be noted in the departmental accounts and will be subject to the scrutiny of the Auditor-General.

I thank the Honourables Carlo Furletti, Dianne Hadden and Roger Hallam for their contributions to the debate.

**Motion agreed to.**

**Read third time.**



*Remaining stages*

Passed remaining stages.

## UNIVERSITY OF MELBOURNE LAND BILL

*Second reading*

Debate resumed from 28 November; motion of  
Hon. C. C. BROAD (Minister for Energy and Resources).

**Hon. BILL FORWOOD** (Templestowe) — I am pleased to contribute to the debate on the University of Melbourne Land Bill. The purpose of the bill is to revoke the existing reservation for the purposes of veterinary school land and to re-reserve the land as a site for science and biotechnology education and research and development, to provide for a new restricted Crown grant in favour of Melbourne University subject to its use in accordance with the reserved purpose — namely, Bio21 — and to empower the university to enter into agreements regarding the use of land for periods up to 25 years.

It is a pleasure to contribute to the debate for two reasons. The first — I guess this is by way of a declaration of interest — is that I have been a member of the council of the University of Melbourne since 1993. I know opposition members will understand my passion for the university, which I believe is an integral part of Melbourne and Victoria, particularly its intellectual and cultural life. It has been a privilege for me to serve on the council, and today I speak as both an opposition member and a councillor.

The second reason why it is a pleasure to support the legislation is that it is before the house as a result of the role played by the previous government. I will not labour the point now, but later I will point out some of the actions of the previous government that have led to the situation where today Victoria can look forward with pride to a \$400 million development in biotechnology research and commercialisation on the western precinct of the University of Melbourne.

It is a credit to the government, because it has contributed substantial funds, and it is a credit to the university, the Walter and Eliza Hall Institute and the others involved in putting the project together. It is also a credit to the Honourable Mark Birrell, the former Minister for Industry, Science and Technology, and his then department for the work they did in the early days of the development.

Under point 7.7, 'Bio21' the university council minutes of 3 July record:

The vice-chancellor reported on the recent announcement by the Victorian Premier of the \$400 million Bio21 project. He advised that, in support of the project, the state government would be allocating \$30 million to the University of Melbourne Institute of Molecular Science and Biotechnology, \$4 million to Walter and Eliza Hall Institute and \$16 million to Bio21. The federal government has announced an allocation of \$9.5 million to the Institute of Molecular Science and Biotechnology and a private donor has also confirmed a gift of \$30 million to the institute. He reminded members that the university has already pledged \$50 million for the institute, and advised that a number of major commercial interests had expressed their intention to announce co-location strategies in the coming months.

He stressed that Bio21 would be dealing with much more than basic science, that the emphasis would be upon taking research outcomes to the proof of concept stage.

The vice-chancellor then announced the members of the interim steering committee for Bio21. He mentioned in particular Professor Dick Wettenhall, who will be the interim director of the university institute, and Dr Daines, who will be the capital projects manager for the project.

At the outset I thank Dr Daines, the deputy principal of property and buildings at the university, for his assistance with my brief contribution today. Among the responsibilities I have at the university is my membership of the building and estates committee. I therefore — —

**Hon. M. R. Thomson** interjected.

**Hon. BILL FORWOOD** — Minister, it is not a pecuniary interest; I do not have a financial interest in the University of Melbourne. I have a passion for the institution, but no pecuniary interest in it.

As I said, I serve on the building and estates committee with a number of people, including the deputy chancellor, Dr Norman Curry, who would be well known to many honourable members, and also Dr Daines. Dr Daines has an integral role to play, given the significant building developments that are taking place at the university. There has been recent activity on the eastern precinct; there is the development of Melbourne University Private on the other side of Grattan Street; and as honourable members know, the Sidney Myer Asia Centre is being built down the road from the new Potter Museum. We call that Katsalidis Way, because both buildings have been designed by Nonda Katsalidis. As I said, Dr Daines plays an important role at the university, and I thank him for his assistance in providing me with information that I can use in my contribution today.

I will put the project in context from both the university's and the government's point of view. Professor Alan Gilbert's term as vice-chancellor of the university started on 1 January 1996. On 2 August last year he presented a report that took stock of the university. Honourable members who are interested in how Melbourne University is positioning itself would do well to download the report from the university's web site and read it.

Professor Gilbert started with a brief recitation of some words of the former president of Harvard, Derek Bok, who observed:

All advanced nations depend increasingly on three critical elements: new discoveries, highly trained personnel, and expert knowledge.

The quotation goes on:

In America, universities are primarily responsible for supplying two of these ingredients and are a major source for the third.

When considering the bill, which will enable the establishment of the western precinct of Melbourne University's \$400 million Bio21 project, honourable members could do worse than consider those three elements — new discoveries, highly trained personnel and expert knowledge.

The university has a structured program of organising its affairs. I have with me the operational plan of the university for 2000 and the draft operational plan for 2001. The operational plan states:

The 'Melbourne Agenda' is a 15–20 year strategy for transforming Melbourne into one of the finest universities in the world. Such a university will be dedicated to the very highest levels of research, scholarship and higher learning. It will have greatly expanded and diversified its resource base, securing the confidence and independence to transcend national funding and regulatory constraints, and to be genuinely competitive among the great universities of the world.

The plan outlines six key components: internationalisation and international networking, enhancing research performance, transforming teaching and learning, strengthening the funding base, maintaining the university, and positioning the university in the community. The draft operational plan for 2001 expands the six major components of the previous plan and has eight key components. They are quality people, quality research, a quality learning environment, internationalisation, community development, quality management, quality infrastructure, and resourcing quality. Honourable members can see from that snapshot of the university structure that it is looking forward to the future.

I want to put briefly into context where Bio21 fits into the program and the plan of the university. The university is well served by its governance body. I take this opportunity to pay tribute to Sir Edward Woodward, who retires on 3 February next year as the Chancellor of the University of Melbourne. Sir Edward has been chancellor since 1990 and has been on the council of the university since the middle 1980s, following an earlier session on the council in the 1970s. He is a distinguished Australian who has contributed to the life of the nation in many ways, not the least of which were as a judge of both the Supreme Court of Victoria and the Federal Court and as the head of the Australian Security Intelligence Organisation. He told me recently that he was once also the head of the Dried Fruits Board. He has also chaired a number of royal commissions into various issues, including Aboriginal affairs, the meat industry and Tricontinental.

Over the few years I have been a member of the council I have got to know Sir Edward well, and his contributions to Victoria, Australia and the university have been exemplary. I take this opportunity to pay tribute to him for his contribution to Australian life, but particularly for his contribution to the university. He will be succeeded by Fay Marles, who is currently the deputy chancellor. It is a fantastic appointment. Ms Marles will be the university's first female chancellor and the appointment is a great tribute to her contribution. In 1996 under Sir Edward's leadership, the university selected Professor Alan Gilbert to replace Professor David Penington as vice-chancellor. I was on the standing committee involved in that selection and I well remember Alan Gilbert's presentation that day. He sketched the challenges and opportunities the university had before it, and it was out of those early remarks of his that the program the university now follows flowed.

It is interesting to consider some of the university's undertakings. Professor Gilbert has introduced Universitas 21, a conglomerate of 18 universities from around the world. They are McGill University, the University of British Columbia, the University of Toronto, the University of Michigan, the University of Birmingham, the University of Edinburgh, the University of Glasgow, the University of Nottingham, London University, Albert-Ludwigs University Freiburg, the National University of Singapore, the University of Hong Kong, the University of Peking, Fudan University, the University of New South Wales, the University of Queensland, the University of Auckland and the University of Melbourne. That is a significant program the university has undertaken and its work is ongoing.

Another issue that is high on the program list is Melbourne University Private, which is part of the program I mentioned earlier for diversifying the resource base of the university. Of course that undertaking has a different component to it because its establishment on the University Square site on the opposite side of Grattan Street to the traditional campus is a major break-out from the old University of Melbourne precinct. The legislation will enable Bio21 to be established on the veterinary precinct site, another expansion from the old site.

As an aside, I recommend that honourable members visit the site. It has a fantastic heritage-listed wall around it, which will be preserved and protected during the course of construction of buildings A and B. Construction of the first building is due to commence about mid-2001. The university has a lot on its plate. It has been grappling with the funding issues that all Australian universities have been grappling with. As honourable members have heard me say in this place before, when it was faced with federal government funding cuts the University of Melbourne took the option of increasing its revenue rather than downsizing, and has been successful in that approach. There are now more members of the academic and general staff at the university than in August 1998. It was a challenging and difficult time and many issues had to be dealt with.

The university was grappling with those issues when the Victorian government of the day introduced its science, engineering and technology policy under the leadership of then Minister Birrell. Considerable work was done and honourable members will remember the 1997 science, engineering and technology document entitled 'Creating our future'.

That document led to the establishment of a task force. Two of the people the Honourable Mark Birrell appointed to the task force were Professor Frank Larkins, the deputy vice-chancellor in charge of research at the University of Melbourne, and Professor Suzanne Corey, the head of the Walter and Eliza Hall Institute. They brought to the task force a passion for establishing a biotechnology research precinct which encapsulated the best of what was going on in Parkville and other precincts in Victoria and which would lead to the next step in commercialisation.

At that point the government expressed its willingness to support that development, and there was some impetus from the University of Melbourne and the Walter and Eliza Hall Institute. That happy coincidence led to the development of the project. At that time the University of Melbourne was committed to Universitas 21 and Melbourne University Private, but another part

of the university had its own plans, and I refer to Melbourne Enterprises International (MEI), which had as a subsidiary Melbourne IT.

Melbourne IT has been the subject of discussion in this place as well as an Auditor-General's report. One suspects it would be wise for the Auditor-General to reconsider the Melbourne IT float, because at the time there was some criticism of the university's approach. I was on the council at the time, and I believe the university acted with integrity and propriety at all times with regard to the float, which was successful — there is no doubt about that — and provided the university with significant funds.

At the time of the hoo-ha about the Melbourne IT float there was considerable doubt about whether the university had maximised the value of its asset. The shares were floated at \$2.20, and at the height of the technology boom it opened at a price higher than that. However, my understanding is that the price of Melbourne IT shares is now approximately 60 cents below the float price. So instead of criticising the university for undervaluing the asset, we should commend it for ensuring that it was floated at an appropriate time. The funds that were freed up were put to other uses.

A hate sheet put out by the National Tertiary Education Union states that the university received \$78.4 million for selling 85 per cent of an asset now valued at approximately \$400 million. The union should do a revaluation now that the price is \$1.60 as opposed to \$8.00 to see what the sums look like now.

The union asks how the university has spent the proceeds from the Melbourne IT sale. Some \$29 million of the funds were retained by MEI and invested to generate a required annual return of 6 to 8 per cent, to be returned in university salary increases. That has happened, and that is what will happen.

At the time it was announced that \$45 million of the receipts from the float of Melbourne IT would go to the Bio21 project. So while the university had a full plate with Universitas 21, Melbourne University Private and other projects, it found itself in the position, through sound financial management, of having a windfall gain of \$78 million. Bio21 took \$45 million of that, to which some more was added, because the university's contribution is \$50 million. That contribution has been the catalyst for the project. It has enabled Bio21 to get the flying start that is needed if it is to maintain its position at the heart of biotechnology research in Victoria and if Australia is to be a smart nation and take its part in the new world economy.

One of the criticisms that has been made as a result of the slump in the dollar is that Australia is perceived by overseas funds traders as an old economy, not a new economy. Australia is seen as a country that digs it up and sells it overseas. We need to diversify our expertise, research base and commercialisation prospects into new areas such as this. That is why it is extraordinarily important that we take this opportunity to build Bio21.

At the same time the university put \$5 million of the funds from the Melbourne IT float into the establishment of the Goulburn Valley university centre in Shepparton, which has a number of components. The professor of rural health, David Simmonds is there, as is the new head of the Institute of Land and Food Resources (ILFR), which is a significant component of the centre. That is vitally important to the university given the importance of ILFR to rural and regional Victoria.

The former government found itself in the position of being able to fund a contribution to Bio21. It is a credit to the Labor government that it has picked up and run with the idea formulated by Mr Birrell, assisted by the efforts of Suzanne Corey and Frank Larkins from the university, and continued to fund it.

Without the government's contribution there was a real danger that the private donor would not have put in the \$30 million that was made available. The private donor rightly said, 'It's all very well for the university to be committed, but if I put my funds in, I would like the government to be committed as well'. It is appropriate that that has happened.

I turn to what will happen to the Bio21 precinct. I have been provided with notes containing a diagram that come from Professor Wettenhall's report to the university of May 2000 entitled 'University of Melbourne: strategic and operational priorities for health-related biotechnology'. I have arranged with Hansard and with the Leader of the Opposition for the diagram of Bio21, which is complex, to be incorporated in *Hansard*. I ask for copies to be distributed.

*Leave granted; diagram on facing page.*

**Hon. BILL FORWOOD** — It is an extraordinary project about which everybody in this chamber and in Victoria has a right to be proud. In the executive summary Professor Wettenhall states:

The main finding is that the university's recent initiative to lead the creation of a world-class biotechnology precinct specialising in health-related biotechnology ... based in the western precinct, creates opportunities in contemporary biotechnology research for a wide cross-section of the university community.

If one looks at the diagram of the precinct interactions, one sees in the top left-hand corner the significant number of university disciplines that will benefit from the establishment of the precinct.

In his report Professor Wettenhall also touches on the three major clusters that are part of Bio21 at this stage — the Molecular Science and Biotechnology Institute cluster, the medical research institution cluster, and the clinical informatics institution cluster — all of which are integral to the way that Bio21 will operate. Honourable members can see from the diagram that there is an arrow from the Bio21 Molecular Science and Biotechnology Institute, which will focus on chemistry, biochemistry, molecular biology and core technologies, leading to the commercial R & D centre, with incubator facilities, start-up and spin-off companies, biopartners, commercial tenants, professional services and investors. This is an extraordinarily exciting project for both Victoria and Australia. It is an opportunity for us to grasp the nettle and build on the growth that has already been achieved in Victoria in a way that will provide a quantum leap.

The house is considering a simple piece of legislation today. All it does is enable the project to be built on a piece of land. However, the action the house will take today will create in Victoria an extraordinary hub for the future development of biotechnology. I commend the bill to the house.

**Hon. G. D. ROMANES** (Melbourne) — I am pleased to contribute to the debate on the University of Melbourne Land Bill which, as the Deputy Leader of the Opposition has said, is an important bill that relates to a very exciting project, Bio21. It is refreshing that the opposition will support the bill.

**Hon. Bill Forwood** — It's our idea!

**Hon. G. D. ROMANES** — I understand why the opposition, instead of begrudgingly saying, 'We will not oppose a bill', as we mostly hear, is supporting the bill. The Bio21 project which has prompted the bill had its genesis in the approach by the heads of the Walter and Eliza Hall Institute of Medical Research and the University of Melbourne to the former government. As Mr Forwood said, the Bracks Labor government has built on and continued the work started by the former government.

I congratulate the Minister for State and Regional Development who has facilitated the project and brought to fruition the ideas that were begun by the former government. Minister Brumby has overseen the negotiations, which have determined the structure of

# BIO21 PRECINCT INTERACTIONS (WESTERN SIDE OF ROYAL MELBOURNE HOSPITAL)

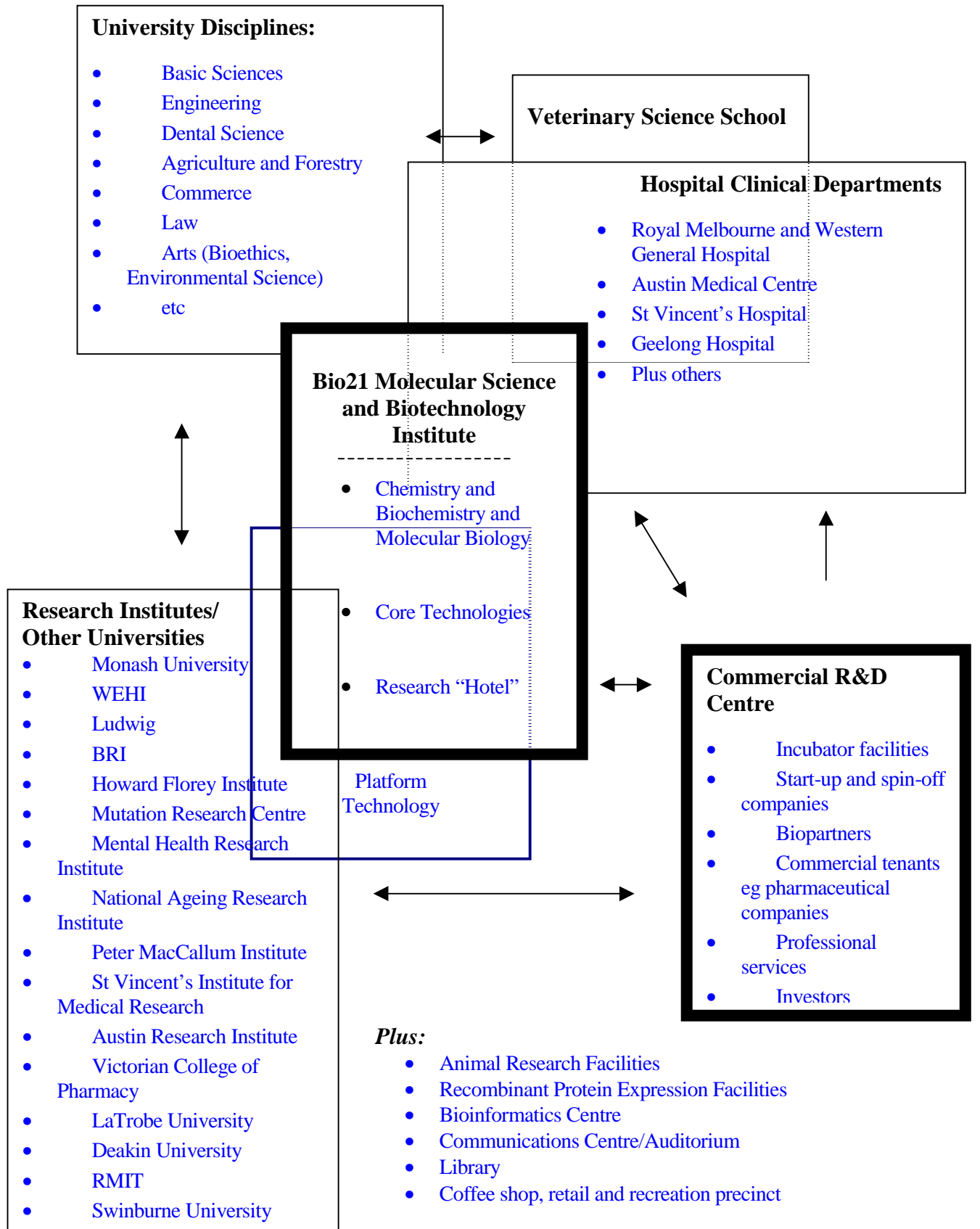


Figure 1



the project, and the heads of agreement which was reached six months ago and which foreshadow the conditions under which the project will go ahead and the key performance indicators that will be incorporated into it. The Bracks Labor government signed the contract recently allowing this project to move forward. Minister Brumby has played a key role in securing the funding from all parties for the project, including a \$30 million anonymous donation to the University of Melbourne and a \$20 million donation to the Walter and Eliza Hall Institute of Medical Research, which is contingent, as Mr Forwood said, on government support. The Bracks Labor government has made that commitment to this project in financial terms as well as making a broader commitment to the concepts behind it. The government has invested \$50 million in the project, \$15 million of which is in kind in terms of the land that will be used and which is the subject of the bill now before the house. The anonymous donor congratulated the Victorian government on the progress that has been made under this government and its role in facilitating Bio21.

The Bio21 project is a \$400 million project designed to position Victoria as a world leader in biotechnology research. It is designed to rehouse and relocate research infrastructure and to deliver a cluster of medical and scientific research institutes in the biotechnology area. It provides space for growth and expansion of the hub and clusters that are being created. It builds on the reputation and achievements that Victoria has in this field. We all know about key achievements, such as the bionic ear, HIV vaccine work, and Recaldent, which has been mentioned in the newspapers over the past few days. There have been many achievements already. Thirty-nine per cent of the listed dedicated biotechnology companies on the Australian Stock Exchange are in Victoria.

The Bio21 project develops a commercialisation program to address structural deficiencies, preventing the commercialisation of intellectual property in biotechnology. There are many important aspects of the project and, in particular, the commercialisation of the results of the work that will be done on research in this area.

The bill specifically relates to the cornerstone of Bio21 — that is, the Bio21 Parkville development. Clause 5 of the bill revokes the original reservation which is held by the University of Melbourne and the agriculture minister under a conditional Crown grant. That original reservation made back in 1913 was reserved for the School of Veterinary Science under the aegis of the University of Melbourne.

Clause 7 of the bill re-reserves the land as a site, but for wider purposes — for biotechnology education and research and development purposes. Clause 8 empowers the Governor in Council to grant land to the University of Melbourne on condition that the land is not used for any purpose inconsistent or detrimental to the purposes for which the Crown grant is provided.

The bill makes provision for various elements of stage 1 of Bio21. Stage 1 will cost \$100 million and will provide for a building to be established to accommodate the university's Molecular Science and Biotechnology Institute on the veterinary school site. The bill also provides for facilities and services to be extended to students, scientists and biotechnology developers seeking to commercialise research outcomes. It will provide for a private car park and for commercial businesses such as a cafe, bookshop, legal and financial services. It will also provide that the University of Melbourne can enter into leases, licences and agreements to further the purposes of the reservation up to a period of 25 years. Of course that has to always be consistent with the purposes for which this land grant will be made.

In the other place, the Leader of the Opposition raised the question of the future of the veterinary science school. I am advised that the school's future is assured, and in fact the school will be refurbished as part of this project. It will enjoy improved facilities and extra accommodation which will enable it in turn to take on extra numbers of students. It will benefit from an increased research profile and there will be, through the design of the new buildings, a more intensive use of the site.

I am informed that the dean of the veterinary sciences school, Ivan Caple, is pleased by what is about to happen on that site.

Emerging in Bio21 at the Parkville hub is a powerhouse of activity, a major technology incubator. KPMG has estimated 5 to 10 new small businesses could be developed each year and could lead to a \$30 million annual investment. We would all like to see that investment remain in Victoria. Bio21 will mean not only 100 new jobs for Victoria but also many flow-on jobs and millions of dollars in high value-added exports.

The Parkville hub brings together the founding partners of this exciting project: Melbourne University, the Walter and Eliza Hall Institute for Medical Research and the Royal Melbourne Hospital. It also incorporates four other key research institutions in the state, including Monash University and the Alfred hospital.

Bio21's web site and publication highlight the fact that it is seeking to establish links with more than 30 medical and science research institutes and organisations throughout Victoria.

Mr Forwood spoke much about Melbourne University, one of the founding partners, but I shall use as an example another key founding partner in the venture, the Royal Melbourne Hospital, a major institution in the electorate I serve. The Royal Melbourne Hospital will make its own special contribution to Bio21 and will bring with it the expertise it has developed in its research commitments over many years to the fields of clinical oncology, cardiology, bone marrow disorders, endocrinology, neurosciences and infectious diseases.

I am pleased the Royal Melbourne Hospital was rescued by the government from the parlous state in which it was left by the former coalition government. Not long after the Bracks Labor government took office the health network held briefings with local members of Parliament on the state of health services in that part of Melbourne. We were informed that funding for the Royal Melbourne Hospital had been withdrawn to such a degree that the hospital was not financially viable and no longer had assets to sell. It was facing a dire future. The Royal Melbourne Hospital required an injection of cash, which the Labor government provided on 1 July, to wipe its debt and give it a clean start as part of the new network, Melbourne Health. It required a more realistic allocation of recurrent funds to help it carry out the work it was set up to do. I am pleased that the Royal Melbourne Hospital will participate as a full and active partner in this new and exciting venture.

The bill is significant because it facilitates a project that is important not only for the state but for the whole of Australia. The project will position Victoria, and Melbourne, as a world leader in this field. It will advance knowledge and the capacity to tackle the challenges of the 21st century. At a recent meeting of parliamentarians with the CSIRO many predictions were made about the future — predictions about feeding nations around the world, diseases, water, population and sustainability. Some of the predictions were dire.

I hope the outcomes of Bio21 will provide the world with many new and important tools to tackle some of those problems and challenges. We all know in this chamber that whether the world's resources are distributed fairly depends on the people and the governments they elect because they are the people who make decisions about whether their people live well or starve. Despite the potential to use science and

technology to solve the world's problems, those human elements often interfere.

I hope this exciting project will not only provide great economic benefits for Victoria and Australia and help this state broaden its participation in the new economy but also ultimately lead to many great benefits for mankind.

**Hon. P. R. HALL** (Gippsland) — I welcome the opportunity to express the National Party's support for the University of Melbourne Land Bill. I congratulate the Honourable Bill Forwood on his contribution to the debate. It was a full discussion on, in part, the history of Melbourne University but more so visions for the university. Although his contribution was not always directly related to the bill, it was enjoyable and clearly demonstrated his passion. I was about to use the word 'parochialism', but a better word would be 'pride' about where Melbourne University is heading. I will not use the word 'parochialism' because I am sure Mr Forwood's views on Victoria's other universities would be similar to his views about Melbourne University, which are shared by other honourable members. We can understand Mr Forwood's passion for and pride in the university on which he serves as a member of the governing council.

I find it astonishing that in the contributions to the debate of government members no credit was given to the previous government or the previous minister for starting this process.

**Hon. R. F. Smith** — Haven't you been listening?

**Hon. P. R. HALL** — I have been listening. No credit was given to the previous government or minister in the second-reading speech. The speech, of which I have a copy, the Premier made in launching the project some time ago gave no credit to the previous government or the previous minister, Mr Birrell, who got the project under way. It should be noted that projects of this magnitude and importance do not happen overnight; they do not happen in 12 months, but take time to develop.

We should recognise the role of the previous Liberal-National party government, in particular the role of the then Minister for Industry, Science and Technology, the Honourable Mark Birrell, in the establishment of this important project, Bio21.

The bill rezones certain lands to facilitate the development of the Bio21 project, a facility for biotechnology research, development and associated commercial activities. The key clauses are clauses 5 and 7. Clause 5 revokes the existing reservation and

Crown grant in respect of the land described in the schedule, the veterinary school land, and clause 7 re-reserves the land by deeming it to be permanently reserved as a site for science and biotechnology education, and research and development purposes to enable development of the site for those purposes. The remaining clauses facilitate the process.

The Bio21 project, as has been amply described by previous speakers, represents a \$400 million investment, the partners being the University of Melbourne, the Walter and Eliza Hall Institute of Medical Research and the Royal Melbourne Hospital. The Honourable Bill Forwood not only drew the house a picture of the partners in Bio21, he discussed every other Victorian university and a great number of research organisations that will be participating in the project. Bio21 brings together the wealth of research we have in Victoria.

As Mr Forwood has also explained, the project has two major components — a building and capitalisation program, and a commercial program to help package locally developed intellectual property for sale on the global market.

The building project, as the house has heard, will develop state-of-the-art facilities — an on-site major hospital with clinical research and trial capabilities, laboratories for biotechnology and pharmaceutical companies, and conference, communications and gene education centres, as well as offices for legal, financial and business people.

The project has an important marketing arm, which is an area where many companies in Australia have fallen down in the past. A lot of innovations and excellent ideas have been developed by Australians, yet the ability to market them on the world markets has been lacking. An important component of Bio21 is a company called Bio21 Commercial, which will help those involved in the development of biotechnology to take their products to the global market.

National Party members were concerned to ensure that once Bio21 is established there will be no lessening of the role research in agriculture and veterinary science will play in the university, given in particular that Bio21 is occupying some land associated with the Institute of Land and Food Resources and the veterinary school. Our concerns were allayed by a copy of correspondence supplied to me by the University of Melbourne. In a letter of 17 May to the Minister for Agriculture, Vice-Chancellor Allen Gilbert wrote:

... I now wish to emphasise to you that the contribution of Bio21 to research, development and value-adding commercial

enterprise in Victoria extends well beyond the boundaries of biomedical science. Mindful of the vital importance of agricultural and veterinary biotechnology to Australia's economic future, and to the long-term interests of rural and regional Australians, the university is seeking to maximise its capacity to contribute to the success of the government's regional strategies. Our ambitious plans to make major educational and infrastructure investments in the Goulburn Valley at Shepparton reflect this commitment.

So does Bio21. Far from competing with veterinary and agricultural biotechnology, it promises to provide Victoria with a range of 'cutting edge' platform technologies without which all biotechnology (not just biomedical research) will become uncompetitive, to the great economic and social disadvantage of Victoria.

The National Party welcomes that commitment from the university to ensure that the Bio21 project will focus not only on medical research but also on gene technology and agriculture-related research. That can only be good for primary industries in Victoria and Australia.

The National Party is wholly supportive of the project. As I said at the outset, the project has been in development for some time, having been started by the previous government and continued by the present government. The National Party appreciates the financial commitment the present government has made to the project and welcomes its support.

On behalf of members of the National Party I express our support for the passage of the bill to facilitate a land re-reservation that will enable Bio21 to become a reality.

**Motion agreed to.**

**Read second time.**

*Third reading*

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

That this bill be now read a third time.

I thank the opposition parties for their support and the Honourables Bill Forwood, Glenyys Romanes and Peter Hall for their contributions to the debate.

**Motion agreed to.**

**Read third time.**

*Remaining stages*

**Passed remaining stages.**



## INFORMATION PRIVACY BILL

*Council's amendment***Message from Assembly disagreeing with following Council amendment considered:**

Clause 19, page 23, after line 8 insert —

- “(0) The Minister must ensure that a copy of an approved code of practice, or of an approved variation of an approved code of practice, is laid before each House of the Parliament on or before the 6th sitting day of that House after the day on which the notice of approval under sub-section (2) is published in the Government Gazette.
- (0) An approved code or variation laid before Parliament may be disallowed by either House of the Parliament.
- (0) An approved code or variation is disallowed if—
- (a) a notice of a resolution to disallow is given in a House of the Parliament on or before the 18th sitting day of that House after the code or variation is laid before that House; and
- (b) the resolution is passed by that House on or before the 12th sitting day of that House after the giving of the notice of the resolution.
- (0) If a House of the Parliament is prorogued or the Legislative Assembly is dissolved —
- (a) the prorogation or dissolution does not affect the power of the House to pass a resolution disallowing an approved code or variation; and
- (b) the calculation of sitting days of the House is to be made as if there had been no prorogation or dissolution.
- (0) If an approved code or variation is disallowed, the disallowance has the same effect as a revocation of the approval of the code or variation.”.

**The PRESIDENT** — Order! As a prelude to discussion of this matter I will outline what the house will be debating, as the situation does not often occur. The minister will introduce the matter and give the government's reasons for the actions it is proposing on the amendment of the Legislative Council. The debate will not be on the bill itself. Debate will be strictly confined to the action taken by the Assembly on the council's amendment and the comments made by the minister in support of her motion.

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

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

The government has carefully considered whether it is necessary to submit codes of practice developed under the law for parliamentary scrutiny. The government has opposed the amendment in both houses on the basis that the existing scrutiny mechanisms in the bill are sufficient to ensure that the codes will have high privacy standards and be made responsibly.

In particular, clause 22 requires that codes are to be maintained on a register that is open to the public, and clause 23 gives the Governor in Council the power to revoke a code. In addition, the codes are required to have standards that are at least as strong as the default scheme in the bill, and they must also be consistent with the objects of the bill and be developed with an appropriate level of consultation.

Further, the current inquiry into the scrutiny of subordinate instruments by the Scrutiny of Acts and Regulations Committee will determine the balance to be applied in those cases.

In addition, maximum flexibility is preserved in the making of the codes where they are not subjected to parliamentary processes. For example, organisations may not wish their codes to be legalistic or overly prescriptive. The Parliament therefore may not be the most appropriate forum for their review. The Privacy Commissioner will be an expert in standards and compliance and will be in the best position to assess the suitability of codes of practice. The performance of the Privacy Commissioner is already subject to scrutiny of Parliament through reporting mechanisms in the bill.

Finally, the former government considered but rejected the amendment. The similar Data Protection Bill introduced by the former Treasurer and Minister for Multimedia in the other place did not contain provisions for parliamentary disallowance of codes.

**Hon. G. B. ASHMAN** (Koonung) — I will respond to the minister's comments and put the opposition's point of view. The amendment was moved in good faith. It was simple and straightforward, and it was moved on the clear understanding that no mechanism currently exists for any codes of practice on privacy issues to be reviewed by Parliament.

In the past codes have been voluntary. The proposed code is not voluntary, it is mandatory and has the status of regulations. Therefore, the opposition very firmly took the view that there should be a mechanism for review by the people elected to represent all Victorians, and those people are here in Parliament.

The opposition is disappointed that the government has chosen to disregard its amendment and proceed with

the bill with no parliamentary scrutiny. The codes, as I said, are the equivalent of regulations. The minister has said — certainly in the second-reading debate the comment was made — that the Scrutiny of Acts and Regulations Committee is examining its role in the review of codes. But as yet there has been no decision, clear direction or message about when the scrutiny will be commenced, if at all.

**Hon. Jenny Mikakos** interjected.

**Hon. G. B. ASHMAN** — I pick up the interjection that the advertisement sought submissions to the Scrutiny of Acts and Regulations Committee. That is my very point. Currently there is no mechanism for Parliament to review the codes in this case. A review is under way, which may take a month, three months or six months. I am not a member of that committee, and I do not know what the process will be. But clearly, as I stand here today no process is in place for the Parliament to review any of the codes.

Information privacy is an issue about which the public is passionate. It is becoming increasingly concerned at the way information is gathered and used. The comment that was made by way of interjection reinforces the need for the government to accept the opposition's reasonable amendment. The amendment does not require every code to be reviewed by Parliament. It provides an option for the Parliament to choose to review the codes. In much the same way as regulations are tabled in this house on almost every sitting day, codes would be tabled, and if somebody were to move a motion a mechanism would be in place to enable a code to be reviewed.

A public consultation process will take place and guidelines will be issued about the codes, but they will not be reviewed by Parliament. In the consultative process members of the public can raise their concerns and put points of view, but there is no obligation for their concerns to be acted upon. The codes will be reviewed and signed off by the Privacy Commissioner, who I suppose will have the option of reporting to Parliament. So members of Parliament may possibly have an opportunity each year to take note of the annual report's passing comment on the codes.

The government came to office strongly expressing the view that governments should be open and accountable, and the Independents charter it entered into with the three Independents talks about being open and accountable. In a letter to Mr Russell Savage of 12 October 1999 the Premier said:

I join with you in expressing a commitment to providing stable, open and accountable government which is able to work productively for the people of Victoria.

Surely the opposition's amendment, which would provide Parliament with the opportunity to review the codes, would provide for that openness and accountability.

The codes will have a significant impact on people's lives. The voluntary code that has been in place has already been breached on a number of occasions. It was breached by the Minister for Small Business when she used a confidential database of tenants to do a mailing. The list was — and should have been — maintained only for the purpose of recording who the tenants were and information directly related to their bonds. It should not have been used for any other purpose. Clearly the code that was in place, which is voluntary, has been breached, and the integrity of the department that has allowed that to occur should be questioned.

The argument in favour of the codes being subject to the scrutiny of Parliament is overwhelming. As I have indicated, privacy is a very significant issue. Data is now being collected by all government agencies in various forms and is being used extensively in the private sector, particularly with some of the telcos, and the federal government is moving to put privacy provisions into place.

Victoria requires strong codes of practice for the government sector, not just inner government but also local government and all associated agencies. The codes will now be developed from within the departments, and it is likely that that will occur in an environment that is designed to protect the interests of particular agencies. My view and the view of the opposition is that as the codes are developed they should come before Parliament to provide it with an opportunity to tick them off. I suspect some of the codes — probably not from within the inner sector of government, but from some of the agencies — will be a little light on and will not deliver the standard of privacy we would all expect from government.

In my closing remarks I indicate that the opposition did not develop its amendment to be mischievous. Its sole objective in moving the amendment was to be constructive, to provide open, honest and accountable government and to give the Parliament an opportunity to review the new legislative instrument the government will use to develop the codes and put them in place.

**Motion agreed to.**

**Sitting suspended 12.59 p.m. until 2.02 p.m.**

## QUESTIONS WITHOUT NOTICE

### Electricity: supply

**Hon. PHILIP DAVIS** (Gippsland) — At the meeting of 17 January the Minister for Energy and Resources was advised that severe load shedding would occur should industrial relations action at Yallourn continue. At the meeting with the National Electricity Market Management Company (Nemmco) on 28 January her chief of staff was advised how load shedding would occur in Victoria and South Australia if hot weather occurred on a weekday while the Yallourn power station was out of service. Does the minister now deny that the reason she has refused to comment on those meetings is that she stands condemned for her failure to act on her knowledge of the inevitable power crisis?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — In response, I appreciate that the opposition has worked very hard — for it! — to create an issue for this last question time of the sessional period. The issue it is trying to create in this last question time for the sittings is not about something that happened this week or last month. The issue the opposition is trying to create is about events that happened in February this year. In relation to those events in February, the opposition is drawing on an internal report issued by the National Electricity Market Management Company, Nemmc0, which was a review of the memorandum of understanding and protocols on the use of emergency powers at that time. This is a report that is issued for the industry under the protocols as a matter of course whenever these events occur. This is not a report that was issued to me or to my office; it was issued to the industry.

As it was an industry report it does not spell out the obvious. Nemmc0 assumed that the industry audience for which the report was intended understood some of the basics of electricity supply. For that reason the report indicates that there is no need to explain some of the basics including the uncertainty of forecasting demand for electricity, the difficulty in being able to forecast particular outcomes and especially the complete inability to, on any of the dates in January referred to by the opposition, state with any degree of certainty what the situation would be in the first week of February. The aim of the meetings and briefings was to alert the Victorian government to the range of potential scenarios and to advise what would occur if load shedding became necessary.

As a result of the opposition trying to create this issue and misuse and misrepresent these reports, which it has referred to in a number of questions this week, Vencorp and Nemmc0 have written to me setting out very clearly what was contained in their briefings towards the end of January and what occurred at those meetings. I do not accept the assertion made in the member's question.

**Hon. M. A. Birrell** — Are you going to release the report? It shows you are a liar.

*Honourable members interjecting.*

**Hon. C. C. Broad** — On a point of order, I did not hear it but I have been informed that there was an interjection calling me a liar. I take offence and ask that it be withdrawn.

**Hon. M. A. Birrell** — I withdraw.

### Consumer affairs: Christmas warnings

**Hon. KAYE DARVENIZA** (Melbourne West) — Can the Minister for Consumer Affairs please outline to the house what the government is doing to inform consumers of their rights this Christmas?

**Hon. M. R. THOMSON** (Minister for Consumer Affairs) — I am wearing my Santa hat because I did not want to disappoint honourable members. The government will soon be launching a campaign to make consumers aware of what they need to look out for over the Christmas period. We all look forward to celebrating this time of the year but Christmas is also a very vulnerable time. The campaign will cover a number of issues that we want consumers to be aware of as they purchase their Christmas presents. The first is credit and the need to be aware of how much one can spend and what the repayments will be.

The new concern for this year is Internet shopping. People need to be certain when they are looking at purchasing over the Internet that the delivery times will be met and that there is a real address and a real telephone contact and that they are dealing with a real entity. People should also ensure that they receive what they believed they were purchasing. It is important that we alert people to the issues associated with Internet shopping in time for Christmas.

The other warning relates to toys, and we mention this every year. On the soft toy front we are concerned about loose stuffing that exposes things that are dangerous to children. This is an example of something collected in the past.

**An Opposition Member** — It looks like Theo!

*Honourable members interjecting.*

**Hon. M. R. THOMSON** — People should beware of masks that do not have breathing holes — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! The minister is trying to make a point in relation to dangerous items. The minister should be able to make her point. I note that she is wearing her red coat today.

**Hon. M. R. THOMSON** — Consumers should ensure that parts of the toy or article cannot be pulled off or ingested by children. They should be wary of the table decoration that I now show honourable members because once the candle is lit, more than just the candle will burn.

Consumers should also be wary of any travel arrangements they make with an agency. If they pay up-front they should make sure they get what they pay for. Also, if consumers have Christmas presents on lay-by they should ensure that if the presents are inappropriate or not acceptable, they can obtain refunds from the points of sale.

**Electricity: supply**

**Hon. M. A. BIRRELL** (East Yarra) — I refer the Minister for Energy and Resources to the National Electricity Market Management Company, NEMMCO, report — a report the minister now concedes exists — which reviews the government's knowledge prior to the electricity crisis. Given that the government has a copy of the NEMMCO report, will it make it publicly available?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — As I clearly outlined in response to the previous question on the matter, it is an internal report produced by the National Electricity Market Management Company, NEMMCO. Obviously the opposition has the report because it has referred to it all week. It was produced by NEMMCO for industry participants but not provided to me or my office. I was not aware of it until — —

*Honourable members interjecting.*

**Hon. C. C. BROAD** — If the opposition wants to go ahead and release the report, that is up to it.

**Geological Survey: data**

**Hon. D. G. HADDEN** (Ballarat) — Will the Minister for Energy and Resources inform the house of the recent release of geological data by Geological Survey of Victoria and the benefits the data will provide to Victoria's growing minerals industry?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — I am pleased to announce the 13th Victorian Initiative for Minerals and Petroleum geological data release. The release that I performed today reveals new data and products that open up further mineral exploration opportunities across Victoria. It includes new geological maps, reports, data packages and a number of geophysical surveys all intended to assist explorers and encourage investment in Victoria — an aim of the Bracks government.

The data released today exemplifies an ongoing commitment by the Bracks government to provide the information and products required by the industry. I recognise the crucial importance state-of-the-art regional geological data plays in encouraging exploration. It is a competitive world when it comes to attracting those types of investment and making the data available makes a significant difference in attracting investment.

I was also pleased to be able to launch today a long-awaited publication produced by Geological Survey of Victoria (GSV) that provides a comprehensive overall view of Victoria's Palaeozoic geology and evolution. I hope the new book will stimulate new thinking on Victoria's geology and mineralisation, new exploration approaches and ultimately, I hope, new mineral discoveries.

The book is a great tribute to the work of GSV over the past decade and clearly covers a period of two previous governments in addition to the current government. I have the publication here and it is most impressive. A large number of people have contributed to it. I am sure it will make fascinating reading for anyone interested in geology.

**Beaches: family friendly**

**Hon. P. R. HALL** (Gippsland) — I refer the Minister for Sport and Recreation to 8 December 1999 when I asked the minister about Labor's election promise to create 20 family-friendly beaches. His response was:

... the beaches are currently being reviewed and I will come back to the house with their names once they have been determined.



Given the minister has now had 12 months to ponder the issue, I ask him to name those family-friendly beaches.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — The honourable member will appreciate that on a number of occasions in this house I have mentioned beach signage.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — I have put on record the names of those beaches.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — Those beaches are on record. I am happy to refer the members to *Hansard* because the names of those beaches with signage are in *Hansard*.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — As I mentioned, the names of those beaches with signage are in *Hansard*. If members opposite listened, they could hear what I am saying.

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — Obviously they do not want to listen! I have listed the names of the six beaches on which a beach signage trial is being conducted. As I have continued to say, the names of those beaches are in *Hansard*. As I have also said, until the issue of which beach is determined — —

*Honourable members interjecting.*

**Hon. J. M. MADDEN** — As I said, until the best signage for those beaches can be determined it would be imprudent of me to nominate 20 family-friendly beaches even when the beach signage across the whole of the state is not working efficiently, although for seven years the opposition had an opportunity to do something about beach signage.

It is a whole-of-government issue which the opposition was not prepared to confront. As I have mentioned on a number of occasions, to my dismay on coming to this portfolio, beach signage had never been addressed by the Kennett government in its entire seven years. The reason it did not address it was that it required a whole-of-government commitment and it was unable to deliver on that. Again I point out that if members refer to *Hansard* they will see the six beaches that I have nominated where the beach signage — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! I think the minister has made the point about three times. Honourable members know they have to look at *Hansard* to find out which six beaches the minister is referring to.

**Hon. J. M. MADDEN** — Thank you for your ruling, Mr President. I appreciate I have repeated the beach signage information on a number of occasions but unfortunately honourable members opposite do not want to listen. Unfortunately members of the opposition did not want to listen to what the public was saying during their seven years in government, and that is why they are on the benches over there!

### Sheraton Hotel, Geelong

**Hon. E. C. CARBINES** (Geelong) — I refer the Minister for Industrial Relations to a question from the Honourable Ian Cover earlier about the delays in construction of the Sheraton Hotel in Geelong. Is the minister aware of statements by Mr Lance Sleeman from Abi Group, the company building the hotel, that would add light to the true reasons for the delays?

**Hon. M. M. GOULD** (Minister for Industrial Relations) — I thank the honourable member for her question. I know she is extremely interested in this matter.

*Honourable members interjecting.*

**The PRESIDENT** — Order! The minister should not have to shout, and nor should anyone else. I invite the house to allow the minister to respond to the question.

**Hon. M. M. GOULD** — Once again the opposition got it wrong, wrong, wrong! To respond to the honourable member's question, I am aware of comments made by Mr Sleeman from Abi Group. An article in the *Geelong Advertiser* of today's date is headed 'Building boss defends hotel delays'. The article states in part:

The construction manager for Geelong's luxury waterfront hotel has described claims that union bans and intimidation have caused months of delays to the project as simplistic.

Abi Group's Lance Sleeman said such a claim was a simplistic —

that is for the Honourable Ian Cover —

one-sided view, and the unions were an easy target when it came to delays to projects of the size of the Sheraton Hotel on Eastern Beach.

That is what the honourable member was trying to put up. Mr Sleeman is reported as saying that some of the reasons for the delays — as I advised the house the other day — include roadworks, design changes and changes to the scope of the work being carried out. No wonder there has been a delay! The article states further:

... Mr Sleeman agreed with Ms Gould that there had been a whole range of things causing delays ...

The honourable member once again — Mr Negative talking down Geelong — got it wrong. I advise the honourable member that the next time he raises industrial relations matters on behalf of the Leader of the Opposition he ought to check his facts. Mr Sleeman is also reported as follows:

Abi Group's Mr Sleeman said that with all such things it came down to a cost-benefit analysis.

That is what it is about. Once again the honourable member has talked down Geelong. You got it wrong, Mr Negative!

**The PRESIDENT** — Order! The honourable member's name is the Honourable Ian Cover.

### **Electricity: supply**

**Hon. M. A. BIRRELL** (East Yarra) — The Minister for Energy and Resources will recall that on 28 November she told the house that the 28 January briefing on the pending electricity shortages 'did not refer to any specific potential shortages that might occur in Victoria'. I ask the minister, is it not a fact that the Nemmco report the minister now wants to keep secret completely contradicts the minister's statement and shows it to be untrue. Will the minister therefore correct her misleading commentary?

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

### **Small business: showcasing strategy**

**Hon. JENNY MIKAKOS** (Jika Jika) — Can the Minister for Small Business inform the house what the Bracks government is doing to develop a culture of innovation — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! I have called Ms Mikakos to ask a question. I ask the minister and the Leader of the Opposition to desist.

**Hon. JENNY MIKAKOS** — Can the Minister for Small Business inform the house what the Bracks

government is doing to develop a culture of innovation and entrepreneurship in Victoria?

**Hon. M. R. THOMSON** (Minister for Small Business) — The Bracks government is committed to developing a culture of innovation and entrepreneurship. As a matter of fact, it has given it prominence in the Showcasing Small Business strategy. It is important to the development of future industries that a culture is developed that respects our entrepreneurs and what they are trying to achieve, innovation in business, and the commercialisation of the research and development that is taking place in Victoria.

Last Friday I was pleased to represent the government at the Melbourne entrepreneurs challenge, which has been established by students at the University of Melbourne business school as a competition designed to encourage members of the university community to develop business plans around their research or ideas, with the aim of encouraging more entrepreneurial thinking or different ways of looking at products they were designing — in other words, commercialising their product.

The Bracks government was pleased to sponsor the challenge as part of its science, technology and innovation public awareness and education program. I am pleased to inform the house that there were 67 entries in this inaugural challenge, which is based on overseas college experience. The six finalists were of a very high standard, and the winner was Digital Solutions for Deafness. The competition demonstrates something we have all been aware of for some time — that there is a need to commercialise creative ideas so that we can move to the next stage of developing new industries and technologies.

I was pleased to be part of the dinner to celebrate the entrepreneurs of the future. The government will continue to highlight and seek community support for recognising the contributions of entrepreneurship.

### **Electricity: supply**

**Hon. PHILIP DAVIS** (Gippsland) — I raise for the attention of the Minister for Energy and Resources the Premier's comment on commercial radio on 28 November: 'We have everything in place for continuation of supply over the summer period'. Does the minister support the Premier, and will she guarantee summer power supplies?

**Hon. C. C. BROAD** (Minister for Energy and Resources) — Of course I support the Premier. The government has done everything possible to ensure

security of supply over this summer and subsequent summers, which is a great deal more than the previous government ever did. The previous government was presented with a statement of opportunity report from Nemmo setting out the situation for electricity supplies that has been substantially unchanged in the current report, and it did absolutely nothing.

The Bracks government has taken substantial measures to improve the existing system. It is confident that it has done everything possible to ensure that under normal circumstances there will be continuous electricity supplies for Victoria.

### Sport: Aboriginals

**Hon. G. D. ROMANES** (Melbourne) — Will Minister for Sport and Recreation tell the house what action the government is taking to facilitate indigenous sport and recreation in Victoria?

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — In relation to that issue it is a good opportunity to mention this weekend's Walk for Reconciliation. We all would appreciate what sport can do for our community in bringing together people from various backgrounds. One of the great things about sport is that it allows for links across the community. I am happy that the Leader of the Opposition in another place has made space in his diary so that he can take part in the Walk for Reconciliation. I ask all honourable members to join in the walk.

Sport and Recreation Victoria supports 11 indigenous sport and recreation reference groups across Victoria. The reference groups are unique to Victoria and were established by Sport and Recreation Victoria to support indigenous communities. They provide a forum for consultation and planning for the development of community initiatives and facilitate discussion of issues impacting on indigenous sport and recreation participation.

During 2000–01 SRV will work with the reference groups to facilitate networking opportunities between indigenous communities and the broader sport and recreation industry to promote greater understanding and to develop partnerships.

On 7 December I will open a forum that will include representatives from regional indigenous committees, Sport and Recreation Victoria, the Victorian Aboriginal Youth Sport and Recreation Cooperative — the peak state Aboriginal sport and recreation organisation — Vicsport and a number of state sporting associations.

The purpose of the forum is to give indigenous communities and state sporting associations the opportunity to learn more about the services, roles and responsibilities of various agencies; to establish clear communication processes that will increase program and service opportunities for Victorian indigenous communities; and to highlight good practice models for state sporting associations that have developed pilot projects with Koori communities to explore issues and solutions in working with those communities.

### QUESTIONS ON NOTICE

#### Answers

**Hon. M. M. GOULD** (Minister for Industrial Relations) — By leave, I move:

That so much of the standing orders as require answers to questions on notice to be delivered verbally in the house be suspended for the sitting of the Council this day and that the answers enumerated be incorporated in *Hansard*.

The question numbers are: 1002–4, 1006–7, 1009, 1065, 1210, 1212–13, 1219, 1224, 1237, 1253, 1272, 1276, 1278–9, 1281–4, 1286–95, 1300–18, 1322–3, 1326, 1330, 1335, 1336, 1338, 1346–7, 1351–4, 1364–5, 1375, 1380.

#### Motion agreed to.

**Hon. C. A. FURLETTI** (Templestowe) — I seek an explanation from the Minister for Sport and Recreation for the failure to provide answers to questions on notice 1179 and 1180. The time for providing those answers expired on 4 November, and I first raised the matter with the minister on 23 November. It appears that the minister is exercising contempt for the standing orders. I ask for answers before the end of the session.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I undertake to obtain those answers urgently, Mr Furletti.

**Hon. C. A. Furletti** — You said that last time.

**Hon. J. M. MADDEN** — As I have said on a number of previous occasions, I will seek to obtain the answers from the ministers in the other place. I appreciate your sense of urgency, Mr Furletti, and I will seek to obtain those answers.

**Hon. Bill Forwood** — On a point of order, Mr President, I appreciate the minister's understanding of the urgency of the situation. The Parliament rises this afternoon and is unlikely to re-convene until February

or March next year. Under the standing orders there is therefore no capacity for the questions asked by Mr Furletti to be answered. It seems to me that because Mr Furletti raised the issue a week ago and gave notice of his intention to seek a response, more effort should have been made to have those questions answered by the time the house rose.

It is important to be careful that the standing orders are not in any way undermined. Perhaps the minister might consider finding another mechanism by which to convey to Mr Furletti the information contained in the answers. Otherwise Mr Furletti will not have the opportunity to receive the information he has requested until the beginning of next year.

**The PRESIDENT** — Order! There is no reason why the information cannot be conveyed to the honourable member by letter. In relation to the general proposition before the house, the standing order requiring questions on notice to be answered is a discipline the house has imposed on itself. The Legislative Assembly goes its own way, as usual, and we have no control over it. However, I would expect ministers in the other place to have some respect for the procedures of this house.

The Council now processes more than 2000 answers a year; the Assembly processes 100 or 200. It is a system that works in the interests of making information public, but it falls down if the ministerial colleagues elsewhere do not cooperate.

I have to say that this is not the first government this has happened with, so ministers will have to rattle up their colleagues in another place. In the meantime, if the information arrives, I suggest the minister send it by post to Mr Furletti.

**Hon. C. A. Furletti** — On the point of order, I would be more than happy to accept the proposal that has been put, but I ask whether a time limit can be put on it.

**The PRESIDENT** — Order! I point out to Mr Furletti that, for the same reason, the Minister for Sport and Recreation has no control over it. Other than doing something physical — he is bigger than his ministerial colleagues — he has to rely on their providing the answers. The minister has given an undertaking that he will seek the information urgently, and that is all the house can expect.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I am happy to give an undertaking to forward the information to Mr Furletti at the earliest opportunity.

**Hon. R. M. HALLAM** (Western) — I raise a similar matter relating to question on notice 1277, which I asked of the Minister for Industrial Relations. It is the question that you, Sir, ruled should be reinstated in part. You also ruled that the original time lines should apply. Unlike her colleague, Minister Madden, the Minister for Industrial Relations cannot offer the excuse that she is relying on advice from ministers in another place, because the question was asked of her. Given that the matter was raised directly with her in the chamber, I register my protest that she has deigned not to answer the question, notwithstanding that you ruled, Sir, that it be reinstated in part on the notice paper.

**Hon. M. M. GOULD** (Minister for Industrial Relations) — Mr President, your decision to put the question back on the notice paper and apply the original time lines meant that an answer was required within 48 hours. I have not had an opportunity to finalise that question. I will try to respond to the minister by the close of business today. Either that or I will include it in a letter and send it to him as quickly as possible.

**Hon. R. M. Hallam** — Mr President, I accept the minister's undertaking.

**Hon. P. A. KATSAMBANIS** (Monash) — Mr President, I seek the same redress as Mr Furletti and Mr Hallam regarding questions on notice 1004 and 1008, which were directed to the Minister for Sport and Recreation for the attention of the Minister for Police and Emergency Services in another place.

Those questions were put on the notice paper on 6 September. It is now almost three months, or three times the permitted time period. If the minister does not give some undertaking to provide me with the answers outside the sittings, it is likely to be more than six months before I receive them. I have written to the minister requesting that he provide the answers in the house. I understand that he has a difficulty in getting answers from some of his ministerial colleagues, but I put it to you, Sir, that the standing orders should be respected.

**Hon. J. M. MADDEN** (Minister for Sport and Recreation) — I am happy to give an undertaking to seek to have the answers from the Minister for Police and Emergency Services in the other place forwarded by mail to the honourable member.

**The PRESIDENT** — Order! The Honourable Bill Forwood and the Honourable David Davis have written to me seeking my ruling on certain answers to questions on notice, and I have sought the advice of the Clerks in providing a response.



Mr Forwood asked me for a ruling on the answer to question on notice 1298. In my opinion part (a) of the question has been answered, but parts (b) to (e) have not. I therefore direct that parts (b) to (e) of question 1298 be reinstated on the notice paper.

The Honourable David Davis asked me for a ruling on the answer to question on notice 1211. Although the answer provides some general information relevant to the question, it does not specifically address any of the parts of the questions asked. In my opinion the question has therefore not been answered. I therefore direct that question 1211 be reinstated on the notice paper.

## PLANNING AND ENVIRONMENT (RESTRICTIVE COVENANTS) BILL

### *Council's amendments*

**Message from Assembly agreeing with certain Council amendments and disagreeing with another amendment considered.**

**Assembly's message:**

**Council's amendments 1 to 23 agreed to.  
Council's amendment 24 as follows disagreed with:**

24. Insert the following new clause to follow clause 5 —

***'A. Adoption and approval of amendment***

(1) After section 29(2) of the Principal Act insert —

“(3) A planning authority must not adopt an amendment or part of an amendment that provides for the removal or variation of a registered restrictive covenant unless it is satisfied that the overriding public interest requires the removal or variation despite any detriment (including any perceived detriment) which an owner or occupier of any land benefited by the covenant may suffer as a consequence of the removal or variation.”.

(2) After section 35(4) of the Principal Act insert —

“(5) The Minister must not approve an amendment or part that provides for the removal or variation of a registered restrictive covenant unless the Minister is satisfied that the overriding public interest requires the removal or variation despite any detriment (including any perceived detriment) which an owner or occupier of any land benefited by the covenant may suffer as a consequence of the removal or variation.”.

**Hon. J. M. MADDEN (Minister assisting the Minister for Planning) — I move:**

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

I shall give reasons for disagreeing with amendment 24. The bill aims to establish a method under the principal act that enables an application for a proposed use or development of land to be determined at the same time as a proposed removal or variation of a restrictive covenant which would otherwise restrict that use or development. That will have an overall public benefit, firstly, because beneficiaries of covenants will be able to make submissions about the proposed removal or variation at the same time as they make submissions about the proposed use or development. That will discourage the sequential and uncoordinated treatment of these applications. It will also encourage the beneficial practice of varying a covenant on the basis of a development proposal agreed by a beneficiary. Secondly, an applicant will not have to make what is an expensive and time-consuming application to the Supreme Court under the Property Law Act of 1958 to remove or vary the covenant.

As honourable members will remember, the government previously opposed amendment 24 in this place. When it moved this amendment previously the opposition appeared to have forgotten that the main reason for the current unsatisfactory state of the law is section 60(5) of the principal act. That subsection was introduced by the former government in 1993. It was designed to allow a responsible authority and the tribunal on an application to review and to grant a permit to remove or vary a covenant only if no beneficiary would suffer detriment of any kind, including perceived detriment. Very few permits have been granted under this very restrictive test — only truly deadwood covenants.

The unfortunate practical effect of section 60(5) is that a person intending to use or develop land in breach of a covenant seeks permission to use or develop the land and, if successful, then follows one of the available methods to seek removal or variation of the covenant — an application to the court, a request to a planning authority to prepare an amendment to a scheme or an application to a responsible authority for a permit. That causes disadvantage to beneficiaries of the covenant — they are unable to rely on the perceived value of the covenant when objecting to the use or development and must meet the cost and delay of representation in two forums. Recently beneficiaries of a covenant in Croydon had this unfortunate experience in opposing an application to the Supreme Court subsequent to the grant of a permit in a case known as *re Pivotel Pty Ltd*.

In addition, there is the risk that a person, having obtained a permit over the objections of beneficiaries, then proceeds to act on the permit without first acting to remove or vary the covenant.

That was the unfortunate outcome in another recent Supreme Court case known as *Fitt v. Luxury Developments Pty Ltd*. In that case beneficiaries needed to seek an injunction to stop work that had been authorised under planning and building approvals from proceeding in breach of a covenant.

Amendment 24 proposes to insert a subsection into both sections 29 and 35 of the principal act to limit the ability of a planning authority to adopt an amendment to a scheme to remove or vary a covenant and of a minister to approve an amendment to a scheme to remove or vary the covenant.

Given that background, there are three main reasons why the government disagrees with the amendment. Firstly, the amendment introduces a similar test to that contained in section 60(5) of the principal act in relation to the adoption or approval of an amendment to a scheme, and will therefore largely defeat the intent of the bill to provide a coordinated process for considering removal or variation of any covenant.

Almost all applicants will have to continue to separately seek approval to use or develop land under the principal act, and approval to remove or vary the covenant from the Supreme Court under the Property Law Act 1958. The lack of coordination will therefore continue.

However, the effect would be worsened in a way the opposition may not have properly understood. Clause 9 of the bill, as amended by this house in amendment 12, requires a responsible authority to refuse a permit which authorises anything that would result in breach of a covenant. Amendment 24 will therefore have the effect of requiring virtually all applicants to apply to the court before making a permit application affecting covenanted land. That will not only slow down Victoria's development approval systems, but will also again disadvantage beneficiaries by denying the opportunity to consent to variation on the basis of a known and agreed proposal to use or develop the land.

The new coordinated scheme amendment and permit application method introduced by the bill needs to be a distinct and real alternative to the permit application method. Amendment 24 essentially removes the distinction. The permit application method is now confined to deadwood covenants. While the government accepts this role for the permit application method, it does not accept the role for the new method.

Secondly, it is obvious from the debates in this place that the opposition was concerned that without amendment 24 the floodgates would open to frequent and indiscriminate action by planning authorities and the minister to remove or vary covenants. The opposition is overlooking the real hurdles that exist to the preparation of an amendment to a planning scheme.

The first hurdle is the decision by a planning authority — the relevant municipal council — to prepare the amendment, consider public submissions and agree to refer them to an independent panel for consideration. Municipal councils are sensitive to the views of their residents. They do not decide to prepare or proceed with an amendment without an evaluation of its impact on affected people.

The second hurdle is the need to convince an independent panel, appointed by the minister, that the amendment should proceed. As I stated in the second-reading speech, I acknowledge that these amendments are sensitive and that only qualified people would be appointed to a panel to consider these amendments.

The third hurdle is the need for the minister to be convinced that approval should be given to the amendment. The opposition may also be overlooking the fact that an amendment to a scheme is a current method of removing or varying a covenant. Those amendments have been prepared since the principal act was amended in 1989 and are obviously not subject to any test similar to that in amendment 24. The floodgates have not been opened to date.

In approximately 10 years only 37 amendments have been prepared to remove or vary a covenant, and 27 of those have resulted in approval of the amendment. There are not large numbers of amendments and not all amendments are finalised to the advantage of applicants.

The third main reason the government is disagreeing with amendment 24 is that it does not have general support.

The Municipal Association of Victoria, the Property Council of Australia and the Housing Industry Association have all told the government that the amendment is a backward step. For municipal councils there is the real risk of costly involvement in litigation by applicants or beneficiaries alleging the council did not properly apply the test in the amendment.

I commend the motion to the house.

**Hon. P. A. KATSAMBANIS** (Monash) — I place on record that the opposition is very disappointed that the government has chosen this course of action, because it believes the amendment made in this place that the government chose to remove from the bill when it returned to the Legislative Assembly would have enhanced the process the bill introduces.

The bill is an important step in the planning process, especially in its dealing with the operation of restrictive covenants, and the opposition will not block the passage of the legislation. It will allow the legislation to proceed, even without the important amendment, to avoid delaying the commencement of the other important provisions of the bill. However, I must put on record that without the clause the government has decided to omit the bill will be incomplete and will result in a lack of balance and fairness between existing property right-holders and those who seek to arbitrarily vary those property rights.

In the action the government has taken through the Minister for Planning the true beliefs of the minister are coming out into the open. Despite his pro-resident rhetoric, particularly when in opposition, the Minister for Planning is slowly but surely being exposed as his master's apprentice.

It must be remembered that the current Minister for Planning, John Thwaites, was an adviser to the former Minister for Planning in the Cain and Kirner governments, Andrew McCutcheon, who was also the honourable member for St Kilda in the other place. Now that John Thwaites has the seat of Albert Park, which assumes coverage of a lot of the area covered by the former minister's seat, and has also assumed the planning portfolio, the beliefs that seemed to take hold of Andrew McCutcheon seem to have been transferred to his former adviser who is now the minister.

It must be remembered that it was Andrew McCutcheon who gave us dual occupancy as of right — a policy that was finally abandoned, but not before many backyards across metropolitan Melbourne were carved up. It was also Andrew McCutcheon who sought to allow restrictive covenants to be wiped out by the mere issuing of a planning permit. He was foiled in his attempt to wipe out restrictive covenants only by the actions of the Liberal and National parties in opposition at the time.

The current Minister for Planning is repeating the actions of his former mentor, his former master, by seeking to reintroduce dual occupancy as of right without a planning permit through his proposed Rescode, and with his actions with this piece of

legislation he is seeking to retain absolute power to wipe out covenants at any time.

Every single day Mr Thwaites's rhetoric and professed concern for residents is fading away, and since assuming the mantle of Minister for Planning his statements are being exposed as the empty statements they truly were. By rejecting the amendment the minister is seeking unfettered power to extinguish restrictive covenants at any time.

It is a power the minister has quite readily condemned in others but wants to exercise for himself. He is asking the people of Victoria — specifically the holders of property rights in the form of restrictive covenants — to trust him. He is saying, 'Trust me, I am the golden-haired boy of the Labor Party. You can't trust other ministers. You can't trust other planning ministers of any persuasion. But you can trust me because I am John Thwaites'. Unfortunately it does not wash.

The Minister for Planning tells us that we can trust him because he has guidelines to help him along the way. There are three distinct problems with the guidelines the minister has given himself in this area. Firstly, the guidelines will not apply to the minister in removing restrictive covenants unless he tries to expedite the process. It is open to him to follow normal procedure: to have a planning scheme amendment proposed, to exhibit it and get all the necessary reports and then go ahead with the removal of the restrictive covenants — guidelines will not apply. Even if he tries to expedite the process, in which case the guidelines would apply, he can still remove covenants quite readily and while adhering to his own guidelines. It is open for him to do so.

A developer who has gone through the process of having applied for a permit and been knocked back in council can come to the minister and say, 'Minister, under your criteria 2 for intervention the matter has already been considered. Every issue that needed to be considered was considered; at council the views of the affected parties were made known. So you do not need to go through any more laborious processes — even under your guidelines, you can just approve the removal of the restrictive covenant'. That is quite possible under the current guidelines.

The third reason that the guidelines are not good enough is that they are simply guidelines. They do not bind the minister; they do not have any legally binding status. The minister can breach them if he wants to. He can choose to discontinue them, or to alter them arbitrarily to suit the needs of the time. There is nothing to stop him from doing that. No certainty can be given

in the way that we can have legislative certainty that the rights of the holders of restrictive covenants will be taken into account in the process of deciding whether those covenants should be arbitrarily removed.

So, by rejecting the opposition's amendment — which was transmitted to the Assembly along with other Council amendments — the minister has sought to have the unfettered power to tear up the legal rights of property right-holders and residents and to allow development to go ahead in areas where the neighbours of those developments have paid for and planned their lives around an existing legal right not to have such developments. That is an important point.

We are not dealing with some arbitrary creation; we are dealing with a series of property rights in restrictive covenants that people value, pay good money for and expect will be respected in our legal system. That is why the opposition moved the amendment that it did. When it comes to the panoply of legal rights that we have as citizens of this society, we expect those legal rights to be upheld and respected. If they are to be removed we expect to have some sort of objective test, not some arbitrary removal. For instance, if a government chooses to compulsorily acquire land the government must pay compensation to the affected party. But what the government is doing in this bill is giving itself the power to remove a legal right without paying compensation, so the least it can do is to set up an objective test.

That is what the opposition has done: it has set up a simple, objective test. A person needs to prove that what he is doing is in the public interest. Furthermore, he needs to prove that when weighing up the public interest he takes into consideration the existing rights of the legal property holders. As I said, the test is fair, simple and objective. The Minister assisting the Minister for Planning came into the house today and said it will subject council and ministerial decisions to scrutiny — 'Oh my goodness, we will be open to scrutiny. We will have to justify our decisions'. I am sorry, Minister, but that is what the public of Victoria expects.

I thought the government had a policy platform of providing open and accountable government. Where is the openness and the accountability when a government says it will not tell people why their rights are being stepped on or why the rights they have paid for and enjoyed for so long are being taken away? The government says it does not need to weigh up the people's interests. It says it does not even need to make a determination that a decision is in the public interest

because that can be done arbitrarily at a council or ministerial level.

It is not good enough to say it is all too hard because the government might be subjected to scrutiny. I would have thought a government that talks about openness and accountability would have wanted to be open to scrutiny. The Minister for Planning paid lip-service to and spouted lots of rhetoric about the need to respect residents' rights. He should have been the first minister to put his hand up and say the government will respect these rights when it matters — that is, when it comes to this sort of amendment — but he is running away.

Another reason the minister cited in rejecting the amendment was that the development industry and the Municipal Association of Victoria thought it was an unnecessary restriction. It may well be an unnecessary restriction, but as many members have said in this house before, there is always a series of competing legal rights when it comes to disputes such as this. We are not opposed to the developers' wanting to build. This is not an antidevelopment proposal: we do not want to stop development or to say that people cannot remove restrictive covenants. However, there should be an objective test when someone wants to have a restrictive covenant removed, because that person is aiming to take people's property rights away without compensating them for doing so.

**Hon. G. D. Romanes** interjected.

**Hon. P. A. KATSAMBANIS** — No, Ms Romanes, we are not saying, 'Go to the Supreme Court'. That is why we are making the amendment — to give people access to another process — and that is why the bill was introduced.

Although the opposition supports the bill, it also supports a system which is fair and equitable, where the rights of every interested party are taken into account and the rights of one do not override those of another, and where a fair balance is struck. If councils find that too hard, they can throw up their hands and ask the government or the courts to take over. Councils say they are responsible planning authorities, and generally that has been my experience. In that case, if they were given the power the amendment proposes, I am sure they would exercise it faithfully and diligently.

The minister also said that the bill had been introduced because under section 60(5) of the principal act the process of dealing with restrictive covenants had become rigid and difficult. That is sophistry in the extreme. Both sides have accepted that the bill is needed because developers have been using a loophole

to get planning permits to do things that are in breach of planning covenants. They have been going ahead and developing land without altering or removing those covenants — or without even worrying about section 60(5). It is sophistry in the extreme to blame the existing provisions for the problem that has been created.

A loophole has been closed and the opposition suggests the government should introduce an objective test when addressing the existing provisions. If the government did not like the test proposed by the opposition it had plenty of time to devise its own test.

As for the development community, clearly the opposition does not propose that the removal of restrictive covenants not be allowed. The opposition will not prevent the removal of restrictive covenants. It wants a genuine public interest to be established which satisfies the council and the minister that removing people's legal rights is justified.

I point out to the property and development industry generally that a successful property industry requires long-term stability in established legal rights. Property is a long-term investment in fixed assets. If property rights are put at risk of being overturned simply by government fiat or by arbitrary administrative action, property will lose its security as an investment. If it loses its appeal as an investment because property rights cannot be guaranteed, then property owners and investors as well as the building and construction industry and the community as a whole will suffer.

I say to the property industry: the opposition is with you, it wants to protect our panoply of existing legal rights, not to make them subject to arbitrary government fiat. Labor governments in the past have shown themselves to be hostile to single-dwelling covenants and the current minister is showing every sign that he is continuing in the footsteps of his predecessors, particularly those of his former master.

The minister has no justification for rejecting the opposition's amendment other than his own hostility to covenants and a desire to retain unfettered power for himself. I hope in the months to come the government will recognise the error of its ways and further amend the legislation to provide the necessary protection.

On that basis, the opposition has made its case. It is disappointed that the government has chosen to reject the amendment and not propose any alternative test. However, on the whole the opposition considers that the legislation should be put in place as soon as possible, even though it will be incomplete without the

amendment. The opposition will not oppose the passage of the message today.

**Hon. C. A. STRONG** (Higinbotham) — The refusal of the government to accept the amendment is a disgusting, unfettered and disgraceful rejection of property rights and individual rights. I refer to the three reasons the minister gave to this place, although he may not believe in those as he is simply the mouthpiece of the government.

The minister says the third reason for rejecting the amendment is lack of general support for it. He has listed the Property Council of Australia and the Housing Industry Association, but what does he think? Members of those organisations would not have any reason to stop development. One would not expect them to support any slowing down. The other party listed is local government, but councils do not want any brake on their powers, so what does he expect?

In his second reason for not accepting the amendment the minister says the floodgates have not opened because only 27 applications have been lodged. Although that is not a problem, it would be if even one inappropriate application got through. Parliament must protect the rights of individuals from the actions of the rich and powerful, whether be represented by the Property Council of Australia, the Housing Industry Association or developers who want to push everything through. We are clearing the way for them, which is absolutely inappropriate.

I do not want to talk for long because, frankly, government members have made up their grubby, disgusting minds. However, I will draw out one final point. The government has handed an individual's property rights — rights that he or she should be able to take to law — to half a dozen people without any guidelines or parameters. Half a dozen people can now decide an individual's property rights because the government has agreed to a council majority deciding the issue.

A majority of a local council — in my council that is four people — can put through a planning scheme. Four people plus one person on the panel and the minister — six people — can take away an individual's rights, which up to now have been able to be protected in the courts. Those rights would also have been protected by the mechanism outlined in the opposition's amendment, which this grubby government, in succumbing and kowtowing to the development industry, has rejected.



It is absolutely disgusting and inappropriate — and people will certainly not forget. It does not matter whether 1 person or 267 people are affected; this government should stand, as any government should — and as this Parliament should — for protecting individuals' rights rather than handing them over to half a dozen people, who at a whim can take them away.

**Motion agreed to.**

## BLF CUSTODIAN

### 49th report

**Hon. M. M. GOULD (Minister for Industrial Relations)** presented report dated 30 November 2000 given to Mr President pursuant to section 7A of BLF (De-recognition) Act 1985 by the custodian appointed under section 7(1) of that act.

**Laid on table.**

## BUSINESS OF THE HOUSE

### Adjournment

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

That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified in writing to each honourable member.

### Christmas felicitations

**Hon. M. M. GOULD (Minister for Industrial Relations)** — On behalf of the government I convey to all honourable members my best wishes for the festive season. I trust that all honourable members will do as I intend to do, which is to use this break to become reacquainted with family members and friends.

It has been a exciting year for members on this side of the house. We welcome the conclusion of a satisfactory session of Parliament and a satisfactory year. I thank my colleagues for their work throughout the year. I also thank the Chairman of Committees, the Honourable Barry Bishop, for the role he has played this year.

During the year the government has been able to achieve much of its legislative program. All the members on this side of the house were particularly pleased with the first budget delivered by the Bracks government. We look forward with enthusiasm to the coming 12 months — but not with the same enthusiasm as we look forward to the short break over the next few weeks!

I place on record the government's gratitude to Wayne Tunnecliffe, the Clerk, for his professionalism and dedication. I give special thanks to Matthew Tricarico, the Deputy Clerk, who endured his operation and who, like Lazarus, came back! It is good to see him back on deck looking so fit and healthy after such a traumatic year.

On behalf of the government I extend my best wishes for the season to the Usher of the Black Rod, Dr Ray Wright, who has performed his duties with his customary distinction.

I thank the Council papers office for its tireless and often thankless work throughout the year. I know the work its staff have to put in, especially with questions on notice and responses. The Honourable Bill Forwood will remember the difficulty he had when he was on the other side in getting those answers in on time. I thank Felicity Ryan, the manager of the papers office, Anthony and Rebecca, who joined us recently, as well as Mary. Recently Sarah Davey moved elsewhere in the department, and she will be missed.

I thank Bill Jarrett, the Housekeeper, and all the attendant staff: Russel, Michael, Greg, Geoff, Peter, Philip and Quentin. Another Philip has been added to the team over the year, Phillip Richardson, and I thank him. Bill and his team assist all honourable members in performing their duties. They look after our needs and it is most appreciated.

I also thank Bill Schober, who continues to do us all a great service in the car park. All honourable members I am sure have handed in their stickers so they can get new ones for the new year. Bill is always helpful. If you have not got a sticker you are in strife, because Bill will not give you another one unless you produce the last one.

The Parliamentary Library continues to do a marvellous job. In government we perhaps have had less cause to use its services than in the past, but the library staff continue to do an outstanding job. Their ability to find information at short notice, and such detailed information, is terrific. I recently received some information from the library. It was emailed to me through the parliamentary system within mere hours of my asking for it, and it was quite extensive. The professionalism of the library staff and their ability to get that information to me as quickly as they did was most appreciated. I thank Bruce, Beverly, Mary, Margaret, Gail, Jon, Bella, Patrick, Debra and the Peters. In addition, thanks to the newcomers, Daniel and Victoria.

Of course, we cannot forget Hansard. Hansard reporters, despite all the conversations that go on in the house, can still pick up what honourable members are saying. I thank them for their dedicated work and their accurate reporting of our comments. My comments always sound better after I read *Hansard* than when I made them in the house. That is a credit to their professionalism, and I thank them for that.

This old building has its advantages but also its disadvantages. That is where the work of Brian and his team comes in. They do the running repairs. This magnificent building will be showcased next year during the celebrations of the centenary of Federation. Brian and his team have been working tirelessly making those running repairs. My office is at the end of the corridor and was never designed to be an office, but they have always been able to ensure the telephone lines are appropriately connected. There was some difficulty there for a while and the old telephone wire box keeps falling off, but they are able to get it operational and that is terrific. Without their maintenance, this building would not be the showcase that it is.

I thank the opposition. With some notable exceptions the government got its legislative program through this sessional period. Our thanks go to the opposition for that, because we know in this place it is all done by leave and arrangement. As the Leader of the Opposition said the other day, we can do what we like by leave, we just have to make sure we reach agreement. Bill Forwood's approach continues to be one of commonsense and cooperation. I do not want to damage his reputation too much, so I will not let on how cooperative he has been in ensuring the government's legislation has got through.

It has been a pleasure, as always, working with the leadership of the opposition in this place. The National Party is now a separate party and I have enjoyed working with the Honourable Roger Hallam and the National Party whip, the Honourable Jeanette Powell. It is important that we work together so that we know who will speak on what bills and when bills will be brought on for debate.

I thank the electorate officers who do an excellent job on our behalf. Honourable members often get letters from constituents asking for help and more often than not the requests for help have been handled by our electorate officers without their knowledge, because they are so efficient. They assist in the smooth running and maintenance of our electorates.

I thank the Honourable Glenyys Romanes, the Government Whip, for her terrific job in ensuring that the appropriate speakers and bills are organised. I thank my deputy, the Honourable Gavin Jennings, who has spoken on numerous occasions in this place. I know my ministerial colleagues thank him for his contribution during opposition business — it is one of his favourite sessions. He cooperates with the Liberal and National Party leaders in managing the government business program and in ensuring the work gets done efficiently.

I thank by ministerial colleagues, Ministers Broad, Thomson and Madden. It has been a terrific year and I thank them for their assistance. I also thank the rest of our team who have done a terrific job. Even with our modest numbers we have got our legislation through.

This time last year this place had concluded a four-week period of parliamentary sittings and it was tired and testy. The chamber has completed three weeks in a row.

**Hon. Bill Forwood** — Five in the last six weeks.

**Hon. M. M. GOULD** — This time last year the chamber sat well into December. I take the opportunity to wish everyone a safe, happy and prosperous new year. I wish everyone well for the festive season and I hope they spend time with their family and friends celebrating Christmas because it reminds us all from where we come.

I congratulate the Honourable Maree Luckins who is getting married on New Year's Eve. I wish her all the best. Mr President, I wish you a prosperous Christmas and a happy new year.

**Hon. M. A. BIRRELL** (East Yarra) — I wish everyone the season's greetings and all the best for the Christmas break. I hope everyone has a relaxing time over the coming weeks that they have off. Mr President, I thank you for your work on behalf of the house. I thank you for your hospitality at the President's dinner which we appreciate and which is a tradition that dates back more than half a century. For the first time the Governor was not able to be the guest of honour at the dinner due to his ill-health, but it is appropriate for us to thank him and Lady Gobbo for their excellent service to the state.

I also thank the Deputy President for the work he has done in the chair, and I thank your orderly, Mr President, for the cooperation that has been shown to all honourable members.

I commence my Christmas felicitations by recognising three impending marriages of members in the house. I

am delighted that in the coming weeks three honourable members will be doing much more than just relaxing; they will be making a momentous commitment. We are delighted that Ms Luckins is getting married on New Year's Eve, and we wish her all the best for her wedding. We congratulate Maree and Marcus and look forward to hearing their news in the new year.

We wish our National Party colleague Mr Best good fortune for the future with Louise. The relationship has been ongoing for a long time and everyone was delighted to hear the news of their impending marriage. We wish them good luck for the future.

Not all honourable members will be aware of the impending marriage of Mr Stoney. We wish Graeme and Wendy all the best and pass on our congratulations. We wish them a long and happy time together. I cannot think of an occasion when I have announced any weddings, and certainly not three.

I thank my team very much for their support, cooperation and hard work. I thank my deputy leader, Bill Forwood, and the Opposition Whip, Ken Smith, on behalf of us all. They carry an enormous amount of the load, particularly when the house is sitting, and they have done a superb job. I thank my colleagues on the front, back and side benches for the effort that has been put in with a significant number of bills over a fair period of time.

I wish government members the best for the season. I thank the Honourable Monica Gould for her cooperation, and I thank the cabinet secretary and deputy leader, Gavin Jennings, for his cooperation in discussions about passage of bills, including the bills that come here from the Legislative Assembly, a matter that has all-party interest and often all-party grievances.

In particular I thank senior staff members who have assisted us during the year. I put on the record my appreciation to a person who has been on my staff for almost 17 years, Yvonne Thompson, without whom I would not be the same. She is a tireless servant of the public.

I thank the opposition room staff who greatly assist us, and in particular their most notable staff member, Sally, who is a leader in the front office. I also thank the chief of staff of the opposition rooms, Matthew Guy, who although well paid still works long hours.

I extend the season's greetings to my colleagues in the National Party. The relationship is now different but equally as strong because friendships do not alter. I wish the National Party team, particularly their leader,

Roger Hallam, a very good break over the coming weeks or so.

I want to break from tradition by praising people who have never been mentioned previously in felicitations, at least by me — some of the people who actually make the Parliament operate. I place on record my thoughts for them and what they have done over the past 12 months. There has been a change of government, and the staff have to react with the same style and professionalism under the new government as they did under the former government. I think it has been a seamless transition and that is a credit to the staff. The people who run Parliament have always been impartial and they have proven that impeccably over the past year and more.

Firstly, though, I thank the table officers for their valuable advice and leadership. In particular to the Clerks I say thank you again on behalf of all of us. As honourable members we should never take for granted that we will get the best of people in these posts. This Parliament has been lucky that it has successively had the best people in them, and from the way the staffing of Parliament has proceeded I can see no break in that tradition.

To Matthew Tricarico in particular, I say on the record that it is nice to have him back after a slightly disrupted year.

**Honourable Members** — Hear, hear!

**Hon. M. A. BIRRELL** — Ill health can get in the road occasionally, and it is fantastic to see his constructive style back on deck.

I thank the attendants who work so hard to make easy our life in Parliament. I thank Bill Jarrett and Russel Bowman for their remarkably professional but easygoing style. They are very helpful to individual members. I really do thank all the other attendants, and particularly those on the doors of the chamber who pick up after and help us.

The group I have not mentioned of late but would like to mention today is the catering staff. It has been a pleasure to work in this environment and to experience the great effort the catering staff put in. John Isherwood and Malcolm Sellar deserve our praise and credit. We should also put on the record just how much we admire long-serving staff such as Shirley, Jackie and Blanka.

**Honourable Members** — Hear, hear!

**Hon. M. A. BIRRELL** — And I hope that things keep on improving in the way that they have in an area that has been sadly neglected.

I thank the librarian, Bruce Davidson, especially for the information technology services he offers to all honourable members. The library seems to be going from strength to strength, particularly its Internet services.

No-one can have a function out the back, as I think most honourable members do on occasions, and not appreciate the work the gardeners have done with the parliamentary gardens, which are outstanding. We owe a debt of gratitude to Paul Gallagher and his team.

I commend the engineering staff who make the building operate, particularly given that large chunks fall off every now and then. We extend our thanks to Brian Bourke, to our favourite Peter Costanzo — that is, Peter the painter — and to the whole engineering team for what they have done with the building.

Finally, I thank the papers office staff. We all use the papers office regularly. We rush in and try to get something quickly. Felicity Ryan and her team have been completely cooperative with members. I understand one staff member has left the papers office and has gone to a body I had never heard of until yesterday — the procedure and projects office. I understand the office has been created to lighten the already light workload of the Clerks. It produces a remarkable document called the *Procedural Bulletin*, which is a booklet that is evolving, I guess, in terms of its usefulness. I expect a lot more work will be put into it.

I conclude by saying that next year is a special year for this nation and for this Parliament, in that it is 2001, the centenary of Federation. We and this building will be the centre of attention in 2001, and I think we can all look forward to that. Next year 9 May will certainly be a special celebration. It marks 100 years since the Parliament first met, and 8 May I believe marks 100 years since the federal parliamentary Labor Party first met, and that will be a major celebration. The whole week will be an event where we can learn something more about our history, and one hopes encourage young people to be as motivated about doing something for their nation as our forebears were exactly 100 years ago.

Given that the celebrations will focus on the Royal Exhibition Building in Carlton and this Parliament building, the nation will turn its eyes to Melbourne. I look forward to that time enormously.

We are all looking forward to a break with our families, no-one more than me, and time with Jenny, Emma and Molly will be special.

**Hon. R. M. HALLAM** (Western) — It is appropriate to join these felicitations and remark that we have all survived another parliamentary year. I suspect that all honourable members would acknowledge that the year has been exhausting. For some that exhaustion has been tinged with satisfaction, for some with excitement, for some with adrenaline, and for some with frustration. To some extent I suspect that tinge is driven by our location in the seating order of the Parliament and our pecking order in the party, but we have survived with the traditions of the Parliament intact. The roles of government and of opposition and support staff are all neatly stowed, and they are certainly better understood and appreciated than they were last year.

It is important to acknowledge that Parliament has worked, notwithstanding the number of contentious issues we have been required to grapple with, not least of which was the government's plan to amend the very basis of our membership and electoral structure.

Not only have we worked through those issues, but we have done so in a way that respects the views of others. As I said at the President's dinner — it comes from the heart — we can acknowledge the extent to which civility is maintained in this chamber. It is important. We can also point to evidence that the things that bring us together as members of this chamber are much more important than those which divided us when we arrived. This is not an exclusive club, but a great institution.

I am pleased to make a few comments on behalf of my team, the team I so proudly lead. I say thank you to everyone who has assisted us in surviving the year, and with their help retained our sense of humour and our sanity. We extend our genuine best wishes for the festive season to all involved.

I make particular mention of the Clerk, Wayne Tunnecliffe, for his professionalism. I also mention Matthew Tricarico, the Deputy Clerk. Like the other leaders, I am delighted to see Matthew here to acknowledge our best wishes. To Ray Wright, the Usher of the Black Rod — I earlier today said that I was delighted with him in that he had not succumbed to the relaxation of the dress codes in this place — he is still wearing a white bow tie, and I congratulate him on it.

My thanks to Stephen Redenbach and Bill Jarrett — I appended the annotation in respect to Bill Jarrett ‘absolutely unflappable’ — and to our attendants, Russel, Michael, Geoff, Peter, the two Phillips and Mary as well as Greg Mills, who is our security person at the rear courtyard. To the staff of the papers office, under the new but very astute leadership of Felicity Ryan, I thank Anthony, Sarah, Rebecca and Mary.

I make particular mention of our friends, the Hansard staff, and the extent to which they persist in making a silk purse from a sow’s ear. They must have an enormous supply of sows’ ears somewhere — and where they put the apostrophe in that lot will be the test!

To Bruce Davidson, the librarian, and his staff we particularly say thank you. As the Leader of the Government said as an aside, our demands on parliamentary staff wax and wane, depending on where we sit in this chamber, and I am not too proud to add that we rely more heavily on the staff of the library now that we are in opposition.

I acknowledge the role of Eamonn Moran, the Chief Parliamentary Counsel, and his staff. In the National Party we understand about seasonal issues — shearing, harvesting and tax time — and about peaks and troughs. However, I do not think anybody here really understands those issues until they see the workload of the parliamentary drafting service. Despite all that they retain their good humour, and I commend them on it.

I acknowledge the work of the executive officers and the staff of the parliamentary committees and the joint committee administration office. I acknowledge the role of the Department of Parliamentary Services and of Michael Purdy and his team in the information technology unit. I mention in particular the role of Malcolm Sellar, the executive chef in the parliamentary kitchen. Whatever else National Party members might be known for, we are all very good when it comes to the meal table, and some of us in particular. We would be described in the vernacular as being good on the fang. We take particular interest in the work of the parliamentary kitchen and are delighted to acknowledge the role of John Isherwood and the catering staff without exception.

A great deal is said about the silver service in this place, but as members we look at that quite differently. For many of us this place is something of a home, and we are delighted to see that the staff treat it as a home as well. I was reminded of the saying made famous by one Jeff Fenech, which seems appropriate to the staff in the

parliamentary dining service — ‘We love youse all’. That is another test for Hansard.

Our thanks go to the manager of the gardens unit, Paul Gallagher, and his team. The parliamentary precinct is always a matter of great pride. I thank Brian Bourke, the maintenance engineer, and his team of Manny, Jeff and John; and Peter the painter. I thank Bill Schober, our car park attendant — a very cheerful officer. I have been here long enough to remember that he was also cheerful when he was the manager of the parliamentary bar, and he has not changed.

Thanks also go to the protective services officers, to the members of the press gallery, to my team in the National Party — Malcolm Fearn and his team at the top end of Collins Street, Danny and Karinda here at Parliament — and to our electorate staff.

Like the Honourable Mark Birrell, I will mention one person in particular — my electorate officer, Heather Uebergang. I do not know how long Heather has been with me — I am not game to look — but she is like my right arm. Heather is to retire come Christmas time. She is pulling up stumps to come to Melbourne. I do not blame her for that — in fact, I have been urging her to do so because of her family commitments. However, it will be like having my arm cut off. I will miss her fiercely. I am sure every member of the chamber understands the extent to which we all rely on our electorate staff.

I thank my five parliamentary colleagues in the house, whom I have mentioned individually in another context. We have had a fierce workload, particularly during this sessional period, and we do not have a passenger. It would not have been possible to get through it if that were not the case. I congratulate each of them for their work in the party structure and their role in the chamber.

I also acknowledge the friendship that exists across the chamber and the relationships that have emerged despite party lines, which is a real test of the protocol of this place. To each member of the government and each member of the opposition and their staff, I say thank you for your friendship and your support throughout the year.

I want to mention your role, Mr President. I did so at the President’s dinner, and I mean what I say most sincerely. I commend you and congratulate you on your professionalism, your patience and your wise counsel. I am sure those comments come from every member of the chamber.



I also want to mention the role of our Deputy President, the Honourable Barry Bishop. He had a big pair of boots to fill, and he now looks as comfortable at the committee table as he does at the wheel of his header. He is doing extremely well.

I also extend very best wishes from all members to Ron Best, Maree Luckins and Graeme Stoney. I did not know that Graeme Stoney should be included until the Honourable Mark Birrell let that bit slip. We extend our special best wishes to those directly involved.

Finally, Mr President, I will make a few comments at a personal level. Christmas is a pretty special time for the Hallam family. We get to come together to celebrate the anniversary of the birth of Christ, and as we are a very big family our celebrations are by definition fairly big as well.

We count our blessings in one context: the family is still getting bigger. But I hasten to add that that is because the boys are now bringing home wives and girlfriends. At last Marlene is gaining the daughters she has longed for for such a long time. We will get to swap some stories about 2000 and plan for 2001, but most of all we will get a chance to relax and to charge our batteries.

I cannot think of a better wish to extend to each member of this chamber and to all our support staff than to say that they should make the very best use of the time to catch up with friends, renew acquaintances, and spend that special time with family.

I want to make one comment for the sake of Mr Cover, who takes special interest in such things. The admonition I offer the chamber is that we use the time with hoi polloi in preparation for the hurly-burly. I hasten to add that I use the term 'hoi polloi' in its literal translation. Taken directly from Greek it means 'the common people'. I add for the benefit of Hansard that the article 'the' is taken into account and so does not need to be repeated!

I come to the final bit, which I think is very important. To each member of this chamber, wherever they sit, whether they be in government or in opposition, and wherever they work in the parliamentary precinct, the National Party says: thank you for your support, your friendship and your good humour throughout the year. To each of you individually, its members extend their very best wishes for a blessed and safe Christmas.

**Hon. T. C. THEOPHANOUS (Jika Jika)** — I shall make a contribution to the felicitations not only to wish everyone a safe Christmas and new year but also to bring some of the new members in touch with the

things that used to occur in this house during felicitations at a time when contributions were made by people from both sides and not only the leaders.

Among the speeches were many contributions from — as you would remember, Mr President — the Honourable Joan Coxsedg by way of poetry, which was a bit of a tradition in the house, and by the Honourable Robert Lawson, whose considerable contributions added a certain amount of wit to the house. Given the fact that —

*Honourable members interjecting.*

**Hon. T. C. THEOPHANOUS** — Calm down. Given the fact that I am one of the older members on this side of the house — I think only three members survived the election from our side; all the rest are new — for the benefit of those who are not new I thought I would look for and refer to some contributions that were made in 1988 by Mr Lawson. He said:

The recent election —

this was 1988 —

has brought considerable change to the house. As previous speakers have mentioned, the house is not as staid as it was, and our two young friends, Mr Craig and Mr Smith, are largely responsible for that.

*Honourable members interjecting.*

**Hon. K. M. Smith** — Nothing has changed; remember that!

**Hon. T. C. THEOPHANOUS** — He also made a comment about Mr Hall from the National Party. He said:

I also have a few comments concerning Peter Hall. For the very first time tonight he handled a bill for the National Party. He made a bad mistake by speaking for only 6 minutes. Members of the National Party will have to take him in hand about this. They do not mind making 6-minute speeches, but generally it takes three-quarters of an hour for them to do so.

That was the kind of contribution we heard from Mr Lawson. Everybody back in those days — certainly I did — looked very much forward to his making a contribution to Christmas felicitations.

I just wanted to pick out two or three pieces of Joan Coxsedg's poetry — some of it is still reasonably relevant even today. This is one piece:

'I'm broke', said Christopher Skase  
'And you'll never succeed with your case.  
I pay my QCs  
And fly where I please

With cash that's moved all round the place'.

We are still waiting for it. Another is:

East Timor is still on the boil  
With crimes from which we recoil.  
The Timorese fault  
In each new assault  
Comes down to their closeness to oil.

The following poem is about Joan Kirner:

Cartoonists who draw Joanie Kirner  
Were met with expressions much sterner,  
'I don't have the hots  
For dresses with dots  
Though I'm hardly a painting by Turner'.

That is the sort of thing we heard in felicitations. I thought I would have a go, and I thought the only thing I could do to be fair was to have a shot at every one of our ministers, including the Premier — because I have to be fair — as well as the Leader of the Opposition. Anyway, this is all part of my rehabilitation attempt!

The following poem is about Justin Madden:

'Oh no!', said the towering Harry,  
'How much does one man have to carry?'  
He lets out a sigh  
Prepares to let fly  
Just another Waverley question to parry.

I want to add at this point — because I am not getting enough laughs — that Phil Quinn helped me with these! The next one is about Marsha Thomson:

'Federal issue!' the President said  
As he knocked back Marsha's taxed bread,  
'There's no room for that bun,  
Destroy one by one'  
So she ate them with Kelvin instead.

The following is about Candy Broad:

One night, the lights just went out  
Causing members to holler and shout  
In the name of the Lord  
Implored Minister Broad  
What's all this yelling about!

This is for the Leader of the Government, Monica Gould:

The committee on the Workcover bill  
Keeps Monica awake even still  
The Libs were pedantic  
Which made her quite frantic  
With no coca-cola to swill.

Another one just occurred to me as a result of some happenings today. It is about the Public Accounts and Estimates Committee, which might interest Bill Forwood and Roger Hallam. It goes like this:

Public accounts need head kicker  
Bill's out t'bring in someone with ticker  
Then reports held aloft  
Seems Roger's gone soft  
And Gordon and David just bicker.

Here is one for Denis Napthine:

For Napthine the year was a toil  
And he needed his troops to be loyal  
So they rallied around  
Kept their feet on the ground  
And tried hard to ignore Mr Doyle.

I left the last one for the Premier:

S11 peeved Bracksy a lot  
Their antics and smoking of pot  
He pounded his fist  
And then audibly hissed  
'They deserved everything that they got'.

I wish everyone a merry Christmas and a happy new year. To anyone I have offended on both sides of the house and to you, Mr President, I say: I did not mean it!

Christmas is very special time for the Theophanous family. We go to church and then we get together and eat and eat and eat, with traditional lamb on a spit and mountains of Greek sweets. It is a very pleasant time, which I am certainly looking forward to. Good luck to you all.

**The PRESIDENT** — I have had the honour to be President of this chamber since 1992. During that time I have been supported by an outstanding and resourceful professional team of parliamentary officers. When one looks at other jurisdictions where they elect parliamentary officers one can be very thankful about the system we have where, as other honourable members have said, we can obtain professional and impartial advice without fear or favour. We are delighted to see Matthew Tricarico back with us after his eventful year. We should record in this house that he was the inaugural winner of the royal Victoria order of the quintuple bypass.

I thank Ray Wright, who has been of great assistance to me this past year. His written words have been quoted in debates with approval by all sides of the house. We are considering doubling his rate of royalties — two naughts are naught!

I thank the staff of the department, Stephen Redenbach, Mary Martin and Sarah Davey, Felicity Ryan and her staff in the papers office, Anthony and Rebecca. Bill Jarrett heads a very professional team who work hard to maintain the standards of the house. He is supported by Russel, Michael, Greg, Philip, Peter, Phil and Quentin.

Although we might not always say thanks we certainly appreciate their constant work.

I thank my personal staff, Yolande Henderson, Geoff Barnett and Mark Culleton; they provide outstanding support to me. As the Leader of the Opposition said in his role Geoff is obviously of assistance to all members of the house, and he performs that role with considerable flair.

I thank Mr Speaker. Alex Andrianopoulos and I have a very close working relationship. We meet four and five times some weeks, and sometimes we meet that number of times during a day. He has an outstanding commitment to reorientating all services of this Parliament so that they meet the needs of members. During my time working with Mr Speaker we have had no disagreements. We give advice to each other on a range of issues and it is a delight to work with him.

I thank Ray Purdey and his staff in the other place. There is great cooperation between the two houses.

I am fortunate to chair the parliamentary Library Committee and I get a very close insight into the work being done by Bruce Davidson and Gail Dunston, and Beverly Skinner who supports them both. I also get the opportunity to see parliaments and parliamentary libraries elsewhere. I recently visited the congressional library in the United States of America and found that we are held in very high esteem. We have a number of things in operation that even the Library of Congress does not have.

I thank Carolyn Williams and her professional staff at Hansard. They enhance all our speeches. I recall some famous members in this house who have had difficulty putting two words together, but the speeches came out beautifully; they were recorded kindly for generations ahead.

I thank the staff of the Department of Parliamentary Services. There have been some difficulties over a period of time. I thank particularly Marcus Bromley for his assistance in recent times. We are seeing that department reorientated so as to emphasise its role of providing services to members of Parliament.

Paul Gallagher and his team of gardeners work hard to make it a delight to walk in our jewel of a backyard. I thank Bill Schober and others who assist members in the exterior parts of the building. I wish the newly appointed catering manager, John Isherwood, well. He has made a good start and is well supported by chef Malcolm Sellar and those jewels, Shirley, Jackie and Blanka, who are extraordinarily patient with us. We are

a demanding lot. All those who work behind the scenes have continued to cater to our needs.

To the maintenance staff, Brian, Manny, Peter, Jeff and John: thanks for keeping the building running and assisting with various changes that have taken place. Parliament House is an extraordinarily difficult building to run and maintain because of its age. Almost every day we have difficulties about aspects of the building. We hope in the next 12 months some accommodation problems will be eased and certainly we hope to start installing airconditioning in the building by the middle of next year.

The parliamentary committees do some of the best work carried out by Parliament, but it is basically unsung. On Parliament House open days when I talk to members of the public about the work of Parliament I emphasise the work of the all-party committees, where members work constructively together, with most of their reports being unanimous. People do not see that work. They may come into the house but then they may see only 3, 4 or 5 members in the chamber at the one time.

I thank members of the information technology subcommittee, some of whom are in the house. It was established by Mr Speaker and me, under my chairmanship, to ensure that we meet the aspirations of our members of Parliament in the information technology field. As Parliament is likely to move to the use of Lotus Notes 5, only today we have set up two work stations in the north library where members can practise on the software.

All honourable members would be aware of the parliamentary intern program and Youth Parliament. Those vehicles are the perfect grounding for the youth of today to focus on the achievements of tomorrow. I thank members of the parliamentary staff for their support in that regard, particularly Beverly Skinner and Bruce Davidson. I also thank Professor Brian Costar of Monash University and Professor Brian Galligan of Melbourne University for their support of that important initiative. Some honourable members may not be aware that the two winners of the most recent intern program were sent by Parliament to London to attend an international Youth Parliament held at Birmingham.

I thank the party leaders and whips for the smooth running of the house throughout the year. I particularly thank the Deputy President for his very professional and dedicated support to me in my role. Thank you, Barry, for your work and for your friendship.

I thank and send best wishes to His Excellency the Governor, Sir James Gobbo and Lady Gobbo. They have given outstanding service to all Victorians. At this time of recuperation I wish His Excellency good health and remind him that I have that bottle of fine Italian wine ready to present to him shortly.

I also welcome the Governor-elect, John Landy, and look forward to working with him next year. Until earlier this year I had the honour to work under his chairmanship on the Greening Australia Victoria board, to which I was appointed by the Leader of the Opposition when he was in another role. I believe John Landy will be an excellent successor to Sir James Gobbo.

As we approach 2001 I look forward to a challenging but rewarding year as we celebrate the centenary of Federation. As Mr Birrell said, the spotlight of those celebrations will be on the Parliament of Victoria. I look forward to joining all members and the public in reflecting on our past 100 years.

I encourage all honourable members to enjoy their families and friends at this time of the year, and to rest up for a busy 2001.

**Motion agreed to.**

**House adjourned 4.06 p.m.**

**QUESTIONS ON NOTICE**

*Answers to the following questions on notice were circulated on the date shown.  
Questions have been incorporated from the notice paper of the Legislative Council.  
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.  
The portfolio of the minister answering the question on notice starts each heading.*

**Tuesday, 28 November 2000**

**Education: Institute of Teaching — Workcover premiums**

- 879. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): In respect of the Institute of Teaching:
- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
  - (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.
  - (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
  - (d) What is the Workcover initial premium for 2000-2001.
  - (e) What is the rateable remuneration for the Institute on the basis of which the initial premium for 2000-2001 is calculated.
  - (f) What is the Workcover industry classification or classifications of the Institute and if there is more than one industry classification, what is the rateable remuneration of the Institute for 2000-2001 in respect of which each industry classification is applicable.
  - (g) Did the Institute provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
  - (h) What amount did the Institute budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

I am informed as follows:

The Institute of Teaching is not a separately-reporting entity and its figures are included in those of the Department of Education, Employment and Training. The time and resources required to extract the relevant information requested cannot be justified on the grounds it would require an unreasonable diversion of time and resources which are not available.

**Education: Merit Protection Board — Workcover premiums**

- 880. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education): In respect of the Merit Protection Board:
- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
  - (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.



- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Board on the basis of which the initial premium for 2000-2001 is calculated.
- (f) What is the Workcover industry classification or classifications of the Board and if there is more than one industry classification, what is the rateable remuneration of the Board for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Board provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Board budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

I am informed as follows:

The Merit Protection Boards are not separately-reporting entities and their figures are included in those of the Department of Education, Employment and Training. The time and resources required to extract the relevant information requested cannot be justified on the grounds it would require an unreasonable diversion of time and resources which are not available.

**Police and Emergency Services: Melbourne Custody Centre**

**1128. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Attorney-General): In relation to the Melbourne Custody Centre:

- (a) How many persons, on average, were housed per day over the past three months.
- (b) What was the average length of stay per person.
- (c) How many persons were housed at the centre for longer than three weeks.
- (d) What programs were available for people housed longer than three months in their underground cells.
- (e) Is the overcrowding caused by a problem at MAP at Spencer Street.

**ANSWER:**

Question 1128 was directed to my colleague the Honourable the «Minister\_for». As the Melbourne Custody Centre is within my portfolio responsibilities I submit the following response in the Attorney's stead:

- (a) How many persons, on average, were housed per day over the past three months

According to figures maintained by the Contractor, the average overnight population during the past three months was 57. The average daytime population was 68.

- (b) What was the average length of stay per person

The average length of stay of prisoners held at the Melbourne Custody Centre on 30 October 2000 was 11 days.

- (c) How many persons were housed at the centre for longer than three weeks.

Since 1 August 2000 there has been 20 prisoners who have had stays at the Centre for continuous periods of greater than 21 days.

(d) What programs were available for people housed longer than three months in their underground cells.

There have been no persons housed at the Melbourne Custody Centre for periods longer than three months

(e) Is overcrowding caused by a problem at Melbourne Assessment Prison at Spencer St

The overcrowding is caused by a rapid growth in the numbers of prisoners in the prison system with the excess number spilling over into police custodial facilities.

The rapid growth in prisoner numbers was foreseeable. The absence of forward planning for growth in prisoner numbers in the mid 1990's, combined with the neglect of our Community Corrections system, a failure to explore alternative sentencing options and preventative strategies have produced a rapidly rising demand for prison beds without any increase in the supply of prison beds.

The Government has acted quickly to provide 357 permanent prison beds which will become available next year. Additionally temporary beds are also being provided.

The Government is also developing a prison master plan that will enable us to more successfully match the demand for prison beds with supply in the future.

The Government is also developing a comprehensive package of prevention and diversion programs, alternative sentencing options, drug treatment and prevention initiatives and post release programs to temper the growth in demand for prison beds.

### **Aged Care: state residential care facilities — Workcover premiums**

**1159. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing and Aged Care):

- (a) Will the minister provide, in tabular format, the total annual Workcover premium paid or payable by each state-run residential care facility in Victoria for the current year and, for each state-run residential care facility what are the comparable Workcover premiums paid in each of the past two financial years.
- (b) Will the minister provide, in tabular format, the year-on-year differences in the total annual Workcover premiums paid or payable by each state-run residential care facility for the current and past two financial years.
- (c) Will the minister provide, in tabular format, the percentage change in the total annual Workcover premium paid or payable by each state-run residential care facility for 1999–2000 and the current year.
- (d) Which State-run residential care facilities have had their Workcover premiums affected by an adverse claims record in 1999–2000 and the current year.

#### **ANSWER:**

The data requested is not held by the Department of Human Services (DHS).

It should be noted, that a number of difficulties have been highlighted in addressing the question. In particular, a large number of State-run residential care facilities form components of larger workplaces such as hospitals, or individual auspices covering a range of different facilities and services. Accordingly distinct WorkCover information regarding calculation of premiums for the residential care component of those facilities cannot be extracted in isolation.

**Housing: public housing waiting list**

**1160. THE HON. R. H. BOWDEN** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing and Aged Care):

- (a) What was the number of applicants waiting on the list for access to public housing as at 30 June 2000, for — (i) each region; (ii) the whole of Victoria; and (iii) each segment within the waiting list.
- (b) What was the number of applicants waiting for public housing as at 30 September 2000, for — (i) each region; (ii) the whole of Victoria; and (iii) each segment within the waiting list.

**ANSWER:**

**Public Rental Housing Waiting List**  
(includes new and transfer applications)

Region	Waiting List Categories	30-Jun-2000	30-Sep-2000
<b>1.Eastern Metro</b>	Recurring Homelessness	21	27
	Supported Housing	36	37
	Special Housing Needs	214	245
	Wait Turn	5,288	5,185
	Property Management	33	32
<b>Region Total</b>		<b>5,592</b>	<b>5,526</b>
<b>2.Northern Metro</b>	Recurring Homelessness	17	41
	Supported Housing	6	13
	Special Housing Needs	470	538
	Wait Turn	7,211	7,276
	Property Management	62	72
<b>Region Total</b>		<b>7,766</b>	<b>7,940</b>
<b>3.Southern Metro</b>	Recurring Homelessness	44	52
	Supported Housing	51	56
	Special Housing Needs	485	518
	Wait Turn	13,941	14,125
	Property Management	91	121
<b>Region Total</b>		<b>14,612</b>	<b>14,872</b>
<b>4.Western Metro</b>	Recurring Homelessness	11	21
	Supported Housing	13	58
	Special Housing Needs	211	289
	Wait Turn	6,804	6,600
	Property Management	38	39
<b>Region Total</b>		<b>7,077</b>	<b>7,007</b>
<b>5.Barwon South West</b>	Recurring Homelessness	2	2
	Supported Housing	5	3
	Special Housing Needs	34	41
	Wait Turn	1,461	1,470
	Property Management	13	11
<b>Region Total</b>		<b>1,515</b>	<b>1,527</b>
<b>6.Gippsland</b>	Recurring Homelessness	0	3
	Supported Housing	2	3
	Special Housing Needs	16	12
	Wait Turn	592	664
	Property Management	3	3
<b>Region Total</b>		<b>613</b>	<b>685</b>

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Region	Waiting List Categories	30-Jun-2000	30-Sep-2000
<b>7.Grampians</b>	Recurring Homelessness	1	0
	Supported Housing	0	0
	Special Housing Needs	20	26
	Wait Turn	632	665
	Property Management	1	1
<b>Region Total</b>		<b>654</b>	<b>692</b>
<b>8.Hume</b>	Recurring Homelessness	5	21
	Supported Housing	0	0
	Special Housing Needs	43	62
	Wait Turn	965	948
	Property Management	1	2
<b>Region Total</b>		<b>1,014</b>	<b>1,033</b>
<b>9.Loddon Mallee</b>	Recurring Homelessness	11	6
	Supported Housing	3	6
	Special Housing Needs	47	91
	Wait Turn	1,946	1,985
	Property Management	7	9
<b>Total</b>		<b>2,014</b>	<b>2,097</b>
<b>Head Office (movable units)</b>	Wait Turn	112	114
<b>Head Office Total</b>		<b>112</b>	<b>114</b>
<b>Statewide</b>	<b>Waiting List Categories</b>	<b>30-Jun-2000</b>	<b>30-Sep-2000</b>
	Recurring Homelessness	112	173
	Supported Housing	116	176
	Special Housing Needs	1,540	1,822
	Wait Turn	38,952	39,032
	Property Management	249	290
<b>Statewide Total</b>		<b>40,969</b>	<b>41,493</b>

It should be noted that waiting list information is compiled annually and is readily available in the Office of Housing annual publication 'Summary of Housing Assistance Programs'.

**Post-Compulsory Education, Training and Employment: former Yugoslav Republic of Macedonia**

**1178. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Post-Compulsory Education, Training and Employment):

- (a) Does the minister intend issuing a directive to her departments and agencies as to the terminology to be used when making references to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia.
- (b) If the minister does intend to do so, what will the directive or instruction be.

**ANSWER:**

I am informed that:

This issue has been addressed across all Departments and Agencies of the Victorian Public Service.

A determination regarding the language spoken by people living in or originating from the Former Yugoslav Republic of Macedonia (FYROM) was made by the Human Rights and Equal Opportunity Commission on 8 September 2000. As a result of this determination, the Secretary of the Department of Premier and Cabinet directed all Victorian Public Service Departmental heads to distribute within their organisations instructions withdrawing the previous Government's 1994 directive on the use of the term Macedonian (Slavonic) with reference to the language.

Guidance on the revised policy was drawn from nomenclature utilised by the Commonwealth, including use of the terms Former Yugoslav Republic of Macedonia (FYROM) and Slav Macedonian in describing the country and people of that region. With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

### **Gaming: former Yugoslav Republic of Macedonia**

**1185. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Gaming):

- (a) Does the minister intend issuing a directive to his departments and agencies as to the terminology to be used when making references to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia.
- (b) If the minister does intend to do so, what will the directive or instruction be.

#### **ANSWER:**

I am informed that:

This issue has been addressed across all Departments and Agencies of the Victorian Public Service

A determination regarding the language spoken by people living in or originating from the Former Yugoslav Republic of Macedonia (FYROM) was made by the Human Rights and Equal Opportunity Commission on 8 September 2000. As a result of this determination, the Secretary of the Department of Premier and Cabinet directed all Victorian Public Service Departmental heads to distribute within their organisations instructions withdrawing the previous government's 1994 directive on the use of the term Macedonian (Slavonic) with reference to the language.

Guidance on the revised policy was drawn from nomenclature utilised by the Commonwealth, including use of the terms Former Yugoslav Republic of Macedonia (FYROM) and Slav Macedonian in describing the country and people of that region. With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

### **Aboriginal Affairs: former Yugoslav Republic of Macedonia**

**1190. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aboriginal Affairs):

- (a) Does the minister intend issuing a directive to his departments and agencies as to the terminology to be used when making references to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia.
- (b) If the minister does intend to do so, what will the directive or instruction be.



**ANSWER:**

I am informed that:

This issue has been addressed across all Departments and Agencies of the Victorian Public Service

A determination regarding the language spoken by people living in or originating from the Former Yugoslav Republic of Macedonia (FYROM) was made by the Human Rights and Equal Opportunity Commission on 8 September 2000. As a result of this determination, the Secretary of the Department of Premier and Cabinet directed all Victorian Public Service Departmental heads to distribute within their organisations instructions withdrawing the previous government's 1994 directive on the use of the term Macedonian (Slavonic) with reference to the language.

Guidance on the revised policy was drawn from nomenclature utilised by the Commonwealth, including use of the terms Former Yugoslav Republic of Macedonia (FYROM) and Slav Macedonian in describing the country and people of that region. With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

**Energy and Resources: consultancies**

**1194. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Energy and Resources:

- (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:**

I am informed that:

The Honourable Member is referred to the answer to Question on Notice No. 1127.

*[Hansard reference — see 16 November 2000, page 1405.]*

**Post-Compulsory Education, Training and Employment: consultancies**

**1211. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Post-Compulsory Education, Training and Employment):

- (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:**

I am informed as follows:

Since the 1 July 2000 fourteen consultants have been employed at a total cost of \$535,577.

**Aboriginal Affairs: consultancies**

**1223. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aboriginal Affairs):

- (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:**

I am informed that:

To provide the information requested would require an inordinate amount of time and resources which are not available.

**Post-Compulsory Education, Training and Employment: Olympic Games functions**

**1256. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Youth Affairs (for the Honourable the Minister for Post-Compulsory Education, Training and Employment): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

I am informed as follows:

The Minister did not attend the Sydney 2000 Olympic Games.

**Police and Emergency Services: Olympic Games functions**

**1257. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Youth Affairs (for the Honourable the Minister for Police and Emergency Services): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

I attended the opening ceremony of the Sydney 2000 Olympic Games at my own expense. I also attended the Prime Minister's Olympic Dinner in Melbourne.

**Corrections: Olympic Games functions**

**1258. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Youth Affairs (for the Honourable the Minister for Corrections): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

I attended the opening ceremony of the Sydney 2000 Olympic Games at my own expense. I also attended the Prime Minister's Olympic Dinner in Melbourne.

**Gaming: Olympic Games functions**

**1263. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Youth Affairs (for the Honourable the Minister for Gaming): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

I did not attend the Olympic Games in Sydney in my capacity as Minister for Gaming. My attendance was as Minister for Major Projects and Tourism.

**Housing and Aged Care: Olympic Games functions**

**1267. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing and Aged Care): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

The Minister for Housing and Aged Care did not attend the Sydney 2000 Olympic Games.

**Aboriginal Affairs: Olympic Games functions**

**1268. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aboriginal Affairs): Will the Minister provide a list of the sporting, business

and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

I am informed that:

The Minister for Aboriginal Affairs did not attend any events referred to in the Question in relation to the Sydney 2000 Olympic Games.

**Major Projects and Tourism: Gold discovery anniversary steering committee**

**1296. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Major Projects and Tourism): In relation to the Steering Committee established to oversee the allocation of the one million dollar funding for Gold 150 celebrations:

- (a) Who are the Committee members.
- (b) What are the guidelines for the allocation of funds.
- (c) Who will be eligible to apply for funding.
- (d) When will the funds be allocated.
- (e) Will there be any limits on the funds allocated per organisation.
- (f) Will the allocation process be open for public review.
- (g) What reporting mechanism will be used for the funds allocated.
- (h) What auditing process will be used for the funds allocated.

**ANSWER:**

The Members of the Gold 150 Steering Committee are:

- Ms Jacinta Allan MP (Chairperson)
- Mr Joe Helper MP
- Ms Karen Overington MP
- Cr Max O'Shea - Mayor Hepburn Shire Council
- Cr John Barnes - Mayor Ballarat City Council
- Cr Laurie Whelan - Mayor Greater Bendigo City Council
- Mr Colin Stabb - Tourism Victoria
- Mr Justin Francis - Gold Victoria 1851 - 2001 Inc.
- Mr David Foster - Gold Victoria 1851-2001 Inc.
- Mr Stefan Romaniw - Victorian Multicultural Commission
- Mr Bill Fox - Acting Chief Executive CVTC
- Ms Liz Seymon - Marketing Manager CVTC
- Mr Rob Deveraux - representing Australian Gold Council

The Committee will develop a set of criteria/guidelines which must be met by applicants seeking funding. Grants will be issued under the Community Support Fund program, with terms and conditions being set under that

program. These terms and conditions must be agreed to and accepted prior to the contractual obligations being entered into or funds being released.

Applications must come either directly from a Victorian municipality or in partnership with local government. Priority will be given to applications that primarily involve 'not for profit' or community organisations.

The Steering Committee is required to prepare an Action Plan and submit it to the Community Support Fund for approval. The funds will be allocated once the applications have been evaluated by the Country Victoria Tourism Council, in accordance with the funding criteria and the approved Action Plan.

The Steering Committee will determine whether any limits on grants shall apply.

The Community Support Fund is subject to the scrutiny of the Auditor-General. The Country Victoria Tourism Council is an incorporated body and its financial statements are audited in accordance with the *Associations Incorporation Act 1981*.

### **Small Business: Showcasing Small Business package**

**1357. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business:

- (a) What process was used to select the five entities promoted in the Showcasing Small Business package.
- (b) How many entities were considered but not used.
- (c) What criteria were used to select or reject entities for inclusion in the package.

#### **ANSWER:**

The businesses featured in the recently launched *Showcasing Small Business* Statement were some of those I met during my 'Listening to Small Business'. To date, as part of this, I have met with over 600 small business operators from across metropolitan, rural and regional Victoria.

The case studies were selected from a range of new and traditional industries for their innovative approaches to business.

### **Small Business: Revitalising Regional Retailers program**

**1358. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business: In relation to the Revitalising Regional Retailers program:

- (a) What funds have been budgeted to be expended under this program in 2000-2001.
- (b) How much has been spent to date.
- (c) From which output group(s) are the funds sourced.
- (d) What is the decision making process for allocating funds.
- (e) How much has been spent in each region.

#### **ANSWER:**

The total allocation for the Revitalising Regional Retailers program is \$210,000, of which \$190,000 was spent in 1999-2000 and the final \$20,000 has been allocated in 2000-2001.

The program provides funds to peak associations representing retail sector industries that have faced significant challenges to their business environment, including regulatory change. These funds have been sourced from the Small Business Output Group within the Department of State and Regional Development.



The Revitalising Regional Retailers program is in the early implementation phase. Industry Associations are required to manage the implementation of each initiative and it is expected that substantial program activity will occur in 2001.

**Small Business: Victorian Business Line call centre**

**1359. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business:

- (a) Where is the Victorian Business Line call centre (132 215) physically located.
- (b) How many calls, by month, has it received since its establishment.

**ANSWER:**

The Victorian Business Line (VBL) is located on Level 5, 55 Collins Street Melbourne.

The VBL has received approximately 37,800 calls since its establishment, which averages to approximately 2,500 calls per month.

**Small Business: Operation Livewire**

**1368. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business: In relation to Operation Livewire:

- (a) What is its budget in 2000-2001.
- (b) From which output group(s) does it come.
- (c) How many people have used the service.
- (d) How are they selected.
- (e) How much funding has each received.

**ANSWER:**

Operation Livewire is a program sponsored by Shell Australia and supported by Rotary Clubs designed to assist young people between the ages of 18-25 years to start their own businesses. It has a Departmental budget of \$3,500 in 2000-2001 from the Small Business Victoria - Events Management output group.

In 2000, there are 97 Victorian entries in the program. Since the commencement of the program approximately 4,200 young Australians have participated.

The participants are selected by Shell & Rotary against criteria relating to the person's age and their business idea.

The Department does not provide direct funding to participants and instead provides workshops and advice relating to strategic business plan formulation.

**Small Business: women's resource policy unit**

**1369. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business:

- (a) When will the Women's Resource Policy Unit commence operation.
- (b) Where will it be located.
- (c) What is its staffing complement and profile.

- (d) What is its budget for 2000-2001 and 2001-2002.
- (d) From which output group will it be funded.

**ANSWER:**

The Women's Resource Policy Unit will commence operation in the near future. Principal responsibility for the Unit is located in the central Policy Division of the Department of State and Regional Development.

The Unit's staff complement is still being assessed.

The Unit is being funded from within existing resources.



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, 29 November 2000**

**Premier: fuel excise**

**1120. THE HON. R. M. HALLAM** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): What is precisely the basis upon which the Premier has calculated that the federal government is receiving a ‘windfall gain’ of 2.5 cents per litre of fuel as cited in *The Age* of 25 September 2000.

**ANSWER:**

I am informed that:

The figure of 2.5 cents per litre was calculated by Consumer and Business Affairs Victoria during its extensive monitoring of fuel price movements between April and September 2000, as part of the Victorian Fuel Price Monitoring Initiative.

**Youth Affairs: consultancies**

**1126. THE HON. A. P. OLEXANDER** — To ask the Honourable the Minister for Youth Affairs: In relation to consultancy contracts entered into by the minister, or his department:

- (a) How many consultancies have been entered into since 20 October 1999.
- (b) are the names of each individual or organisation or company awarded contracts.
- (c) What is the purpose or objective of each consultancy.
- (d) What is the cost of each consultancy contract.
- (e) What criteria or process was used in the awarding of each contract.
- (f) When was each tender for each consultancy advertised and when were they let.
- (g) If tenders were not advertised, why were they not advertised.

**ANSWER:**

I am informed as follows:

The Honourable Member is referred to the Department of Education, Employment and Training Annual Report for details of consultancies up to 30 June 2000.

Since the 1 July 2000 two consultants have been employed at a total cost of \$90,983.00

In relation to parts (f) and (g) above the Department of Education, Employment and Training has complied with s.54L of the Financial Management Act. A copy of the supply policies and the associated best practice guidelines is publicly available on the Victorian Government Purchasing Board website:  
<http://www.vgpb.vic.gov.au/polguid/polmenu.htm>

**Planning: CPSU industrial agreement**

**1132. THE HON. M. A. BIRRELL** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Planning): What is the expected cost of the recent CPSU industrial agreement for public servants in the Minister's department for 2000–01 and 2001–02, respectively.

**ANSWER:**

The one year agreement provides a 3% pay increase for all staff covered by the Agreement. The funding for this 3% was included in the budget forward estimates for 2000/2001.

This funding arrangement is at the same per annum increase as had applied under the former Government for the two and a half-year enterprise agreement effective from December 1997.

The agreement also provides for a fairer method of distribution of performance pay. The funding arrangements for these amounts are the same as those applying to the 1997 round of agreements. Departments fund these payments from within existing budget.

This includes an increase of 1% for staff who meet or exceed expectations. The agreement also provides for a further payment, either as a bonus, pay increase or a combination of both, to staff who exceed expectations. On average, this payment will also be 1%. In the Department of Infrastructure, the amount is 1%.

It is the distribution of the payments that has changed not the cost to the budget or to departments.

**State and Regional Development: alumni funding**

**1274. THE HON. M. A. BIRRELL** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) Has the level of funding allocated in 2000-01 for alumni activities by the Department yet been determined; if so, what is the level of funding.
- (b) What purposes are set to be achieved with the funding in 2000-01.
- (c) What types of organisation or bodies will be funded and when will applications for funding be sought.

**ANSWER:**

The level of funding for alumni activities in 2000-2001 has not been fully determined.

The reports for projects funded in June 2000 are due at the end of December and a review of these will be undertaken to determine what the objectives of the funding will be, and what types of organisations will be funded, in 2000-01.

**State and Regional Development: Business Skills Migration program**

**1275. THE HON. M. A. BIRRELL** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development):

- (a) Has the level of funding for programs related to Business Skills Migration yet been determined; if so, what funds have been allocated in 2000-01.
- (b) Are any of the funds to be spent on Departmental staff costs; if so, how much.
- (c) When will the funds be actually spent on international promotions.



- (d) Are any of the funds to be spent on promotion activities — (i) in Victoria, and (ii) interstate; if so, how much.

**ANSWER:**

There is no single program budget for Business Skills Migration within the Department of State and Regional Development.

Funds are drawn from a common operating budget supplemented by \$100,000 allocated by the Department of Education, Employment and Training to the Department of State and Regional Development.

Promotional materials, activities and advice are made available internationally and domestically.

**State and Regional Development: rural community development officer job vacancy**

**1297. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for State and Regional Development): In relation to the Rural Community Development Officer job vacancy within the Office of Rural Communities:

- (a) Are there any existing Rural Community Development Officers in employment in Victoria.
- (b) Will other positions become available; if so, which other areas of Victoria will be represented by these officers.
- (c) Will support staff be allocated to these officers.
- (d) Where will their offices be located and will new offices be opened for them.
- (e) Will any officer be employed at above the starting salary range of \$47,118.

**ANSWER:**

The Rural Community Development Officer (RCDO) network comprises a total of nine positions in Ararat, Bairnsdale, Horsham, Mildura, Seymour, Wangaratta, Warrnambool, Wodonga and Colac. Eight of these positions are filled and the remaining position at Colac has recently been advertised. This position was previously filled but became vacant following the officer's resignation to take up another position.

RCDOs are supported by the Victorian Business Centres network and by head office, through the Office of Rural Communities in the Department of State and Regional Development.

The officers are located in existing regional business centres, Victorian Business Centres and other local government offices. The officer at Seymour is located in the Seymour Information Centre.

All RCDOs are employed under standard public service conditions. Their salaries are within the salary range relevant to the position.

**Health: Austin Repatriation Medical Centre redevelopment brochure**

**1298. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): With reference to a recently produced brochure 'Austin Repatriation Medical Centre Redevelopment & Mercy Hospital for Women Relocation':

- (a) Who authorised the publication.
- (b) What was the cost of production associated with the publication.
- (c) Where were the brochures distributed.

- (d) Who distributed the brochures.
- (e) What was the cost of distribution.

**ANSWER:**

The brochure referred to was authorised by the Government in order to fully inform the local community about this outstanding development. The cost of printing and distributing the brochure are borne by the Government and are minuscule compared to the millions of dollars wasted on consultancies associated with the failed privatisation of the hospital by the previous government.

**Health: Barwon Health — recommendations for board appointments**

**1299. THE HON. I. J. COVER** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister for Health): Will the minister provide the recommendations for appointment to the board of Barwon Health from — (i) the Barwon Health Board; and (ii) the Barwon South West Region, and any reasons for deviation from these bodies as reflected in the final appointments to the Barwon Health Board.

**ANSWER:**

The new appointments to the Barwon Health Board made by the Governor in Council are: Richard Larkins; Lisa Neville; Claire Higgins; Patricia Dasic; David Kenwood; and Kenneth Mankelow.

The continuing members are: Kevin Roache; Leanne Rowe; and Peter Thomas.

**Housing: Commonwealth–State Housing Agreement**

**1321. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the specific tasks of the group of housing industry representatives established by the Minister to help formulate the Victoria-Commonwealth part of the Commonwealth-State Housing Agreement.

**ANSWER:**

Under the 1999-2003 Commonwealth State Housing Agreement (CSHA), Victoria was required to develop a Bilateral Agreement with the Commonwealth outlining key directions for housing assistance in Victoria over the four years from July 1999 to June 2003. The Agreement was signed by Victoria and the Commonwealth on 19 May 2000.

In line with the Government’s commitment to public consultation and community involvement, the Bilateral Reference Group was formed by the Minister for Housing & Aged Care to provide input into the preparation of Victoria’s Bilateral Agreement.

In order to ensure that a broad range of community views were considered during the development of the Agreement, Reference Group members were drawn from a number of different sectors, including community housing providers and industry representatives.

The role of the Reference Group members was to contribute to the development of the Agreement and to assist with community consultations during this process.

The Reference Group ceased to meet when the consultation phase of the Agreement was completed.

**Housing: Aboriginal and Torres Strait Islander public housing tenants**

**1327. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What specific strategies have been adopted to measure satisfaction with the level and quality of services provided to public housing tenants of Aboriginal and Torres Strait Islander origin.

**ANSWER:**

There are a range of national Social Housing Surveys that are currently used as a primary reporting tool for the National Housing Data Agreement, and as a policy development tool for all jurisdictions. Satisfaction with the level and quality of services to public housing in general is measured within these annual surveys.

Options for developing and funding such surveillance are currently being explored by the National Housing Data Agreement Management Group together with the National Indigenous Housing Information Implementation Committee.

Further, the Victorian indigenous community can liaise with their Regional Aboriginal Housing Board of Victoria (AHBV) board member, either through informal contact or regularly convened community meetings. The community can also access the full board at the annual AHBV meeting held in September of each year.

This linkage between the Indigenous community and the AHBV allows the Board to monitor satisfaction with the level and quality of services provided.

**Housing: private rental assistance scheme**

**1328. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What are the current criteria under which the Government’s private rental assistance scheme operates.
- (b) In what material way have these criteria been altered since 30 June 1999.

**ANSWER:**

(a) The Bond Loan Scheme provides interest free loans to cover the cost of the bond in private rental accommodation. The full amount of the Bond Loan must be repaid at the end of the tenancy.

Maximum Bond Loan amounts are determined on the basis of the size of the property being rented and are as follows:

One bedroom or bedsit - \$520

Two bedroom - \$750

Three Bedroom - \$840

Four or more bedrooms - \$1000

Current eligibility criteria for the Bond Loan Scheme are as follows:

- i) Total assessable household income and assets cannot exceed eligibility limits for the Bond Loan Scheme (see table below):

Household Type	Income Limit (Gross) \$ Per Week	Asset Limit
Single Person	\$309	\$1,300
Couple, no dependants	\$515	\$1,300

Household Type	Income Limit (Gross) \$ Per Week	Asset Limit
Family with one child	\$549	\$1,300
Family with two children	\$583	\$2,100
Family with three children	\$617	\$2,100
Family with four children	\$651	\$2,100
Family with five children	\$685	\$2,100
Group households	\$309 per person	\$1,300 (\$2,100 for 3 or more persons)

- ii) The applicant cannot own or have a share in a residential property unless there are specific circumstances that render them exempt.
  - iii) The rent on the property cannot exceed 55% of the household's total income.
  - iv) All previous bond loans must be repaid.
  - v) All outstanding charges from any previous Office of Housing tenancies must be repaid.
  - vi) The applicant must be a permanent resident of Australia.
- (b) Since 30 June 1999 the income eligibility limits for the Bond Loan Scheme have been updated on 3 occasions, in line with movements in Centrelink Health Care Card Income Limits against which the Bond Loan Scheme limits are set.

**Housing: private rental assistance scheme**

**1329. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): How many people were assisted under the Government's private rental assistance scheme in the year to 30 June 1999.

**ANSWER:**

Under the Bond Loan scheme 15,178 clients were assisted during 1998-99. An estimated 12,000 households were also assisted with grants and other assistance through the Housing Establishment Fund (HEF) over the same period.

**Housing: private rental assistance scheme**

**1331. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What current plans does the Government have to expand the private rental assistance scheme in the future, including plans for the 2000-2001 financial year.

**ANSWER:**

The question is based on a premise which is incorrect.

**Housing: funding for land and property purchases**

**1332. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What funds have been allocated from 1 July 2000 to date for the acquisition of land and properties for or on behalf of the Office of Housing.

(b) What are the details of such land and property purchases.

**ANSWER:**

- (a) The 2000/2001 Office of Housing budget has made \$165.295m available for land and general (property) acquisitions. Of this, \$5m is allocated for land purchases. At 31 October 2000, \$52.302m had been spent (land \$0.015m).
- (b) The details of land and property acquisitions from 1 July 2000 to 31 October 2000 are as follows:
- 1) 279 dwellings have been acquired (ie handed-over or settled). \$15,000 has been spent on minor charges for existing land holdings.
  - 2) The total of the purchase prices for these properties is \$37.770m. (Note that this is not equivalent to the total expenditure of land and property acquisitions in the same period as this would include deposits paid on properties which are yet to settle)
  - 3) It is not recommended that individual public housing addresses be disclosed or publicised having regard for the tenants' rights to privacy.
  - 4) The property acquisitions in para (2) above do not include reacquisition of movable units (which are "personal property" of Director Of Housing) or "House and Land Packages" - in which the land purchase and the subsequent building construction amount are not reported separately.

**Housing: redevelopment of housing estates**

**1333. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): How will the Government direct and prioritise the \$21 million allocated for the redevelopment of older housing estates.

**ANSWER:**

A significant amount of public housing has reached an age where it requires significant expenditure and the Government has given a high priority to redevelopment in this financial year's housing budget.

The redevelopment program has targeted inner city estates, older housing in the outer suburbs and public housing estates in rural and regional cities. The redevelopment of these estates will allow the present housing to be replaced with housing of contemporary standards of amenity with an emphasis on energy efficiency. The redevelopments will also provide opportunity where appropriate to reintegrate the estates into the local community.

Significant planning and consultation work is being undertaken on a number of potential redevelopment projects which will incur expenditure in future years.

**Housing: segmented waiting list review**

**1334. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What are the terms of reference of the review of the segmented waiting list.
- (b) Who is conducting the review.
- (c) What funding has been budgeted or allocated for this review.
- (d) When is the review due to be completed.



**ANSWER:**

- a. The terms of reference for the review of the segmented waiting list are:
1. Review the impact of the introduction of the Segmented Waiting List particularly in relation to:
    - changes in public housing access patterns for low income households;
    - changes in public housing access patterns for different household types;
    - changes in public housing access patterns in different geographical areas;
    - the effect on access patterns of changing from Priority to Segmented Waiting List criteria;
    - changes in tenant transfer patterns; and
    - whether the categories for the Segmented Waiting List are directing assistance to households with high needs (eg. households affected by domestic violence, at risk of homelessness or with support needs).
  2. Identify options for, and benefits of, enhanced waiting list mechanisms.
  3. Examine the implications for waiting list mechanisms of concurrent policy work undertaken by the Office of Housing on wait list broadbanding.
  4. Examine, with a view to enhancing, existing and developing links between public housing and the provision of support and other related services.
  5. Ensure that the review of the Segmented Waiting List takes account of other relevant reviews and policy development projects currently underway (Victorian Homelessness Strategy, Eligibility Review, Women's Housing Policy).
  6. Investigate any other matters considered relevant to the efficient operation of the public housing waiting list such as tenancy retention times and the effects of targeting allocations to high need tenants.
  7. Make recommendations to the Minister for Housing & Aged Care on proposed amendments to the public housing waiting list policies and procedures.
- b. A Community Reference Group, chaired by Ann Barker, MP has been established to lead the review and advise on appropriate consultative mechanisms. The Community Reference Group is supported by a secretariat from the Office of Housing.
- c. Expenses associated with the consultation forums will be funded from existing budgets.
- d. It is expected that the Community Reference Group will provide its recommendations in mid 2001.

**Housing: Office of Housing — GST**

**1337. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What is the estimated cost from the effects of the GST to the Office of Housing of the Government's decision to insulate agencies which receive grants from the Department of Human Services.

**ANSWER:**

The Government has insulated funded agencies from the impact of GST by increasing grants by 10% where the agency has to remit GST to the Australian Taxation Office on the grant. The effect of this is to maintain the value of the grant.

In addition, the Government did not seek embedded tax savings from funded agencies.

The net cost in 2000/2001 for the Office of Housing to insulate agencies from the cost of GST, after the claiming of any input tax credits, is estimated at approximately \$2.3 million (including agencies funded through the Supported Accommodation Assistance Program).

**Housing: tenure reviews**

**1339. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What was the nature of the periodic tenure reviews that have been abolished by the Government.
- (b) What will be the impact of this initiative on the demand for public housing.

**ANSWER:**

(a) The concept of reviewable tenancies for public housing tenants was introduced in November 1997 by the previous Government. The first reviews of tenants were due to commence in November 2000.

On 28 June 2000 a number of changes were announced to improve security of tenure for new public housing tenants. These changes include:

- provision of long term security of tenure for older tenants by removing tenure reviews for tenants aged 65 years or over;
- extension of the period between reviews from 3 to 5 years for other tenants;
- significant increases to the income limits that apply at review to ensure public housing policy does not create poverty traps or work disincentives; and
- extension of assessment period at review from 6 to 12 months to provide a better indication of a stable and ongoing improvement in financial circumstances.

(b) The changes to the Reviewable Tenure Policy which were announced in June 2000 improve the security of tenure for public housing tenants. As these changes do not have any effect on the initial eligibility criteria for public rental housing, no significant effect on the demand for public rental is expected.

**Housing: public housing eligibility criteria review**

**1340. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): When will the Government's proposed review of the eligibility criteria for public housing be undertaken and who will conduct the review.

**ANSWER:**

The Review of Eligibility Criteria has commenced. The work of the Review is being undertaken by the Office of Housing and a Community Reference Group. Membership of the Community Reference Group covers a range of peak community organisations, academics, service agencies and tenant representatives. It is expected that the Review will report its findings in 2001.

**Housing: public housing eligibility criteria review**

**1341. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What is the projected impact on the demand for public housing that will result from any proposed changes to the eligibility criteria for public housing.

**ANSWER:**

An assessment of the possible impact on demand of any proposed changes to public rental eligibility criteria will be considered as part of the Review. As no proposed changes have yet been developed or announced by the Review it is not possible to comment on any possible impacts on demand at this stage.

**Housing: public housing eligibility criteria review**

**1342. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Does the Government plan to change the current income eligibility limits for public housing tenants; if so, what does the Government propose to change the limits to.

**ANSWER:**

The Government has a policy commitment to review the public rental eligibility limits that were introduced by the previous Government in 1997. A Review of Eligibility Criteria has now commenced. The Review is being undertaken by the Office of Housing and a Community Reference Group. Any changes to income eligibility criteria will not be made until after the Review has been completed in early 2001.

**Housing: Thompson Estate — Geelong**

**1343. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) When will the \$5.6 million redevelopment of the Thompson Estate in Geelong be completed.
- (b) How will the partnership between the Government, private sector and local government operate in terms of key responsibilities of each party.
- (c) What is the role of the Community Liaison Committee established to guide the partnership.

**ANSWER:**

- a) The Geelong East estate redevelopment will be staged over 2-3 years. Subject to planning approvals from local government, registrations of interest from private developers will be sought in early 2001. The completion time is dependent on these factors.
- b) The proposed redevelopment includes the upgrade of 5 existing public housing dwellings, the construction of 73 new public housing dwellings and the facilitation of up to 53 new private sector dwellings. Local government will be responsible for planning approvals. The private sector will be invited to tender for the construction of both new public housing and to purchase land for the development of private housing.
- c) A Community Liaison Committee chaired by Ian Trezise MP, Member for Geelong, with representatives from local government, government agencies, public housing tenants and the community has been set up to oversee the implementation of the project. Its role is to review progress of the redevelopment and keep local residents informed about the redevelopment.

**Housing: Port Melbourne and Ashburton public housing redevelopment**

**1344. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What are the details of the redevelopment of public housing options in Port Melbourne and Ashburton.
- (b) What is the status of their consideration.

**ANSWER:**

**Port Melbourne**

- a) The redevelopment of the Raglan/Ingles public housing estate in Port Melbourne was announced in November 1999. Tenants have been progressively relocated from the site. A Community Advisory Committee was set up in December 1999 to develop an appropriate redevelopment strategy for the estate. The local community has been consulted about the draft report for the strategy and the committee presented its report to the Minister for Housing & Aged Care in October 2000.
- b) The Minister for Housing & Aged Care has endorsed the \$13 million redevelopment to commence in 2001.

**Ashburton**

- a) The Victory Boulevard Redevelopment Advisory Committee was set up in July 2000. It is currently reviewing redevelopment options for the estate, and undertaking community consultation.
- b) The Advisory Committee is expected to provide a redevelopment strategy report to the Minister for Housing & Aged Care by the end of the year.

**Housing: rural Victoria — public housing redevelopment**

**1345. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the details and status of current redevelopment proposals for public housing in rural Victoria.

**ANSWER:**

Redevelopment of several rural public housing estates is underway. These redevelopments will address major problems in the quality of ageing public housing through extensive upgrading of some properties, rebuilding of others and, where appropriate, the purchase of replacement properties elsewhere in the local area. The redevelopment plans have been developed following significant input from local community consultation.

Redevelopments include: Bendigo – Long Gully Estate, Geelong East – Thomson Estate, Shepparton – Parkside Estate.

**Housing: public housing redevelopment — energy conservation**

**1348. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What were the outcomes of the Minister's attendance at the June 2000 workshop aimed to further develop environmental sustainability in Victoria's public and community managed housing sector.
- (b) What impact will these outcomes have on future Government actions.

**ANSWER:**

- a) At the June 2000 Environmental Management Workshop, the Minister for Housing & Aged Care presented a program of environmentally sustainable housing initiatives. These were then discussed and developed by representatives of the Office of Housing (OoH), the Sustainable Energy Authority of Victoria (SEAV) and environmental advisers.

Subsequently, the OoH has been developing implementation strategies for a range of these environmental initiatives. These include reviewing public housing standards, introducing an energy star rating and environmental features for specific public housing redevelopment projects and installing solar hot water systems and rainwater tanks in suitable locations. The OoH/SEAV have also set up a joint working group to further these initiatives.

- b) These outcomes and specific environmental initiatives will assist the Government to meet its environmental commitments and improve the energy efficiency of new and existing public housing.

**Housing: Community Connections program**

**1349. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What are the objectives of the Community Connections Program.
- (b) What are the major initiatives planned within the program in 2000-2001.
- (c) What level of funding has been allocated for the program in 2000-2001 and the forward estimates period.

**ANSWER:**

- a) The objective of the Community Connection Program is to improve the health and well being of people with complex needs who are homeless; at risk of homelessness or living in insecure accommodation. The program aims to increase access to mainstream and specialist services for this population, and to support them in their accommodation.
- b) Services have been funded across the state to locate and engage isolated and vulnerable people and develop relationships with key service providers in order to enhance the access to services of Community Connection Program providers. Community Connection Program services will develop relationships with the managers of pension-level Supported Residential Services, rooming houses and caravan parks in order to assist their residents to obtain access to health and community services.
- c) The Community Connection Program is allocated \$2.5m of recurrent Aged Care and Home and Community Care program funding annually.

**Housing: older person support programs**

**1350. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What are the objectives of the Older Person Highrise Support Program and the Older Person Inner City Support Program.
- (b) What are the key initiatives of these programs in 2000-2001 and what are the expected benefits of the programs for older people.
- (c) What level of funding has been allocated for these programs in 2000-2001 and the forward estimates period.

**ANSWER:**

**The Older Persons High Rise Support Program**

The objective of the Older Persons High Rise Support Program program is to improve the health and well being of frail, isolated older tenants living in direct tenure housing in older persons public housing high rise estates. The program employees workers to work from the estates with the aim of assisting 240 isolated tenants with unmet support needs during 2000-2001. \$500,000 in recurrent Aged Care funding is allocated annually to the Older Persons High Rise Support Program. The expected benefits of the program will be:

- To improve the access to support and services of isolated and vulnerable tenants.

- To contribute to older public tenants sense of safety, independence and security.
- To enhance the social and community involvement of older public tenants.

**The Older Persons Inner City Support Program**

The Older Persons Inner City Support Program has two components: the Wintringham Housing Support for the Aged program and the Wintringham Older Persons Outreach Program.

The objective of the Wintringham Housing Support for the Aged program, is to improve the health and well being of the 40 residents in independent living units located in the Melbourne Central Business District. These units were built by the Office of Housing and are managed by Wintringham. \$200,000 of recurrent Aged Care funding is allocated annually to the program. The expected key benefits of the program are:

- To assist clients to maintain stable housing and independence through monitoring and providing and/or purchasing care and support.
- To ensure clients obtain access to additional health, welfare and community care services by providing linking and case management assistance.
- To enhance the social contact of isolated clients by providing social support or linking them into social and recreational activities.

The aim of the Wintringham Older Persons Outreach Program is to improve the health and well being of older people who are homeless or living in insecure accommodation in the Cities of Melbourne and Port Phillip. The Wintringham Older Persons Outreach Program will assist 50 older people who are homeless or in insecure housing in 2000-2001. \$100,000 of recurrent Aged Care funding is allocated annually to the program. The expected key benefits of the program are:

- To locate and engage isolated members of the target population.
- To ensure clients obtain access to housing, health, welfare and community care services by providing linking and case management assistance.
- To develop strategies to improve the responsiveness of mainstream and specialist service systems to the client population.

Wintringham is developing strong links with local Home and Community Care, Community Connection Programs, Community Health Centres, Community Housing services and other health and community services to ensure clients have access to the full range of services required to maximise their health and well being.

**Housing: Elizabeth Street public housing estate redevelopment**

**1355. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What is the estimated cost of the Government’s proposed re-development of the Elizabeth Street, Richmond public housing estate.
- (b) What is the expected timing of the re-development.
- (c) What is its current status.

**ANSWER:**

- a) A Community Advisory Committee chaired by Richard Wynne MP, Member for Richmond, was announced earlier this year to develop an appropriate redevelopment strategy for the Elizabeth Street estate, Richmond. The Committee is undertaking community consultation about redevelopment options over the coming months.



A redevelopment strategy report is planned for completion in mid 2001, and redevelopment options and indicative costing will then be considered.

- b) Subject to endorsement of a redevelopment proposal, planning approvals and tenant relocation, any approved redevelopment works can commence.
- c) Redevelopment options are currently being identified and the consultative committee is preparing a recommended strategy for consideration by the Minister for Housing & Aged Care.

**Housing: public housing waiting list**

**1360. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the figures for each of the years 1998, 1999 and 2000 of the public rental list broken down by priority waiting applications and wait turn applications.

**ANSWER:**

**Public Housing Waiting List for Victoria June 1998 to June 2000**

	<b>Jun-98</b>	<b>Jun-99</b>	<b>Jun-00</b>
Early Housing Applications (priority)	2,173	2,185	2,017
Wait Turn Applications	47,367	43,749	38,952
Total Waiting List	49,540	45,934	40,969

**Note :** Public housing includes the Rental General Stock and Movable Units programs. The waiting list includes transfer applications.

**Housing: public housing stock — for frail aged and disabled**

**1361. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What proportion of new public housing stock acquired during the Government’s term in office have been specifically purchased with design features which accommodate the needs of frail aged people, people with disabilities and acquired brain injury.

**ANSWER:**

The Office of Housing (OOH) provides housing assistance through a number of programs to clients with special needs including people with a physical or sensory impairment, people with a psychiatric or intellectual disability, people with acquired brain injury and the frail aged. Many of these clients require accommodation with special design features to enable them to live independently.

Through the Supported Housing Program, OOH acquires housing stock specifically suited to clients with a disability or the frail aged. In addition, older persons housing, which has a number of design features that support ageing in place, is acquired through the general public rental program. Housing is also acquired for people with a physical, intellectual or psychiatric disability through long term community housing programs. OOH has advised that some 30% of the 2,070 total stock acquisitions for the 1999/00 financial year, through both construction and purchase, were for clients assisted through the Supported Housing Program, older persons housing and long term community housing programs.

Additional properties with special design features are also acquired through the general rental program to meet the specific needs of clients with disabilities on the public housing waiting list. The Supported Housing category of the public housing waiting list provides priority access for people requiring modified housing and people with support needs.

OOH also meets the special housing needs of applicants by modifying existing public rental and community housing. During 1999/00, \$3m was spent on modifying existing properties, ranging from relatively minor but important items such as special taps or grab rails, to more extensive modifications including ramps, widened doorways and modified bathrooms.

A number of initiatives to improve the accessibility features of all public housing stock constructed by OOH are also currently being examined and progressively implemented.

**Housing: public housing stock acquisitions**

**1362. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the details of new public housing stock acquisitions across the nine Departmental regions including housing type, during the Government’s term in office, indicating whether they are Director of Housing managed or community based stock.

**ANSWER:**

Table 1: Units Acquired (Director of Housing managed) 1999-00 – by Dwelling Type within Regions is attached and provides details of new social housing stock acquisitions (Director of Housing managed) across the nine Departmental regions and includes housing type for the financial year ending June 2000.

Table 2: Units Acquired (Community managed) 1999-00 – by Dwelling Type within Regions is attached and provides details of new social housing stock acquisitions (Community managed) across the nine Departmental regions and includes housing type for the financial year ending June 2000.

**Attachment 1**

**Table 1: Units Acquired (Director of Housing Managed) during 1999-2000 - by Dwelling Type within Region**

Region	Separate House	Semi-Det. House	Medium Density	Flat, Low-rise	Moveable Units	Rooming House Rooms	Total
Barwon South West	10	2	40	28	2	0	82
Gippsland	11	6	18	14	0	0	49
Grampians	8	5	27	10	0	0	50
Hume	35	2	48	10	1	0	96
Loddon Mallee	30	7	81	26	0	0	144
Eastern Metro	36	11	106	29	1	0	183
Northern Metro	106	26	165	70	1	0	368
Southern Metro	85	17	220	56	1	0	379
Western Metro	90	51	110	77	2	0	330
<b>Total</b>	<b>411</b>	<b>127</b>	<b>815</b>	<b>320</b>	<b>8</b>	<b>0</b>	<b>1,681</b>
<b>Total as a percentage</b>	<b>24.4</b>	<b>7.6</b>	<b>48.5</b>	<b>19.0</b>	<b>0.5</b>	<b>0.0</b>	<b>100.0</b>

**Attachment 2**

**Table 2: Units Acquired (Community Managed) during 1999-2000 - by Dwelling Type within Region**

Region	Separate House	Semi-Det. House	Medium Density	Flat, Low-rise	Moveable Units	Rooming House Rooms	Total
Barwon South West	11	0	24	0	0	0	35
Gippsland	14	0	8	9	0	0	31
Grampians	7	1	16	0	0	0	24
Hume	16	2	7	0	0	0	25

Region	Separate House	Semi-Det. House	Medium Density	Flat, Low-rise	Moveable Units	Rooming House Rooms	Total
Loddon Mallee	22	2	14	0	0	11	49
Eastern Metro	9	0	19	1	0	0	29
Northern Metro	16	2	24	0	0	0	42
Southern Metro	15	2	42	0	0	0	59
Western Metro	20	1	25	49	0	0	95
<b>Total</b>	<b>130</b>	<b>10</b>	<b>179</b>	<b>59</b>	<b>0</b>	<b>11</b>	<b>389</b>
<b>Total as a percentage</b>	<b>33.4</b>	<b>2.6</b>	<b>46.0</b>	<b>15.2</b>	<b>0.0</b>	<b>2.8</b>	<b>100.0</b>

**Housing: grants to charity organisations**

**1363. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What grants and amounts have been provided to charity organisations across the nine Departmental regions by the current Government.

**ANSWER:**

The precise nature of the information sought is unclear. An example of information available within the Office of Housing for the year 1999/2000 is as follows:-

**OFFICE OF HOUSING**

Grants and Subsidies 1999/2000	\$'000
Tenant and Community Support	4,049
Bond and Rental Assistance and Housing Establishment Fund	10,862
Community Housing Financial Support and Aboriginal Housing Board	15,688
National Housing Research and Data Agreement	272
Community Housing (Infrastructure)	1,144
Common Equity Co-operatives Rebates	5,340
Community Acquisitions	3,620
<b>Total</b>	<b>40,975</b>

**Housing: public housing — client profile**

**1366. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What is the profile breakdown of client groups assisted in public rental housing during each of the years 1998, 1999 and 2000 according to — (i) household income; (ii) percentage of income of rental payment; (iii) marital status; and (iv) family composition.

**ANSWER:**

**(i) Household Income (\$ per week)**

**Weekly Household Income for Public Housing Tenants on rebates and Allocations 1997/98 to 1999/00**

	<100	100-199	200-299	300-399	400-499	500-599	600-699	700+	Unknown	Total
Allocations 1997-1998	10	3,217	2,785	1,854	851	330	169	169	54	9,439
Allocations 1998-1999	18	3,912	2,908	2,328	1,094	387	195	209	44	11,095
Allocations 1999-2000	13	3,746	2,082	3,069	1,192	449	220	234	46	11,051

**QUESTIONS ON NOTICE**

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	<100	100-199	200-299	300-399	400-499	500-599	600-699	700+	Unknown	Total
Tenants on rebates June 1998	74	20,334	14,351	10,206	5,021	1,931	589	218	6	52,730
Tenants on rebates at June 1999	27	21,446	12,128	12,248	5,365	1,889	657	219	74	54,053
Tenants on rebates at June 2000	26	22,084	9,900	14,279	5,997	2,244	848	329	87	55,794*

**Note :** Public housing includes the Rental General Stock and Movable Units programs

\* 88% of tenants were on rebates as at June 2000. Income details for balance 12% tenants are not available.

**(ii) Percentage of Income on Rental Payment**

Public housing tenants are charged either 23 percent or 25 percent of their household income in rent depending on their date of entry to public housing, or market rent whichever is the lower :

- Tenants on rebated rent who entered public housing prior to 17 November 1997 pay 23 percent of household income in rent.
- Tenants on rebated rent who commenced their tenancy agreement on or after 17 November 1997 are generally charged 25 percent of household income in rent. The major exception to this is for transfers of existing tenants for reasons of priority, stock redevelopment or utilisation purposes where the previous 23% threshold is maintained.
- Tenants who are not in receipt of rental rebates (12 percent of total tenants) also pay 25 percent or less of their income in rent. If the market rent of the property is higher than 25 percent of income, tenants are eligible to apply for a rental rebate. Where the market rent of a property is less than 25 percent of household income, the tenant is charged the market rent.

**(iii) Marital Status**

**Profile of Marital Status for Public Housing Tenants and Allocations 1997/98 to 1999/00**

	Single	Married	Not Stated	Total
Allocations 1997-1998	7,442	1,613	384	9,439
Allocations 1998-1999	8,848	1,844	403	11,095
Allocations 1999-2000	8,998	1,776	277	11,051
Tenants at June 1998	44,031	14,457	2,092	60,580
Tenants at June 1999	45,831	13,819	2,019	61,669
Tenants at June 2000	47,582	13,225	1,979	62,786

**Note :** Public housing includes the Rental General Stock and Movable Units programs

**(iv) Household Composition**

**Household Composition of Public Housing Tenants and Allocations 1997/98 to 1999/00**

	Youth	Single	Couple no Ch.	Couple + Ch.	Single Parent	Older Single	Older Couple	Group/ Share	Not Stated	Total
Allocations 1997-1998	230	1,155	327	1,007	3,656	1,666	279	735	384	9,439

	Youth	Single	Couple no Ch.	Couple + Ch.	Single Parent	Older Single	Older Couple	Group/ Share	Not Stated	Total
Allocations 1998-1999	273	1,458	332	1,170	4,247	1,963	342	907	403	11,095
Allocations 1999-2000	361	1,814	271	1,105	4,222	1,791	400	810	277	11,051
Tenants at June 1998	414	6,690	2,769	7,814	15,129	16,009	3,874	5,789	2,092	60,580
Tenants at June 1999	488	7,528	2,637	7,284	15,794	16,282	3,898	5,739	2,019	61,669
Tenants at June 2000	594	8,282	2,498	6,746	16,119	16,738	3,981	5,849	1,979	62,786

**Note :** Public housing includes the Rental General Stock and Movable Units programs

### Housing: public housing stock

**1367. THE HON. C. A. FURLETTI**— To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) Are there any plans to sell, demolish or replace public housing stock; if so, what is the breakdown according to Departmental regions.
- (b) Will stock be replaced in the same regional area; if not, will the Minister provide details of the relocation area of stock replenishment in redirected regional areas across the State.
- (c) Will the Minister provide details of any needs analysis undertaken to inform the replenishment of stock in redirected regional areas across the State.

#### ANSWER:

- (a) Under the Office of Housing (OoH) Asset Management Strategy, properties are progressively identified for sale, demolition or replacement as they become vacant, if they are:
  - No longer economically viable to maintain;
  - In areas of relatively low demand;
  - Inappropriate for client needs;
  - Appropriately located for redevelopment; and
  - In accordance with the Tenants Sales Policy.

Table 1: Summary of Sales and Demolitions for 1999-00 by Region (Attachment 1) provides a breakdown of Sales and Demolitions by Region for the financial year 1999-00, the latest period for which data is available.

- (b) Under the OoH's Asset Management Strategy, there is an on going process of strategically identifying old and ageing stock in areas reflecting declines in population and changing patterns in demand, and realigning the stock to growth areas where there is greater demand. This strategic approach ensures that stock can be better matched to client needs in terms of location, size and amenity, including modifications. In 1999-00, the proportion of stock being disposed represented approximately 1.5% or 1,132 properties out of a total stock pool of approximately 71,500. This disposal figure is in line with the national average disposal percentages of Australian Housing Authorities across Australia, which was 1.5% (1997-98).

The issue of stock additions, 'stock replacement' or 'replenishment of stock' are determined primarily on the basis of meeting public housing demand or need and strategic policy objectives.

The employment of a Needs Analysis Model and Asset Management Strategy by the OoH not only ensures that the Government continues to provide affordable public housing in appropriately located areas, it also demonstrates sound economic management and an efficient use of public housing resources.

As this process of disposal, acquisition and redevelopment is on going, obviously stock replacement will not always occur in the same regional area if the Needs Analysis indicates there is a higher demand elsewhere. In fact, under the previous Government, an analysis of need and planned resource allocation shows not enough emphasis was given to maintaining stock numbers in the metropolitan area of Melbourne and key regional centres such as Ballarat, Bendigo, Geelong, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga. *The Auditor General's Report No. 46. 1999 (Public Housing: Responding to a Fundamental Community Need)* highlighted this issue and indicated "the number of planned new housing properties in country areas exceeded assessed need in those areas, while the reverse situation applied in the outer metropolitan area of Melbourne".

This Government's stock management policies will aim to reverse this trend by ensuring that public housing is retained in well-located areas. This Government is committed to expanding the level of public housing stock, and for the first time in over 10 years, the Labor Government has injected new money (\$94.5 million over three financial years to 2000-2003), over and above the Commonwealth State Housing Agreement (CSHA), towards expanding the availability of affordable public housing for low-income Victorians.

(c) Needs Analysis Model

The OoH employs a Needs Analysis Model to measure the level of public housing demand for determining stock acquisitions. Attached for information is a paper entitled *Target Setting Method, Rental General Stock, Office of Housing* (Attachment 2) which outlines the methodology for determining need. Three data sources are used as inputs to the Needs Analysis Model:

- Public rental wait turn applications and priority approvals – provide a measure of current demand (Source: OoH data);
- Public rental waiting list data – provides a measure of 'aggregate' demand (Source: OoH data); and
- Centrelink data on recipients of rent assistance (Source: Centrelink).

The Needs Analysis Model identifies need across Victoria and determines acquisition targets for Rental General Stock (RGS) and for Transitional and Community Managed housing programs

As indicated this approach provides for local input into the priorities with each Region.

**Attachment 1**

**Table 1: Summary of Sales and Demolitions for 1999-00 by Region**

<b>Region</b>	<b>Sales</b>	<b>Demolitions</b>	<b>Total</b>
Barwon South West	103	40	143
Gippsland	94	15	109
Grampians	84	6	90
Hume	74	11	85
Loddon Mallee	47	26	73
Eastern Metro	37	45	82
Northern Metro	68	39	107
Southern Metro	77	167	244
Western Metro	75	124	199
<b>Total</b>	<b>659</b>	<b>473</b>	<b>1,132</b>

Source: Department of Human Services, Office of Housing Assistance Programs 1999-00



**Attachment 2****T a r g e t   s e t t i n g   m e t h o d**  
**R e n t a l   G e n e r a l   S t o c k**  
**O f f i c e   o f   H o u s i n g**

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The process for identifying client need and translating this need into acquisition targets for public rental housing involves:

**1. Identification of Demand**

Indicators of demand have been extracted from Centrelink (DFCS) data and the Office of Housing's own information on priority and wait turn applications data.

The Centrelink data represents people who are receiving Rent Assistance, on a full pension, have limited assets and would be paying greater than 30% of their income at average market rent access.

This demand data is disaggregated by waiting list segment, household type and region.

The resultant ratios are then applied to the statewide aggregate of new applications averaged over a three year period to give an annual equivalent of demand across the state.

The 'segment 4' (extracted from OoH Waiting List data) Centrelink needs data is adjusted to reflect the ability of some clients in this segment to access the private market.

**2 Identification of Supply**

**Three components have been considered in determining Stock available for allocation:**

- **Turnover of stock** - estimate based on turnover due to permanent exits and annualised;
- **Stock to be handed over during financial year** - Based on existing financial year targets; and
- **Redevelopments and construction properties scheduled for handover during the period.**

**3. Determine Net Demand**

**Deduct supply from demand to get net demand -**

This process results in the identification of a number of property types in a number of areas indicating negative demand (that is an excess of some types of stock).

**4. Allocate Budget to Address Net Demand**

Deduct Budget requirement for property transactions, which are committed, and already on program for the financial year.

Allocate remaining budget according to proportion of net demand by client type and bedroom for each LGA.

Unit costs have been obtained from average actual expenditure during financial year for each bedroom size in the metropolitan and country area, index metropolitan acquisitions by 10% and rural by 5%.

**5. Confirm targets with Regions**

Targets are forwarded to Regions to enable them to review targets eg local knowledge, demographic trends and hard to acquire areas.

**6. Forward targets to Asset Management**



**QUESTIONS ON NOTICE**

*Answers to the following questions on notice were circulated on the date shown.  
Questions have been incorporated from the notice paper of the Legislative Council.  
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.  
The portfolio of the minister answering the question on notice starts each heading.*

**Thursday, 30 November 2000**

**Police and Emergency Services: Country Fire Authority Appeals Commission — Workcover premiums**

**1002. 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): In respect of the Country Fire Authority Appeals Commission:

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.
- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Commission on the basis of which the initial premium for 2000-2001 is calculated.
- (f) What is the Workcover industry classification or classifications of the Commission and if there is more than one industry classification, what is the rateable remuneration of the Commission for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Commission provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Commission budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

For WorkCover purposes the Country Fire Authority Appeals Commission is not a separately reporting entity. To provide the information requested would require an inordinate amount of time and resources that are not available.

**Corrections: Firearms Appeals Committee — Workcover premiums**

**1003. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Corrections): In respect of the Firearms Appeals Committee:

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.

- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Committee on the basis of which the initial premium for 2000-2001 is calculated.
- (f) What is the Workcover industry classification or classifications of the Committee and if there is more than one industry classification, what is the rateable remuneration of the Committee for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Committee provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Committee budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

For WorkCover purposes the Firearms Appeals Committee is not a separately reporting entity. To provide the information requested would require an inordinate amount of time and resources that are not available.

**Police and Emergency Services: Metropolitan Fire and Emergency Services Appeals  
Commission — Workcover premiums**

**1004. 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): In respect of the Metropolitan Fire and Emergency Services Appeals Commission:

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.
- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Commission on the basis of which the initial premium for 2000-2001 is calculated.
- (f) What is the Workcover industry classification or classifications of the Commission and if there is more than one industry classification, what is the rateable remuneration of the Commission for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Commission provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Commission budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

For WorkCover purposes the Metropolitan Fire and Emergency Services Appeals Commission is not a separately reporting entity. To provide the information requested would require an inordinate amount of time and resources that are not available.

**Police and Emergency Services: Police Appeals Board — Workcover premiums**

**1006. 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): In respect of the Police Appeals Board:

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.
- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Board on the basis of which the initial premium for 2000-2001 is calculated.
- (f) What is the Workcover industry classification or classifications of the Board and if there is more than one industry classification, what is the rateable remuneration of the Board for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Board provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Board budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

For WorkCover purposes the Police Appeals Board is not a separately reporting entity. To provide the information requested would require an inordinate amount of time and resources that are not available.

**Police and Emergency Services: Private Agents Registry — Workcover premiums**

**1007. 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): In respect of the Private Agents Registry:

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.
- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Registry on the basis of which the initial premium for 2000-2001 is calculated.



- (f) What is the Workcover industry classification or classifications of the Registry and if there is more than one industry classification, what is the rateable remuneration of the Registry for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Registry provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Registry budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

For WorkCover purposes the Private Agents Registry is not a separately - reporting entity. To provide the information requested would require an inordinate amount of time and resources that are not available.

**Corrections: Adult Parole Board — Workcover premiums**

**1009. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Corrections): In respect of the Adult Parole Board:

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.
- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999-2000 were calculated.
- (c) What were the Workcover claims costs for 1999-2000 as specified in the 2000-2001 initial premium notice.
- (d) What is the Workcover initial premium for 2000-2001.
- (e) What is the rateable remuneration for the Board on the basis of which the initial premium for 2000-2001 is calculated.
- (f) What is the Workcover industry classification or classifications of the Board and if there is more than one industry classification, what is the rateable remuneration of the Board for 2000-2001 in respect of which each industry classification is applicable.
- (g) Did the Board provide an estimate of rateable remuneration to its Workcover agent in respect of 2000-2001 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Board budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000-2001.

**ANSWER:**

For WorkCover purposes the Adult Parole Board is not a separately reporting entity. To provide the information requested would require an inordinate amount of time and resources that are not available.

**Premier: Victorian Relief Committee — Workcover premiums**

**1065. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Premier): In respect of the Victorian Relief Committee (incorporating Vic-Care):

- (a) What was the Workcover initial premium and, if known, confirmed premium for 1999-2000.

- (b) What was the rateable remuneration on the basis of which the initial annual premium and, if known, the confirmed premium for 1999–2000 were calculated.
- (c) What were the Workcover claims costs for 1999–2000 as specified in the 2000–01 initial premium notice.
- (d) What is the Workcover initial premium for 2000–01.
- (e) What is the rateable remuneration for the Committee on the basis of which the initial premium for 2000–01 is calculated.
- (f) What is the Workcover industry classification or classifications of the Committee and if there is more than one industry classification, what is the rateable remuneration of the Committee for 2000–01 in respect of which each industry classification is applicable.
- (g) Did the Committee provide an estimate of rateable remuneration to its Workcover agent in respect of 2000–01 rateable remuneration; if so, when was that estimate provided and what was the estimate of rateable remuneration so provided.
- (h) What amount did the Committee budget or estimate prior to 30 June 2000 that it would be required to pay in Workcover premiums for 2000–01.

**ANSWER:**

I am informed that the information is as follows:

- (a) WorkCover initial premium for 1999 - 2000: \$9,750.01
- (b) Rateable remuneration - initial premium for 1999 - 2000: \$388,668
- (c) WorkCover claims costs for 1999 - 2000 as specified in the 2000 - 2001 initial premium notice: Nil
- (d) WorkCover initial premium for 2000 - 2001: \$13,237.33
- (e) Rateable remuneration - initial premium for 2000 - 2001: \$348,200
- (f) WorkCover industry classification: K8316T
- (g) Rateable remuneration estimate for 2000 - 2001: Received 6/4/00  
Rateable remuneration estimate for 2000 - 2001: \$348,200
- (h) WorkCover premiums budget / estimate for 2000 - 2001: \$9,400

**Education: consultancies**

**1210. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Education):

- (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:**

I am informed as follows:

Since the 1 July 2000 details of consultancies are as follows:

Consultancies in excess of \$100,000.

Mr Michael Kupsch, Professional Development Institute, Monash University \$150,000.

Consultancies less than \$100,000.

Six consultants have been employed at a total cost of \$273,915.

**Police and Emergency Services: consultancies**

**1212. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Police and Emergency Services):

- (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:**

The Honourable Member is referred to the answer to Question on Notice number 1219 made by the Honourable the Attorney-General.

*[Hansard reference — see page 1921.]*

**Corrections: consultancies**

**1213. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Sport and Recreation (for the Honourable the Minister for Corrections):

- (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:**

The Honourable Member is referred to the answer to Question on Notice number 1219 made by the Honourable the Attorney-General.

*[Hansard reference — see page 1921.]*

**Attorney-General: consultancies**

**1219. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Attorney-General):

- (a) What are the names of all the individuals or companies employed by consultancy contracts since 1 July 2000, if any, hired by the Attorney-General 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:**

Since 1 July 2000, details of consultancies conducted for the Department of Justice, (excluding Consumer and Business Affairs Victoria, see Question on Notice answer 1199) are as follows:

*[Hansard reference — see 16 November 2000, page 1416.]*

**CONSULTANCIES OVER THE VALUE OF \$100,000**

Division	Consultant	Original Contract Date	Estimated Completion Date	Contract Title	Original Approved Amount
Portfolio Planning	KPMG Consulting Australia	04/09/2000	01/02/2001	Modelling Analysis Capability Implementation Project	\$139,992
OCSC	Arthur Anderson	19/07/2000	20/11/2000	Review of CCS	\$495,000
VCCP	John Wertheimer & Co	10/07/2000	31/05/2002	Victorian County Court Project – Design & Construction Consultant	\$216,000
Justice Policy	P E F Kirby and Brian Greaves	01/07/2000	30/11/2000	Vic Private Prisons Investigation	\$165,000

**CONSULTANCIES LESS THAN THE VALUE OF \$100,000**

There were 14 consultants engaged by the Department since 1 July 2000 with an individual value of less than \$100,000. The total cost of these consultancies was \$588,057.

**Minister Assisting Minister for Transport — Roads: consultancies**

**1224. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister Assisting in Transport (Roads):

- (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:**

The Honourable Member is referred to the Department of Infrastructure Annual report for details of consultancies up to 30 June 2000.

To provide the information from 1 July 2000 to present date would require an unreasonable diversion of time and resources which are not available.

**Industrial Relations: Olympic Games functions**

**1237. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations: Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

I attended the Olympic Games in a private capacity.

**Transport: Olympic Games functions**

**1253. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Transport): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

- On 7 September 2000 from 6pm to 7.30pm I attended the Civic Reception arranged by the Melbourne City Council for the International and Australian Olympic football teams in the Supper Room, Melbourne Town Hall.
- On 11 September 2000 from 10am to 10.30am I attended the accreditation for Olympic soccer at the Practice Wicket at the MCG behind the Ponsford Stand.
- On 13 September 2000 from 4pm to 11pm I attended the MCG with my family for the Olympic soccer matches between Sweden and Brazil (women) and Australia and Italy (men) at my own expense.
- Between 19 and 21 September 2000 together with my family I attended various Olympic events in Sydney at my own expense.

- On 26 September 2000 between 7pm and 11pm, I attended at the same time as the Hon Tom Reynolds, the former Liberal Minister for Sport, the men's semi-final of the Olympic soccer with Carlo Carli under the arrangements entered into by the previous Government.
- On 4 October 2000 between 9.15am and 10.30am together with numerous members of the Opposition I attended the Vodaphone Arena at Swan Street Melbourne Park to welcome the Olympic athletes.

**Minister Assisting Minister for Health: Olympic Games functions**

**1272. THE HON. D. McL. DAVIS** — To ask the Honourable the Minister for Industrial Relations (for the Honourable the Minister Assisting the Minister for Health): Will the Minister provide a list of the sporting, business and social events, meetings and/or functions the Minister attended in relation to the Sydney 2000 Olympic Games, including functions, events, sporting events, and/or meetings in New South Wales and Victoria during and/or after the Olympic Games, outlining — (i) on what dates the Minister attended; (ii) of whom the Minister was the guest; (iii) who paid for the Minister's expenses related to the attendance, including travel, ticket, food and beverage and/or accommodation expenses; and (iv) the costs of these expenses.

**ANSWER:**

The Minister Assisting the Minister for Health did not attend the Sydney 2000 Olympic Games.

**Environment and Conservation: Torquay and Anglesea foreshore committees**

**1276. THE HON. I. J. COVER** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): In respect of the proposed merger of the Torquay and Anglesea Foreshore Committees, will the Minister advise as to who allegedly informed the Member for South Barwon about the merger proposal as quoted in the *Geelong Advertiser* on 12 October 2000.

**ANSWER:**

I am informed that:

The issue of the appointment of Committees of Management in the Surf Coast Shire and their future structures was discussed when the Member for South Barwon was briefed by the Victorian Coastal Council regarding the review of the Victorian Coastal Strategy.

**Small Business: Showcasing Small Business statement**

**1278. THE HON. BILL FORWOOD** — To ask the Honourable the Minister for Small Business: In relation to the "Showcasing Small Business" statement:

- (a) In which newspapers did the 'Showcasing Small Business' advertisement appear.
- (b) What was the total cost of those advertisements.
- (c) What was the total cost of the 'Showcasing Small Business' launch at the Provincial Hotel, Fitzroy.
- (d) How many people attended the launch.
- (e) What is the total cost of the entire "Showcasing Small Business" initiative.
- (f) What new initiatives have been developed through "Showcasing Small Business."



**ANSWER:**

The Showcasing Small Business Statement is the first significant small business policy statement by a Victorian Government in many years. It provides the framework for the development of all of the Government's small business initiatives during this term, which will be announced and rolled out over the next 6-12 months. An example of one of these initiatives is the new export assistance centre, Vic Export, which was also launched at the time of the Statement.

The supplement appeared only in the Herald Sun at a total cost of \$57,432.

The total cost of the launch at the Provincial Hotel was \$7,837 and the total cost to date of the Showcasing initiative is \$108,317.

Around 150 people attended the launch of Showcasing Small Business.

**Environment and Conservation: Fingal picnic area**

**1279. THE HON. K. M. SMITH** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What is the cost of renovating the pine trees at the 'Fingal Picnic Area' in the Mornington Peninsula National Park, Cape Schanck, earlier this year.

**ANSWER:**

I am informed that:

The rehabilitation of the pine trees at the Fingal Picnic Area is included in the current Management Plan for the Mornington Peninsula National Park.

The trees are part of an old plantation that has not been managed for more than 30 years. The trees are deteriorating and pose a public risk, and the plan for the area is to remove them, rehabilitate the area and return it to native vegetation.

The total area to be rehabilitated is approximately 5.75 hectares to be completed over a five year period. Earlier this year 80-100 pine trees were removed from an area of about 0.25 hectares.

The cost of this rehabilitation work was effectively cost neutral. The contractor paid Parks Victoria \$1,000 for the salvageable timber and undertook site restoration works as part of the tree removal operation. The direct cost to Parks Victoria was approximately \$1,000 which included staff costs.

**Environment and Conservation: Gunnamatta Beach**

**1281. THE HON. K. M. SMITH** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What are the Government's plans for improvements to 'Gunnamatta Beach' (Mornington Peninsula National Park) and its facilities.

**ANSWER:**

I am informed that:

The Government, through Parks Victoria has commenced improvement works at Gunnamatta in accordance with the Master Plan prepared in 1998. To date \$350,000 has been spent on upgrade works including redesign and reconstruction of the first car park, a new toilet, realigned beach access paths, new walking tracks, conservation fencing, undergrounding sections of power lines and risk signage.

**Environment and Conservation: St Andrews beach**

**1282. THE HON. K. M. SMITH** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What are the Government's plans for improvements to 'St Andrew's Beach' (Mornington Peninsula National Park) and its facilities.

**ANSWER:**

I am informed that:

St Andrews Beach is primarily used by locals and surf riders. Only basic facilities such as signage and beach access tracks are required. The car park is on land owned by the Mornington Peninsula Shire Council. Works in the area will continue to focus on environmental programs including habitat protection for the endangered Hooded Plover.

**Environment and Conservation: Flinders ocean beach**

**1283. THE HON. K. M. SMITH** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): What are the Government's plans for improvements to Flinders (Ocean) Beach and its facilities.

**ANSWER:**

I am informed that:

The Government, through Parks Victoria will upgrade facilities at Flinders Ocean Beach in accordance with the approved Mornington Peninsula National Park Rye Gunnamatta & Flinders Ocean Beaches Masterplans Report by Paul Laycock & Florence Jaquet Landscape Architects prepared in 1998. To date \$50,000 has been spent on priority risk mitigation works involving resheeting of the car parking area and installation of signage.

**Housing: rooming house closures**

**1284. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the increased demands that have resulted from the closure of rooming houses and the pattern of gentrification occurring in the City of Port Phillip and the City of Stonnington:

- (a) Has the Minister devised a policy to counter these trends.
- (b) What is the content of the policy.
- (c) When will it be put in place.
- (d) What cost is involved.

**ANSWER:**

- (a) Has the Minister devised a policy to counter these trends?

The closure of rooming houses and gentrification occurring in the Cities of Port Phillip and Stonnington have progressively created severe difficulties for low-income people living in these areas and are having the very unfortunate effect of displacing many long-term residents from their homes and their local communities.

The Government has developed several key policies to assist those affected.

Through the Social Housing Innovation Project (SHIP) the Government has committed an additional \$94.5 million during this term, to the provision of affordable social housing. The projects arising out of this

process will be developed with the active participation and input of local communities ensuring diverse and responsive housing outcomes.

In addition, the Government is in the process of developing policy aimed at promoting a more active role for local government in the provision of affordable housing. Both Stonnington and Port Phillip Councils were represented in stage one of the policy development process and we hope that they continue to play an active role in developing solutions to this difficult problem.

Finally, the Victorian Homelessness Strategy (VHS), launched in July of this year, is in the process of developing a comprehensive and coordinated response to meet the needs of people experiencing homelessness. Given the very real risk of homelessness arising from rooming house closures this is a critical plank in the government's response to the issues raised.

(b) What is the content of this policy?

Both the Social Housing Innovations Project and the Housing and Local Government Affordable Housing Policy have a couple of fundamental aims: first, to expand the provision of affordable and appropriate housing and second, to draw upon the valuable knowledge and commitment in the community and local government sectors to achieve this outcome.

As such, the SHIP process has actively involved social housing providers and others in developing a range of possible models through which the substantial funds committed by the Government can be most effectively utilised.

The Housing and Local Government Affordable Housing Policy is also being developed in consultation with a range of stakeholders drawn from Local and State Governments. The Committee is charged with the responsibility of developing a framework that sets out clear policies and options by which a cross-section of councils can become further engaged in affordable housing solutions. Clearly such policies will need to be responsive to the diverse housing issues confronting different municipalities and the differing capacities for local government involvement.

Finally, the Victorian Homelessness Strategy is working to develop a comprehensive approach to homelessness by developing a preventative and early intervention approach to tackling homelessness, as well as improving current responses. Again, the strategy is being developed with broad sector participation achieved via the Ministerial Advisory Committee (MAC) and the very well attended public consultations across Victoria.

(c) When will it be put in place?

The Minister for Housing & Aged Care will be considering a series of recommendations about the expenditure of the additional monies committed by the government through the SHIP project in the coming months and will make an announcement at this time.

It is anticipated that the recommendations arising from the Local Government and Affordable Housing Policy Development process will be provided by the middle of next year.

The MAC for the Victorian Homelessness Strategy will be providing me with an interim report in the first half of next year followed by a final report in the second half of 2001.

(d) What costs are involved?

As outlined, the Government has committed an additional \$94.5 million dollars to the provision of affordable housing. In addition, we have committed \$17.2 million over 4 years to develop effective responses to homelessness. There has been a substantial decline in Commonwealth State Housing Agreement funding for public housing and the broad based Commonwealth Rent Assistance program which is an inadequate response in areas of Melbourne undergoing gentrification.

**Housing: Monash Province — public housing stock**

**1286. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What incentives has the Minister developed in Monash Province to provide stock for long term public and community housing.

**ANSWER:**

In the current financial year, the Office of Housing will acquire in excess of 1,300 properties statewide. The level of purchase and construction of public housing in Monash Province is based on an assessment of need in the region comparative to other regions.

In addition, the Government, through the Social Housing Innovations Project (SHIP), has committed an additional \$94.5 million dollars to the provision of affordable housing to provide stock for long-term community housing. The SHIP process will see social housing providers, the community and private sector's proposals in developing a range of possible models through which the funds committed by the Government can be most effectively utilised. The Minister for Housing & Aged Care recently called for submissions for joint ventures however until such time as the submissions received have been considered, the Office of Housing cannot comment about specific developments in Monash Province.

**Housing: Port Phillip — public housing shortage**

**1287. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the current shortage of public housing in the City of Port Phillip:

- (a) Which developers have been encouraged to make provision for affordable housing in order to replace the stock that has been lost as a result of commercial development.
- (b) Where will these developments be located.
- (c) When will these developments commence construction.
- (d) Will there be any cost to the City of Port Phillip.
- (e) How many people will these developments accommodate.

**ANSWER:**

The Government's policy document 'Better Housing' makes a commitment to "examine ways in which developers can make provision for affordable housing lost as a direct result of any commercial development". Principally this commitment is being met through the Local Government Affordable Housing Policy currently being developed.

Launched in June 2000, the development of this policy will explore a range of mechanisms by which local government can be supported to play a more active role in promoting affordable housing outcomes, including ways in which planning provisions can be used to encourage developers to contribute to affordable housing.

Key local government representatives are represented on the project's Steering Committee and local government representatives and other key stakeholders will be widely consulted. A final report, including recommendations from the Committee is due in mid 2001.

With respect to your specific questions on the location of developments, construction commencement dates, costs to the City of Port Phillip and the numbers of people to be accommodated, these issues will be determined in large part by the recommendations of the Steering Committee and direction adopted, in this case, the City of Port Phillip itself.

In addition, the Government, through the Social Housing Innovations Project (SHIP), has committed an additional \$94.5 million dollars to the provision of affordable housing to provide stock for long-term community housing. The

SHIP process will see social housing providers, the community and private sector's proposals in developing a range of possible models through which the funds committed by the Government can be most effectively utilised. The Minister for Housing & Aged Care recently called for submissions for joint ventures however until such time as the submissions received have been considered, the Office of Housing cannot comment about specific developments in the City of Port Phillip.

**Housing: Stonnington — public housing shortage**

**1288. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the current shortage of public housing in the City of Stonnington:

- (a) Which developers have been encouraged to make provision for affordable housing in order to replace the stock that has been lost as a result of commercial development.
- (b) Where will these developments be located.
- (c) When will these developments commence construction.
- (d) Will there be any cost to the City of Stonnington.
- (e) How many people will these developments accommodate.

**ANSWER:**

The Government's policy document 'Better Housing' makes a commitment to "examine ways in which developers can make provision for affordable housing lost as a direct result of any commercial development". Principally this commitment is being met through the Local Government Affordable Housing Policy currently being developed.

Launched in June 2000, the development of this policy will explore a range of mechanisms by which local government can be supported to play a more active role in promoting affordable housing outcomes, including ways in which planning provisions can be used to encourage developers to contribute to affordable housing.

Key local government representatives are represented on the project's Steering Committee and local government representatives and other key stakeholders will be widely consulted. A final report, including recommendations from the Committee is due in mid 2001.

With respect to your specific questions on the location of developments, construction commencement dates, costs to the City of Stonnington and the numbers of people to be accommodated, these issues will be determined in large part by the recommendations of the Steering Committee and direction adopted, in this case, the City of Stonnington itself.

In addition, the Government, through the Social Housing Innovations Project (SHIP), has committed an additional \$94.5 million dollars to the provision of affordable housing to provide stock for long-term community housing. The SHIP process will see social housing providers, the community and private sector's proposals in developing a range of possible models through which the funds committed by the Government can be most effectively utilised. The Minister for Housing & Aged Care recently called for submissions for joint ventures however until such time as the submissions received have been considered, the Office of Housing cannot comment about specific developments in the City of Stonnington.

**Housing: Glen Eira — public housing shortage**

**1289. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the current shortage of public housing in the City of Glen Eira:

- (a) Which developers have been encouraged to make provision for affordable housing in order to replace the stock that has been lost as a result of commercial development.
- (b) Where will these developments be located.
- (c) When will these developments commence construction.
- (d) Will there be any cost to the City of Glen Eira.
- (e) How many people will these developments accommodate.

**ANSWER:**

The Government's policy document 'Better Housing' makes a commitment to "examine ways in which developers can make provision for affordable housing lost as a direct result of any commercial development". Principally this commitment is being met through the Local Government Affordable Housing Policy currently being developed.

Launched in June 2000, the development of this policy will explore a range of mechanisms by which local government can be supported to play a more active role in promoting affordable housing outcomes, including ways in which planning provisions can be used to encourage developers to contribute to affordable housing.

Key local government representatives are represented on the project's Steering Committee and local government representatives and other key stakeholders will be widely consulted. A final report, including recommendations from the Committee is due in mid 2001.

With respect to your specific questions on the location of developments, construction commencement dates, costs to the City of Glen Eira and the numbers of people to be accommodated, these issues will be determined in large part by the recommendations of the Steering Committee and direction adopted, in this case, the City of Glen Eira itself.

In addition, the Government, through the Social Housing Innovations Project (SHIP), has committed an additional \$94.5 million dollars to the provision of affordable housing to provide stock for long-term community housing. The SHIP process will see social housing providers, the community and private sector's proposals in developing a range of possible models through which the funds committed by the Government can be most effectively utilised. The Minister for Housing & Aged Care recently called for submissions for joint ventures however until such time as the submissions received have been considered, the Office of Housing cannot comment about specific developments in the City of Glen Eira.

**Housing: Port Phillip — public housing standards**

**1290. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the minimum standards of amenity, size and energy efficiency in all of the Department of Housing stock in the City of Port Phillip.

**ANSWER:**

All Office of Housing (OOH) dwellings offered to new tenants meet the OOH Reletting Standards and are maintained to meet the current OOH Maintenance Standards. In addition, OOH dwellings meet all the requirements of the *Residential Tenancies Act 1997*.

The key elements of the OOH Reletting Standards ensure that the dwellings are safe, secure, in good repair and clean.

All dwellings are built according to the standards pertinent at the time of their construction and comply with all applicable legal (statutory, regulatory and code) and Departmental requirements. These would define the health and amenity requirements reflecting standards in common currency at the time including the size of habitable rooms,



ventilation, bathroom and kitchen facilities provided, fire safety, insulation and any other energy efficiency requirements.

Future upgrades of existing stock will take account of energy efficiency and, to facilitate this process, the Sustainable Energy Authority Victoria will provide technical advice and assist in the development of options and recommendations for energy efficient upgrade initiatives.

### **Housing: Stonnington — public housing standards**

**1291. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the minimum standards of amenity, size and energy efficiency in all of the Department of Housing stock in the City of Stonnington.

**ANSWER:**

All Office of Housing (OOH) dwellings offered to new tenants meet the OOH Reletting Standards and are maintained to meet the current OOH Maintenance Standards. In addition, OOH dwellings meet all the requirements of the *Residential Tenancies Act 1997*.

The key elements of the OOH Reletting Standards ensure that the dwellings are safe, secure, in good repair and clean.

All dwellings are built according to the standards pertinent at the time of their construction and comply with all applicable legal (statutory, regulatory and code) and Departmental requirements. These would define the health and amenity requirements reflecting standards in common currency at the time including the size of habitable rooms, ventilation, bathroom and kitchen facilities provided, fire safety, insulation and any other energy efficiency requirements.

Future upgrades of existing stock will take account of energy efficiency and, to facilitate this process, the Sustainable Energy Authority Victoria will provide technical advice and assist in the development of options and recommendations for energy efficient upgrade initiatives.

### **Housing: Glen Eira — public housing standards**

**1292. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the minimum standards of amenity, size and energy efficiency in all of the Department of Housing stock in the City of Glen Eira.

**ANSWER:**

All Office of Housing (OOH) dwellings offered to new tenants meet the OOH Reletting Standards and are maintained to meet the current OOH Maintenance Standards. In addition, OOH dwellings meet all the requirements of the *Residential Tenancies Act 1997*.

The key elements of the OOH Reletting Standards ensure that the dwellings are safe, secure, in good repair and clean.

All dwellings are built according to the standards pertinent at the time of their construction and comply with all applicable legal (statutory, regulatory and code) and Departmental requirements. These would define the health and amenity requirements reflecting standards in common currency at the time including the size of habitable rooms, ventilation, bathroom and kitchen facilities provided, fire safety, insulation and any other energy efficiency requirements.

Future upgrades of existing stock will take account of energy efficiency and, to facilitate this process, the Sustainable Energy Authority Victoria will provide technical advice and assist in the development of options and recommendations for energy efficient upgrade initiatives.

**Housing: Port Phillip — public housing demand**

**1293. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the demand for public housing in the City of Port Phillip:

- (a) What partnerships have been developed with the private sector and the City of Port Phillip to redevelop old public housing estates.
- (b) What is the cost of these to the City of Port Phillip.
- (c) When will it be completed.

**ANSWER:**

A major redevelopment initiative by this Government in the City of Port Phillip involves the Raglan/Ingles public housing estate in Port Melbourne. Any resources the City chooses to commit to the redevelopment and other redevelopments will be a matter for negotiation between the City of Port Phillip and the State Government.

**Housing: Stonnington — public housing demand**

**1294. THE HON. ANDREA COOTE** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the demand for public housing in the City of Stonnington:

- (a) What partnerships have been developed with the private sector and the City of Stonnington to redevelop old public housing estates.
- (b) What is the cost of these to the City of Stonnington.
- (c) When will it be completed.

**ANSWER:**

Partnerships in the City of Stonnington are being encouraged in a number of ways. The development of a Local Government Affordable Housing Policy and the Social Housing Innovations Project both aim to facilitate partnerships with Local Government and private developers to produce new affordable housing.

The Social Housing Innovations Project, through which the Government have committed an additional \$94.5 million to the provision of affordable housing, offers an important opportunity for further partnerships with the private sector, local government and community organisations. I have recently called for submissions for proposed joint ventures from interested groups and although we are expecting significant interest from local government it would be premature to predict future partnerships in the City of Stonnington or the cost or completion dates of any such partnerships.

**Housing: Glen Eira — public housing demand**

**1295. THE HON. ANDREA COOTE** — To ask the Honourable the Minister Small Business (for the Honourable the Minister for Housing): In relation to the demand for public housing in the City of Glen Eira:

- (a) What partnerships have been developed with the private sector and the City of Glen Eira to redevelop old public housing estates.
- (b) What is the cost of these to the City of Glen Eira.
- (c) When will it be completed.

**ANSWER:**

Partnerships in the City of Glen Eira are being encouraged in a number of ways. The development of a Local Government Affordable Housing Policy and the Social Housing Innovations Project both aim to facilitate partnerships with Local Government and private developers to produce new affordable housing.

The Social Housing Innovations Project, through which the Government have committed an additional \$94.5 million to the provision of affordable housing, offers an important opportunity for further partnerships with the private sector, local government and community organisations. I have recently called for submissions for proposed joint ventures from interested groups and although we are expecting significant interest from local government it would be premature to predict future partnerships in the City of Glen Eira or the cost or completion dates of any such partnerships.

**Aged Care: regional budget allocations**

**1300. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): In relation to the implementation of the 2000-2001 Aged Care budget, what are the specific amounts being spent on — (i) Aged care services and regional administrations across Victoria; (ii) State-wide programs including any carry over from 1999-2000 and any growth funding for the current year; and (iii) head office costs and overheads, capital asset charge and depreciation costs.

**ANSWER:**

(i) As at July 2000, Budget allocations for the Aged Care programs Services and regional program management for 2000/2001 in the Aged Care and Primary Health Output Group are

Aged Care	\$140.6 M
Home and Community Care (HACC)	\$267.5 M
Program Management - Regional Offices	\$ 8.0 M

Source: "Divisional Plan 2000-01" Aged, Community and Mental Health Division, Department of Human Services

Note these amounts are subject to agency negotiation and in year funding adjustments (eg for increased wages). Also, the final HACC budget is dependent on a number of factors, particularly the finalisation of the HACC State Plan and Commonwealth endorsement, which generally occurs by early in the new year.

Note: Aged Care and Primary Health Output Groups were combined in 1999-2000 into the Aged Care and Primary Health Output Group. It is not possible to precisely disaggregate current Regional Office administration costs between the funding elements of the current Aged Care and Primary Health Group which in addition to the above aged care service funding is also made up of funding for various primary and dental health programs. These costs are not disaggregated below Output Group level. As a result, allocations against specific elements such as Aged Care programs are not available.

(ii) Funding for Statewide programs for the current year as at 31 October is as follows. Note these amounts are subject to agency negotiation and in year funding adjustments (eg for increased wages):

Aged Care & Primary Health Output Group - Recurrent Aged Care Statewide Services: \$16.8 M;

(Statewide services include services such as: Statewide Palliative Care; ARPA Over 50s Association; Centre for Grief Education; National Ageing Research Institute; National Association for Loss and Grief; Palliative Care Victoria; University of the Third Age; Very Special Kids; Victorian Council on Fitness and General Health; VAHEC; Motor Neuron Disease Association; Academic Chairs at University of Melbourne, Monash University and Latrobe University; Positive Ageing; Seniors Care and Seniors Week.)

The indicative Carry Over from 1999-2000 for the Aged Care & Primary Health Output Group is : \$10.7 M

Growth funding for aged care services in the 2000/2001 Aged Care & Primary Health Output Group is as follows:

Aged Care Services	\$ 2.9 M
HACC (Commonwealth & State)	\$20.8 M

(iii) As at July 2000 central office costs and overheads, capital asset charges and depreciation costs for the Aged Care and Primary Health Output Group for the 2000-2001 financial year is:

Program Management - central office	\$ 16.2 M
Other Indirect Costs	\$ 39.5 M
Capital Asset Charge	\$ 33.9 M

Source: "Divisional Plan 2000-01" Aged, Community and Mental Health Division, Department of Human Services

It should be noted that the costs listed above are total Output Group costs. These costs are not disaggregated below Output Group level. As a result, allocations against specific elements such as Aged Care programs are not available. Also, depreciation charges are included in the Other Indirect Costs category. Budget Paper No 3 (page 71) published the Depreciation and Amortisation charge for this output group - \$27.2 M.

### **Aged Care: regional funding allocations**

**1301. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): In relation to aged care services and regional administrations funding across Victoria, what are the funding allocations to each of the nine departmental regions for the current financial year.

**ANSWER:**

Available information related to this question is published in the "Divisional Plan 2000-01" Aged, Community and Mental Health Division, Department of Human Services, over pages 43 to 46, a copy of which is attached.

*[Attachment referred to in answer has been supplied to the member and a copy tabled in the Parliamentary Library (4 pages).]*

### **Aged Care: Human Services — statewide programs**

**1302. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): What are the statewide programs in aged care being managed centrally by the Department of Human Services.

**ANSWER:**

The major statewide aged care programs in the Aged Care and Primary Health Output Group that are managed centrally in 2000-01 budget are Positive Ageing, Seniors Card, Seniors Week, various research funding, some statewide Palliative Care services and funding for some peak organisations.

### **Aged Care: regional budget allocations**

**1303. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): In relation to aged care services and regional administration budgets for the 2000-2001 year, what are the specific amounts budgeted for — (i) Aged care inpatient services; (ii) Aged care community based services; and (iii) other costs including regional administration.

**ANSWER:**

As at 31 October 2000, the budget allocation in the Aged Care & Primary Health Output Group Output Group is as follows

(i) Aged Care Inpatient Services	\$29.4 M
(ii) Aged Care Community Based Services	\$374.6 M

Note these amounts are subject to agency negotiation and in year funding adjustments (eg for increased wages). Also, the final HACC budget (included in (ii)) is dependent on a number of factors, particularly the finalisation of the HACC State Plan and Commonwealth endorsement, which generally occurs by early in the new year.

(iii) This information has been provided in response to your question number 1300.

*[Hansard reference — See page 1932.]*

**Aged Care: budget allocations**

**1304. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): In relation to the implementation of the 2000-2001 budget, what is the detailed financial breakdown of the aged care direct service delivery budget in the following aged care program streams:

- (a) Geriatric Care in total and specifically in terms of — (i) Inpatient Geriatric Evaluation and Management; (ii) Inpatient Geriatric Respite; (iii) Continence Clinic; and (iv) Cognitive, Dementia and Memory Services Clinics.
- (b) Aged Care Rehabilitation in total and specifically in terms of — (i) Inpatient rehabilitation; and (ii) Community Rehabilitation Centres.
- (c) Palliative Care in total and specifically in relation to both inpatient Hospice Care and Community Palliative Care.
- (d) Aged Care Assessment Services (ACAS) and Home and Community Care Assessments (HACC).
- (e) Independent Living in total and specifically in relation to — (i) VICPACS; (ii) Delivered Meals on Wheels; (iii) Personal Care; (iv) Property Maintenance; and (v) Flexible Service Response.
- (f) Social Support in total and specifically in relation to Day Centres as well as social support services that come under the HACC program.
- (g) Aged Care respite delivered under the HACC program and aged care respite delivered under the Carers Program.
- (h) Complex Community Care in total and specifically relating to Linkages Packages and Acquired Brain Injury Programs.
- (i) Nursing and Allied Health in total and specifically in relation to both HACC and non-HACC Allied Health and Nursing including Low Cost Eye Scheme.
- (j) Prevention and Promotion in total and specifically in the areas of Falls Prevention, Senior Card and Seniors Week, Community Grants and any other promotional and preventative initiatives.
- (k) Aged Care training, research and development programs.

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**ANSWER:**

The recurrent service delivery budgets are listed below. The data that relates to the Aged Care and Primary Health Output Group are as at 31 October 2000 and are marked ACPH, while those that relate to the Acute Services Output Group are marked accordingly and are as published in “Victoria – Public Hospitals Policy and Funding Guidelines”, Acute Health Division, Department of Human Services, June 2000.

Note these amounts are subject to agency negotiation and in year funding adjustments (eg for increased wages). Also, the final HACC budget is dependent on a number of factors, particularly the finalisation of the HACC State Plan and Commonwealth endorsement, which generally occurs by early in the new year.

(a) Geriatric Evaluation and Management:

(i) Inpatient Services	<i>(Acute Services Output Group)</i>	\$87.4 M
(ii) Respite	<i>(Acute Services Output Group)</i>	\$1.1 M
(iii) Continence Clinic	<i>(Acute Services Output Group)</i>	Not Separately Published
(iv) Cognitive, Dementia and Memory Services (ACPH)		\$4.5 M

(b) Rehabilitation:

(i) Aged Care and Acute Inpatient*	<i>(Acute Services Output Group)</i>	\$111.7 M
(ii) Community Rehabilitation Centres	<i>(Acute Services Output Group)</i>	\$26.2 M

\*Rehabilitation is now treated as a single program within the Acute Services Output Group. As a result, allocations against specific Aged Care rehabilitation are no longer available.

(c) Palliative Care (ACPH):

(i) Hospice care (Inpatient)		\$23.5 M
(ii) Statewide palliative care (Inpatient)		\$5.9 M
(iii) Community palliative care		\$13.0 M

(d) Aged Care Assessment Services and Home and Community Care Assessments (ACPH):

(i) ACAS (includes dementia, waiting list funding, PGAT)		\$ 15.4 M
(ii) HACC		\$ 4.8 M

(e) Independent living (ACPH) specifically in relation to:

(i) VICPACS		\$ 4.7 M
(ii) Delivered Meals on Wheels		\$ 5.0 M
(iii) Personal Care		\$ 19.6 M
(iv) Property Maintenance		\$ 6.2 M
(v) Flexible Service Response		\$ 10.3 M

(f) Social Support (ACPH):

(i) Day Centres		\$11.0 M
(ii) Social Support (HACC)		\$36.7 M

(g) Aged Care Respite (ACPH):

(i) Aged Care (Community based)		\$8.4 M
(ii) HACC		\$15.0 M

(h) Complex Community Care (ACPH):



(i) Linkages	\$31.6 M
(ii) ABI	\$10.1 M
(i) Nursing and Allied Health (ACPH):	
(i) Nursing and Allied Health (HACC)	\$ 71.3 M
(ii) Nursing and Allied Health (non-HACC)	\$ 14.5 M
(iii) Low Cost Eye Scheme	\$ 5.9 M
(j) Prevention and Promotion (ACPH):	
(i) Falls Prevention	\$ 1.0 M
(ii) Seniors Card	\$ 0.6 M
(iii) Seniors Week	\$ 1.4 M
(iv) Community Grants	\$ 4 M
(k) Aged Care training, research and development programs (ACPH)	\$ 12.6 M

**Aged Care: budget — payments to agencies**

**1305. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): In relation to final figures for the 1999-2000 budget, were payments to agencies providing aged care services on target or were there any instances of net over payments or under payments affecting possible carry forward amounts from that budget year; if so, what are the details.

**ANSWER:**

As at 31 October 2000, no material overpayments or underpayments to aged care agencies funded through the Aged Care and Primary Health Output Group have been identified. It should be noted that some agencies may have had funding temporarily withheld if they failed to comply with performance and reporting requirements.

**Aged Care: nursing home beds**

**1306. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): How many nursing home beds exist per 1000 people over the age of 70 for each region in Victoria.

**ANSWER:**

This information is produced and provided by the Commonwealth Department of Health and Aged Care.

	<b>Nursing Home Beds</b>	<b>Ratio of Beds per 1000 Persons</b>
Barwon South Western Region	1,494	40.82
Grampians Region	970	46.90
Loddon-Mallee Region	1,270	43.35
Hume Region	899	38.40
Gippsland Region	767	31.29
Western Metropolitan Region	1,668	39.41
Northern Metropolitan Region	2,475	41.12
Eastern Metropolitan Region	3,905	44.97
Southern Metropolitan Region	4,493	41.31
<b>Victorian Totals</b>	<b>17,941</b>	<b>41.47</b>

All data sourced from Commonwealth- *Funded Residential and Community Care Places by DHS Region & LGA* (at 19 July 2000, inc. planned places)

**Aged Care: nursing home certification**

**1307. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): Which State-run nursing homes or hostels (residential care facilities) have, to date, failed Commonwealth certification and how many beds are affected in total.

**ANSWER:**

The answer, as at 29 November 2000, is:

Capital works are currently underway at the sites listed below, and all facilities have advised that they are expected to achieve certification prior to 1 January 2001.

These facilities provide 279 places; the names of the 7 facilities are:

- Casterton Memorial Hospital Nursing Home
- Caulfield General Medical Centre-Nursing Home
- Central Gippsland Health Service-Evelyn Wilson Nursing Home
- Rural North West Health Service-Hopetoun Nursing Home
- West Wimmera Health Service-Natimuk Nursing Home
- Echuca Regional Health Service-Lumeah Nursing Home
- Manangatang & District Hospital-Nursing Home

Six facilities are in the process of major capital redevelopment. DHS is advised that all agencies will be applying for an “exceptional circumstances” extension and are awaiting the Commonwealth criteria to be provided. The Commonwealth Aged Care Act makes provision for “exceptional circumstances” consideration.

These facilities provide 92 places; the names of the 6 facilities are:

- Inglewood & District Health Service
- Nyah West Campus-Swan Hill District Hospital
- Garden View House-Melbourne Extended Care & Rehabilitation Service
- Heywood & District Hospital Nursing Home
- Maldon Hospital Community Care Centre
- Dimboola Nursing Home-Wimmera Health Care Group

**Aged Care: nursing home certification**

**1308. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): Have any State-run nursing homes or hostels (residential care facilities) failed Commonwealth accreditation to date. If so, provide a detailed list naming such facilities and the number of beds in each facility.

**ANSWER:**

As 29 November 2000, the Commonwealth Aged Care Standards and Accreditation Agency’s web site lists two public sector operated facilities that failed their initial accreditation inspections: Killara Hostel, Koo Wee Rup Regional Health Services (40 beds) and the Manangatang District Hospital Nursing Home (10 beds).

Advice from these agencies is that following recent accreditation visits, both are expected to achieve accreditation.

**Aged Care: nursing home certification**

**1309. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): Which State-run nursing homes and hostels (residential care facilities) have received only a 12 month accreditation or certification under the Commonwealth accreditation process.

**ANSWER:**

As at 29 November 2000, the Commonwealth Aged Care Standards and Accreditation Agency's web site lists the following public sector operated residential aged care facilities as having one year accreditation:

Ballarat Health Service Eureka Village  
 Dunmunkle Health Service Rupanyup District Nursing Home  
 Kyneton District Health Service Thomas Hogan Wing Nursing Home  
 Maryborough District Health Service, Maryborough Nursing Home  
 Melbourne Health Parkville Hostel  
 Swan Hill District Hospital Nursing Home  
 Seymour District Memorial Hospital Nursing Home  
 Wonthaggi and District Hospital, Griffiths Point Lodge  
 Western Health Care Reg Geary House  
 Kara-Linga Nursing Home, East Wimmera Health Service  
 Charlton Hostel, East Wimmera Health Service

**Aged Care: nursing home certification**

**1310. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): Which State-run nursing homes and hostels (residential care facilities) have received accreditation or certification for two years or less.

**ANSWER:**

As at 29 November 2000, the Commonwealth Aged Care Standards and Accreditation Agency's web site lists the following public sector operated residential aged care facilities as having accreditation for 2 years or less:

Ballarat Health Service Eureka Village  
 Dunmunkle Health Service Rupanyup District Nursing Home  
 Kyneton District Health Service Thomas Hogan Wing Nursing Home  
 Maryborough District Health Service, Maryborough Nursing Home  
 Melbourne Health Parkville Hostel  
 Swan Hill District Hospital Nursing Home  
 Seymour District Memorial Hospital Nursing Home  
 Wonthaggi and District Hospital, Griffiths Point Lodge  
 Western Health Care Reg Geary House  
 Kara-Linga Nursing Home, East Wimmera Health Service  
 Charlton Hostel, East Wimmera Health Service

**Aged Care: nursing home fire risk management**

**1311. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): Is any of the \$20 million allocated in the 1999-2000 budget for fire risk

management being directed to nursing homes/hostels; if so, what are the details of the amounts allocated and to which aged care facilities.

**ANSWER:**

The \$20m budget allocation for fire risk management is broken up into \$4.5m for Metropolitan Health Services (no aged care component) and \$15.5m for rural facilities that all have residential aged care components ( nursing homes and/or hostels). It is anticipated that the \$15.5m will be expended this financial year.

The fire risk management program upgrades all of the residential buildings on each site and does not specifically split the budget between the acute and aged care components as infrastructure is shared in most cases.

Fire safety upgrade works are usually implemented in several stages, the Department is only funding capital interim and priority one works through the FRMS program:

Interim works have been funded or partly funded, or programmed to be funded from the \$20M allocation at the following hospitals/nursing homes: Camperdown, Casterton, Coleraine, Penshurst, Port Fairy, Terang, Birchip, Charlton, Hopetoun, Nhill, Rainbow, Swan Hill, Shepparton, Benalla, Mansfield, Yarrowonga, Maffra, Bairnsdale, Omeo, Orbost, Foster, Leongatha, Yarram, Grace McKellar, Koroit, Winchelsea, Natimuk, Inglewood, Kerang, Kyabram, Manangatang.

Priority one works have been funded or partly funded, or are programmed to be funded from the \$20M allocation at the following hospitals/nursing homes/hostels: Echuca, Wonthaggi, Inglewood, Kooweerup, Grace McKellar, Coleraine, Lyndoch, Camperdown, Port Fairy, Apollo Bay, Winchelsea, Koroit, Penshurst, Portland, Beechworth, Corryong, Glenview Rutherglen, Tallangatta, Bright, Kilmore, Darlingford Eildon, Seymour, Mansfield, Omeo, Orbost, Sale, Maffra, Leongatha, Yarram, Foster, Andrews House Traralgon, Griffith Point Lodge San Remo.

**Aged Care: nursing home certification**

**1312. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): In relation to State owned nursing homes and hostels which to date have not passed certification under Commonwealth standards, have financial penalties been imposed by the Commonwealth on any of these facilities as a result; if so, which facilities have so been affected and what are the details of each penalty.

**ANSWER:**

Facilities that have not yet passed certification are detailed in response to question 1307. No financial penalties have been imposed by the Commonwealth to date.

*[Hansard reference — See page 1937.]*

**Aged Care: residential care — SAM discount**

**1313. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): What is the total amount being paid to State-run residential care facilities to make up the difference between the funding the Commonwealth pays to State run facilities and the higher rate paid to all other residential care facilities in the State (a difference known as the SAM discount).

**ANSWER:**

As at 31 October 2000 the 2000-01 budget allocation for the SAM Top-up for State-run nursing homes is \$12.0 M.

Note this amount is subject to agency negotiation and in year funding adjustments (eg for increased wages).

**Aged Care: residential care — SAM discount**

**1314. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care): What is the total amount being paid to State-run residential care facilities by way of other payments to cover other requirements in addition to the SAM discount payments, and what are the details of each payment.

**ANSWER:**

As at 31 October 2000 the 2000-01 budget allocations are

- Transition and NH Supplements	\$6.7 M
- Complex Care Supplements	\$1.3 M
- ANF/HSUA Award	\$5.4 M

Note these amounts are subject to agency negotiation and in year funding adjustments (eg for increased wages).

**Aged Care: residential care — SAM discount**

**1315. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care):

- (a) What is the total amount the State is paying annually to the private sector by way of the continued SAM discount or top up, for the 485 beds transferred to that sector under the staged privatisation process.
- (b) What would be the total annual cost to the State Government by way of the top up (including the SAM discount amount and other payments) if those beds had remained with the State.

**ANSWER:**

As at 31 October 2000 the 2000-01 budget allocations are

(a) SAM Top-up	\$1.6 M
(b) SAMS Top-up	\$1.6 M
ANF Award	\$0.5 M

Note it is not possible to accurately estimate what, if any, Transition and NH Supplements could have been paid, primarily because these are negotiated on a case by case basis.

**Aged Care: nursing home certification**

**1316. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care):

- (a) If some State owned nursing homes and hostels do not meet Commonwealth certification or accreditation standards by January 2001, what are the Government's plans in relation to the accommodation of residents of those facilities.
- (b) How will the Government finance the care of residents in nursing homes and hostels, which fail to meet Commonwealth standards and no longer receive Commonwealth funding as a result.

**ANSWER:**

- (a) Facilities concerned are developing contingency plans in the event that the Commonwealth decides to defund the services.

- (b) Should it be necessary as a result of a decision by the Commonwealth to relocate residents into other accredited services, the funding of these places will continue to be a Commonwealth Government responsibility.

**Aged Care: ministerial inquiries**

**1317. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care):

- (a) How many reviews, investigations or inquiries have been established by the Government (either through the Minister's office or the Minister's department) since coming to office in relation to Aged Care.
- (b) What are the details of each term of reference and what is the time frame, the cost and the name of the individual(s) or company contracted to conduct such inquiries, investigations or reviews.

**ANSWER:**

The information sought is not sufficiently specified.

**Housing: ministerial inquiries**

**1318. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Aged Care):

- (a) How many reviews, investigations or inquiries have been established by the Government (either through the Minister's office or the Minister's department) since coming to office in relation to Housing programs.
- (b) What are the details of each term of reference and what is the time frame, the cost and the name of the individual(s) or company contracted to conduct such inquiries, investigations or reviews.

**ANSWER:**

I am advised that the following housing policy reviews, investigations or inquiries are being undertaken during this term of government:

- The Review of the Segmented Waiting List
- The Rental Housing Support Program Review
- The Review of Public Housing Eligibility
- The Review of the Residential Tenancies Act 1997
- The development of a Women's Housing Policy
- Housing and Local Government Affordable Housing Policy
- The development of the Victorian Homelessness Strategy
- Social Housing Innovations Project

As the Victorian Government places a high value on community consultation and input, the Office of Housing includes significant components of consultation in all major policy reviews and strategy development processes. This includes the appointment of Reference Groups and Ministerial Advisory Committees as well as opportunities for broader community consultation to draw on the experience and expertise that exists within the Victorian community. The costs for most reviews are being met within existing budgets, using existing Office of Housing staff resources. Community and industry organisations have willingly and freely given their time to assist in policy development.

Through consultation, informed and considered policy decisions can be made, ensuring an efficient use of limited housing resources.



## REVIEW OF THE SEGMENTED WAITING LIST

### Terms of Reference for Review

1. Review the impact of the introduction of the impact of the Segmented Waiting List particularly in relation to:
  - changes in public housing access patterns for low income households;
  - changes in public housing access patterns for different household types;
  - changes in public housing access patterns in different geographical areas;
  - the effect on access patterns of changing from Priority to Segmented Waiting List criteria;
  - changes in tenant transfer patterns; and
  - whether the categories for the Segmented Waiting List are directing assistance to households with high needs (eg. households affected by domestic violence, at risk of homelessness or with support needs);
2. Identify options for and benefits of enhanced waiting list mechanisms;
3. Examine the implications for waiting list mechanisms of concurrent policy work undertaken by the Office of Housing on wait list broadbanding;
4. Examine, with a view to enhancing, existing and developing links between public housing and the provision of support and other related services;
5. Ensure that the review of the Segmented Waiting List takes account of other relevant reviews and policy development projects currently underway (Victorian Homelessness Strategy, Eligibility Review, Women's Housing Policy);
6. Investigate any other matters considered relevant to the efficient operation of the public housing waiting list such as tenancy retention times and the effects of targeting allocations to high need tenants; and
7. Make recommendations to the Minister for Housing & Aged Care on proposed amendments to the public housing waiting list policies and procedures.

### Community Reference Group

A Reference Group chaired by Ms Ann Barker MP, Member for Oakleigh, has been established to conduct the review, comprising delegates from a broad range of community groups, housing providers and tenant representatives.

No fees are paid to members of this review committee, however travel expenses incurred by members will be reimbursed.

### Timelines for the Review

The review commenced in September 2000 with the first meeting of the Community Reference Group. The review is expected to take over six months to complete, with a final report expected in early to mid 2001.

### Review of the Rental Housing Support Program

#### Terms of Reference

The terms of reference for the RHSP review are as follows: -

1. To provide advice on the roles and responsibilities of Tenant Groups, RHSP providers other key agencies to achieve well targeted and coordinated services to public tenants and applicants and to make recommendations on resource implications.
2. To determine an agreed definition of Community Development and to make recommendations on requirements and suitable models for delivering community development services.

3. To provide advice on the potential role of ongoing research and analysis as part of the future RHSP, within the context of design and evaluation of effective community development strategies and policy feedback.
4. To make recommendations on appropriate strategies to achieve effective and positive communications between all stakeholders, thereby improving services and information to tenants.

#### **Advisory Committee**

Ms Julie Goodall, Thomson Goodall and Associates has been contracted as a consultant for the review. The budget for this consultancy is in the order of \$40,000. An advisory committee has been established to conduct the review, including representatives of tenant support agencies and local government.

The Advisory Committee has met fortnightly commencing 21 July 2000.

#### **Timelines for the Review**

It is expected that the review will be completed in November 2000. Changes arising from the review will be implemented in early 2001.

### **REVIEW OF PUBLIC HOUSING ELIGIBILITY CRITERIA**

#### **Terms of Reference**

The Terms of Reference for the review of public housing eligibility criteria are:

1. examine the level of access to public housing delivered by current eligibility criteria for different household types by region;
2. examine the impact of introducing income limits linked to Centrelink rent assistance, in terms of the total number of potentially eligible applicants and the effect on demand;
3. assess the impact of standard income limits across regions with widely differing housing costs and any equity considerations;
4. examine other options for establishing eligibility criteria, including:
  - a. other models operating in other states and overseas including their operational implications and equity impacts;
  - b. issues surrounding individual versus household approaches to eligibility;
5. consider other matters in relation to public rental eligibility criteria including the local and community impacts of such limits;
6. make recommendations to the Minister on public rental eligibility criteria.

#### **Community Reference Group**

A Community Reference Group has been established to conduct the review, chaired by Ken Downie, Assistant Director, Office of Housing, and including representatives of tenant organisations, community support agencies and peak organisations.

No fees are paid to members of this review committee, however travel expenses incurred by members will be reimbursed.

#### **Timelines for the Review**

The review commenced in October 2000 with the first meeting of the Community Reference Group. The review is expected to take up to six months to complete, with a final report due in early to mid 2001.

## **REVIEW OF THE RESIDENTIAL TENANCIES ACT 1997**

### **Terms of Reference**

The terms of reference for the Review of the *Residential Tenancies Act 1997* are to:

1. Review the impact of changes to the RTA on the level of tenure certainty for public and private tenants;
2. Examine fair rents mechanisms to review unreasonable rent increases to minimise the possibility of exploitation in the rental market;
3. Identify areas to improve the efficiency of the Victorian Civil and Administrative Tribunal (VCAT) Residential Tenancies List, and in the operation of the Victorian Residential Tenancies Bond Authority (VRTBA);
4. Examine, with a view to enhancing, the regulation of rental housing standards to decrease to incidence of sub-standard rental accommodation;
5. Examine the structure of the Act, with a view to improving its useability;
6. Investigate any other matters considered relevant to the efficient operation of the RTA by the Review Working Group and agreed between Ministers and the Attorney General; and
7. Provide advice to Ministers and the Attorney General on proposed amendments to the *Residential Tenancies Act 1997*.

### **Working Group**

The Residential Tenancies Legislation Working Group, including representatives of the community sector, tenant groups and relevant government departments, has been established to conduct the review. The first meeting of the Working Group, chaired by Jacinta Allan MP, Member for Bendigo East, was held on Monday, 21 August 2000. Participants include representatives of tenant organisations, community groups and industry.

No fees are paid to members of this review committee, however travel expenses incurred by members will be reimbursed.

### **Timeline**

It is expected that the review will be completed by mid 2001.

## **HOUSING & LOCAL GOVERNMENT AFFORDABLE HOUSING POLICY**

### **Terms of Reference for the Affordable Housing Steering Committee**

1. In consultation with the major stakeholders, identify and research the major issues and opportunities associated with the complementary roles of state and local government in affordable housing.
2. Develop a framework comprising a range of policies and options through which State and Local Government can increase their involvement in promoting locally appropriate affordable housing.

This will include:

- an examination of impediments and opportunities in the planning system that could be considered by government; and
  - an examination of opportunities presented by economic and regional development initiatives.
3. Develop policy protocols through which State and Local Government can establish relationships and support the proposed framework and strategies to increase locally appropriate and diverse affordable housing.
  4. Provide advice to the Minister for Housing on the means through which State and Local Government can work together to increase affordable housing development.

These Terms of Reference may be subject to minor amendment by the Steering Committee.

### **The Affordable Housing Steering Committee**

The Committee comprises representatives from state and local government. State government representatives are drawn from the Office of Housing and the Planning and Local Government Divisions within the Department of Infrastructure. Local Government representatives include councillors, staff with housing expertise and management representatives from a cross-section of local government's as well as representatives of the Municipal Association of Victoria and the Victorian Local Governance Association. The Chairperson of the Committee is Councillor Henry Barlow, Mayor of the City of Wyndham.

No fees are paid to members of this review committee, however travel expenses incurred by members will be reimbursed.

### **Timelines**

It is expected that a report to the Minister will be completed by mid 2001.

### **VICTORIAN HOMELESSNESS STRATEGY**

The goal of the Strategy is, within available resources, to develop a clearly articulated framework to assist in the prevention of homelessness in Victoria and to provide assistance to people who are experiencing, or at risk of, homelessness by:

- Improving community understanding of homelessness, the causal factors, and its impact on individuals and the community.
- Identifying the key strategies, across the breadth of Government activity, and for communities, to prevent homelessness.
- Identifying strategies for quantifying the extent and range of need in the short, medium and longer term.
- Identifying the range and nature of responses required to address homelessness, including in particular, those with multiple or complex needs.
- Integrating planning and funding arrangements across Government programs to optimise the value of assistance for people who are homeless.
- Increasing performance, knowledge and skills in addressing homelessness.

The consultation processes for the Victorian Homelessness Strategy are designed to encourage participation from people who are homeless or at risk of homelessness and those who provide assistance to them, as well as other community service organisations and interested parties. The consultation process includes:

- the establishment of a Ministerial Advisory Committee to provide expert advice on the development and implementation of the Victorian Homelessness Strategy.
- the production of a public consultation paper on homelessness to stimulate community discussion and determine the opportunities to improve the existing system
- regional consultations with a broad range of service providers in each of the nine Department of Human Services' regions.
- consumer consultations to elicit feedback from people who are homeless or at risk of homelessness about improving assistance and developing appropriate preventative strategies
- a call for public submissions

- focus groups with specialist providers to consult on the direct assistance needs of specific target groups and addressing key needs within the homeless population.

No fees are paid to members of this Ministerial Advisory Committee, however travel expenses incurred by members will be reimbursed.

Costs of the Victorian Homelessness Strategy are being met within existing Office of Housing budgets.

### **SOCIAL HOUSING INNOVATIONS PROJECT**

In response to the Government's commitment of an additional \$94.5m over three years for social housing, the Social Housing Innovations Project was established in May 2000 to provide advice to government on innovative funding models and partnership arrangements. As part of the project, wide-ranging consultation is being undertaken to maximise input by key players in developing diverse, innovative and cost effective housing solutions.

Information Forums attended by some 210 individuals and organisations were held during June and early July at three urban and five regional locations. Participants were given an overview of the project and key project issues and provided with opportunities to discuss local housing needs and ways in which innovative partnerships could provide local responses. Key issues raised by participants were summarised at the conclusion of each forum and will inform the final report of the Social Housing Innovations Project. As at 7 August 2000, 86 submissions have also been received from local government, community groups, service organisations, churches, individuals and the private sector.

The consultant manager's contract for the Social Housing Innovations Project is \$88,000. Other staffing resources are being met within existing budgets.

### **Housing: Commonwealth–State Housing Agreement**

**1322. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Who are the members of the group of housing industry representatives established by the Minister to help formulate the Victoria-Commonwealth part of the Commonwealth-State Housing Agreement.

#### **ANSWER:**

The members of the Reference Group were as follows:

<b>Representative</b>	<b>Organisation</b>
Mark O'Brien	Tenants Union of Victoria
Christine Black	Shelter
Netty Horten	Council to Homeless Persons
Hal Bisset	Ecumenical Housing
Bev Murray	Aboriginal Housing Board Victoria
Bryan Lipmann	Wintringham
Janice Peterson	Southern Metro Domestic Violence Outreach Service
Tony Miller	Supported Housing Development Foundation
Ken Marchingo	Loddon Mallee Housing Services
John Gaffney	Housing Industry Association, Victoria
Norman Huon	Real Estate Institute of Victoria

The role of the Reference Group members was to contribute to the development of Victoria's Bilateral Agreement and to assist with community consultations during this process.

The Reference Group ceased to meet when the consultation phase of the Agreement was completed.

**Housing: homeless support services**

**1323. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What performance measures have been established to evaluate the new Housing Assistance output group known as Homeless Support Services.

**ANSWER:**

The accountability framework of the SAAP IV Agreement identifies the following areas as the principal performance measures for Homelessness Support Services:

- Service Capacity: as demonstrated in the number of individuals supported at any one point in time. The target for Service Capacity is 7,138 clients.
- Service Duration: as determined by the average number of weeks of support for clients using SAAP services. The average duration of support is 10 weeks with most clients receiving a service for less than 10 weeks and some clients requiring supported accommodation for more than 2 years.
- Service Quality: as reflected by the percentage of clients participating in an agreed case plan. The required rate of case plan participation is 75.5%. (Those who do not have case plans developed receive very short duration support, often less than a day's service).

Work is currently being undertaken in partnership with the funded sector and the Commonwealth Government to further improve the measurement of client outcomes and quality service. This work has been identified as a priority in the Commonwealth/State SAAP IV Agreement 2000-2005 and the Victorian Homelessness Strategy.

I am advised that the Department of Human Services is reviewing Agency Service Agreement Contracts to reflect Government policies. Service Agreements will also identify quality improvement processes, service evaluations and reviews, and new developments for client focused service delivery.

**Housing: Aboriginal and Torres Strait Islander public housing tenants**

**1326. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the major initiatives to be undertaken by the Government in 2000-2001 in relation to the provision of accessible public and community based housing to Victoria's Aboriginal and Torres Strait Islander community.

**ANSWER:**

The Aboriginal Housing Board of Victoria (AHBV) is responsible for developing and managing the provision of housing assistance to the Aboriginal community that delivers accessible, affordable, appropriate and secure housing that meets the social, cultural and economic aspirations of the Victorian Aboriginal community.

The AHBV has developed and released its "Strategic Plan July 2000-July 2003", providing a strong emphasis on improving housing management for Aboriginal people in need, participation in decision making and policy, and encouraging Aboriginal employment and training.

Further, the AHBV is currently adopting a new organisational structure to provide the Board with the necessary resources to meet increasing administrative and management requirements; a result of an expanding role in the provision of housing and housing support to the Victorian Aboriginal community.

Additional initiatives to improve accessibility include:

- (i) a three month study sponsored by the AHBV into Victorian Indigenous Homelessness. This has recently commenced to provide detailed data about the extent, composition and nature of homelessness. This will assist in housing delivery service and ensure greater co-ordination of housing delivery by all stakeholders, and
- (ii) a study on Victorian Indigenous Elder Housing. This will commence later in the financial year and investigate the nature and extent of housing and related needs of Victorian Indigenous Elders, gaps in service delivery, and identify strategies/policies to meet their housing and related needs.

In addition, the 2000/2001 budget has made \$16.5m available for Aboriginal Housing. \$12m will be used for the construction and acquisition of some 90 additional houses, \$2.9m for major Capital Works program, and the balance used for the Board's operating and other administrative costs.

### **Housing: private rental assistance scheme**

**1330. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): How many people were assisted under the Government's private rental assistance scheme in the year to 30 June 2000.

**ANSWER:**

Under the Bond Loan Scheme 13,885 clients were assisted during 1999-2000. Over the same period 21,070 households were also assisted with grants and other assistance through the Housing Establishment Fund (HEF). Together, these total 34,955 people assisted.

Bond assistance is demand driven. There was a decrease of some 8% in applications in 1999-2000 compared with 1998-99. This was primarily due to tight conditions in the affordable private rental market, particularly in the inner city suburbs.

HEF cash grants are distributed by Transitional Housing Management agencies and Supported Accommodation Assistance providers. The grants provide immediate, short term assistance to individuals and families in crisis.

The number of households assisted with HEF during 1998-99 was estimated to be 12,000. This figure was derived from the best available data from agencies at the time.

In 1999-2000 improved reporting arrangements enabled more accurate data on numbers assisted with HEF. The data indicates approximately 21,070 households to have received HEF assistance in that 12 month period.

During the current financial year, new technology will be implemented for agencies managing HEF grants which will again improve the accuracy of reporting.

### **Housing: review of Residential Tenancies Act**

**1335. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What are the reasons for the Government's review of the Residential Tenancies Act 1997.

**ANSWER:**

The Government is committed to a review of the impact that changes to residential tenancies legislation introduced by the previous Government have had on Victorian tenants, while ensuring appropriate consideration of the needs of landlords. Representatives from industry, tenant organisations and the community are included on the Residential Tenancies Legislation Working Group established to advise the Minister for Housing and Aged Care. This group will also consult widely with other relevant stakeholders and the community.



Tenants, landlords, industry representatives and community groups have identified concerns with the policy principles and the present operation of the Act, including a number of anomalies and inconsistencies in the legislation.

The Victorian Government's 'Better Housing' program states that "all Victorians are entitled to secure, affordable and appropriate housing". For Victorians living or investing in the rental sector, fair and equitable residential tenancies legislation is necessary to balance the tenant's requirement for a secure, stable and private home with the landlord's requirement for protection of their property and their investment.

### **Housing: review of Residential Tenancies Act**

**1336. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): In relation to the review of the Residential Tenancies Act 1997:

- (a) What are the terms of reference of the review.
- (b) Who is conducting the review.
- (c) What funding has been budgeted or allocated for this review.
- (d) When is the review due to be completed.

#### **ANSWER:**

The Terms of Reference for the review of the *Residential Tenancies Act 1997* are:

1. Review the impact of changes to the Act on the level of tenure certainty for public and private tenants;
2. Examine fair rents mechanisms to review unreasonable rent increases to minimise the possibility of exploitation in the rental market;
3. Identify areas to improve the efficiency of the Victorian Civil and Administrative Tribunal Residential Tenancies List and in the operation of the Victorian Residential Tenancies Bond Authority;
4. Examine, with a view to enhancing, the regulation of rental housing standards to decrease the incidence of sub-standard rental accommodation;
5. Examine the structure of the Act, with a view to improving its useability;
6. Investigate any other matters considered relevant to the efficient operation of the Act by the Review Working Group and agreed to by Ministers and the Attorney General; and
7. Provide advice to Ministers and the Attorney General on proposed amendments to the *Residential Tenancies Act 1997*.

A committee to advise the Minister for Housing & Aged Care has been established, chaired by Jacinta Allan MP, Member for Bendigo East. The committee, known as the Residential Tenancies Legislation Working Group, comprises representatives of government, industry, tenant groups and the community sector. The Office of Housing is providing a Secretariat to support the Review process.

Resources for the review are being met within existing Office of Housing staff budgets. Working Group members are not being provided with sitting fees. Members of the Working Group have been advised that some funding may be available for organisations that wish to undertake further research or consultation on specific issues as part of the review. Research funds will be met within existing Office of Housing resources.

The Working Group is expected to report to Government with recommendations in mid 2001.

**Housing: Office of Housing — GST**

**1338. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What is the number and type of agencies in the Housing Portfolio that are affected by the GST.
- (b) How many of these agencies are GST compliant at this stage.
- (c) What measures have been adopted by the Government to assist these agencies with GST compliance.

**ANSWER:**

- (a) There are 439 agencies that are funded through the Housing Portfolio, including Supported Accommodation Assistance Program agencies.
- (b) The GST compliance status of the agencies is the responsibility of the agencies themselves. The Office of Housing is not aware of any funded agencies that are not GST compliant.
- (c) The Department of Human Services conducted a number of Information Sessions for funded agencies in November 1999 and April/May 2000 in Melbourne and regional centres.

All funded agencies received written information from the Department of Human Services in March/April 2000 advising of information sessions conducted by the Australian Taxation Office and the Victorian Council of Social Services. The letters also requested that agencies advise their GST registration status and their Australian Business Number.

**Housing: Social Housing Innovations project**

**1346. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What are the objectives of the Social Housing Innovations Project.
- (b) What actions have been undertaken thus far by the project team.
- (c) What were the outcomes from the six information forums held in June 2000 in metropolitan and regional Victoria under this project and what level of funding has been allocated for the project in 2000-2001.

**ANSWER:**

- (a) The Victorian Government has committed an additional \$94.5 million to increase the supply of appropriate and affordable social housing for low income Victorians. The Social Housing Innovations Project was established in May 2000 to identify innovative social housing models which will maximise the benefits of the additional expenditure while remaining consistent with a number of broader policy objectives including:
  - increased participation by local government, religious organisations and community groups in the development and provision of affordable housing;
  - attracting capital contributions from local government, private, church and other community partners through joint ventures;
  - attracting private investment in social housing;
  - implementing more appropriate forms of housing for low income households in areas of relatively high housing need;

- facilitating environmentally and socially sustainable communities for low income households; and
  - enhancing the capacity and sustainability of the community housing sector.
- (b) To date the project team has developed a Request for Proposals as the first stage in the process for determining the allocation of funds. This was advertised in the Age and Herald Sun newspapers on 4 and 11 November 2000. Information has also been posted on the Victorian Government Purchasing Board website and the InfoXchange.

A range of project proposals including innovative models of social housing and joint venture projects are anticipated. The first of the funds allocated are expected to be committed before the end of the current financial year.

- (c) The information forums held in June 2000 resulted in 99 submissions to the consultation project. These comprised a number of broad capital project outlines and other ideas and models of social housing.

Capital funding allocated for 2000/2001 comprises \$10 million for joint ventures and other innovative housing models, and \$1.5 million for capital and development grants for projects targeting older people from ethnically and culturally diverse communities.

### **Housing: public housing redevelopment — energy conservation**

**1347. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) What is the nature of the Government's plans to implement a 'star' rating system which relates to energy conservation measures for inner city public housing redevelopments.
- (b) What will be the cost of this initiative and the expected benefits.

**ANSWER:**

- a) The Office of Housing is planning to redevelop a number of inner city estates as energy conservation demonstration projects. Sites currently being investigated include the inner city Kensington estate and the Raglan Ingles estate at Port Melbourne. The Office of Housing is working with the Sustainable Energy Authority of Victoria to implement an energy 'star' rating system for the housing designs on these redevelopment projects. Once detailed housing designs are completed, they will be energy star rated (aiming to achieve at least a 4 star rating).
- b) The full costs can only be assessed following detailed design work. Energy rating and improvement of the energy efficiency of housing designs has the capacity to conserve considerable energy reserves, as well as providing a practical example of the financial savings and environmental benefits that can be gained through careful energy conservation design.

### **Housing: Language Link interactive telephone service**

**1351. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing):

- (a) How will the Government's Language Link interactive telephone service operate.
- (b) What level of funding has been allocated for the operation of this service in 2000-2001 and the forward estimates period.
- (c) What has been the performance of the service thus far in terms of achieving stated objectives.

**ANSWER:**

1. Public Housing LanguageLink is an interactive telephone communication package designed to offer pre-recorded information about public housing to English and non English speaking callers. Callers are presented with a menu of topics about public housing and can choose which information to listen to by pressing numbers on their telephone. If the caller has a specific question, LanguageLink is able to establish a conference call between the caller, local Housing Office and, if required, an interpreter. The Minister for Housing and Aged Care launched LanguageLink in April 2000.
2. \$21,000 has been allocated to the service for the 2000-2001 financial year with \$23,000 allocated for the 2001-2002 financial year.
3. Public Housing LanguageLink has achieved an excellent response from the community and is currently averaging over 400 calls per month. It has provided a useful means of communicating important messages to non English speaking public housing tenants and applicants, for example, information regarding Centrelink's Family Payment changes. To date the service has received approximately 2700 calls.

**Housing: St Kilda crisis accommodation centre for women**

**1352. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Has the crisis accommodation centre for women in St Kilda that the Minister committed to establish in November 1999 actually been established; if so, what was the total cost of establishing this centre.

**ANSWER:**

The Inner City Women's Crisis Facility in St Kilda run by the Sacred Heart Mission has been accepting referrals since 6 November 2000. This service is targeted to single women without children, over the age of 25.

The service accommodates 12 women at any point in time and will provide supported accommodation and outreach support to approximately 200 single women each year.

The cost to buy and renovate the block of flats in East St Kilda was \$1.4 million. A one off grant of \$78,800 was provided for establishment costs of the service. Recurrent Supported Accommodation Assistance Program (SAAP) funding is \$359,000.

**Housing: emergency accommodation — public housing stock**

**1353. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Has the target that the Minister committed to in November 1999 to make available 5% of public housing stock for emergency accommodation been achieved; if not, when is it expected to be achieved.

**ANSWER:**

The publicly owned housing stock to which the Minister for Housing & Aged Care referred is managed under the Transitional Housing Management (THM) Program.

In July 2000 THM agencies were provided with the flexibility to use up to 5% of the properties they manage for crisis housing. The provision of a crisis response through the THM program is seen as a means of beginning to address some of the unmet need in areas which have been inadequately serviced in the past.

This initiative will be further supported by an increase of over one hundred properties, managed through the THM program agencies across Victoria, and four new 24 hour crisis response facilities in the Barwon South West, Southern, Western and Eastern Metropolitan Department of Human Services regions of Victoria.

**Housing: crisis accommodation — snapshot survey**

**1354. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): Has the snapshot survey of crisis accommodation in rural and metropolitan areas announced by the Minister for Housing in November 1999 been conducted; if so, what were the results of this survey.

**ANSWER:**

In June/July 1999 the major inner city crisis services undertook a four week project funded by the Office of Housing, to gather a snapshot of those who approached their services for assistance. This study found two out of three people seeking accommodation were turned away, and many of these had come to the city because of the absence of accommodation within their own community.

The findings of this report highlighted the need for further research to be undertaken in the outer metropolitan and rural regions, in order to better understand the pathways used by people seeking assistance and support the development of crisis supported accommodation responses in these areas.

In light of the Report and in order to inform the direction of the Victorian Homelessness Strategy a range of consultative and research initiatives have been undertaken.

In July 2000 each of the nine Department of Human Services (DHS) regions appointed consultants to undertake an evaluation of the level of unmet demand for crisis accommodation services within their regions. This research utilised demographic, Australian Bureau of Statistics homelessness data and housing service data in conjunction with qualitative consultations with regional homelessness and related services to develop a fuller understanding of the needs of homeless in rural and metropolitan areas.

**Housing: public tenant applications**

**1364. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What is the breakdown of the number of new public tenant applications, allocations and transfers for each of the years 1998, 1999 and 2000.

**ANSWER:**

**Public Housing Applications, Allocations and Transfers 1997/98 to 1999/00**

	<b>1997/98</b>	<b>1998/99</b>	<b>1999/2000</b>
<b>Applications :</b>			
New Applications Received	12,936	14,563	15,584
Transfer Applications Received	3,129	3,092	3,573
Total Applications Received	16,065	17,655	19,157
<b>Allocations :</b>			
New Allocations	7,240	8,826	8,809
Transfer Allocations	2,199	2,269	2,242
<b>Total Allocations</b>	<b>9,439</b>	<b>11,095</b>	<b>11,051</b>

Note : Public housing includes the Rental General Stock and Movable Units programs

**Housing: programs and funding**

**1365. THE HON. C. A. FURLETTI** — To ask the Honourable the Minister for Small Business (for the Honourable the Minister for Housing): What is the breakdown of program areas within the Housing portfolio and their respective funding source and amounts allocated for each program area for 1999-2000.

QUESTIONS ON NOTICE

**ANSWER:**

The program areas within the Housing portfolio are funded through the Commonwealth State Housing Agreement (CSHA) that includes grants from both the Commonwealth and State Governments. A new Agreement came into effect on 1 July 1999 and covers arrangements for the period of four years from 1 July 1999 to 30 June 2003 inclusive.

In addition to the above, the Office of Housing also generates revenues from rents, home loan repayments, and sale of assets, interest on investments etc, which are applied to both operating and capital budgets.

The Commonwealth and State Governments fund the Supported Accommodation Assistance Program (SAAP) jointly in accordance with various SAAP agreements.

The allocated budget for 1999-2000 for the Housing program is provided in the Department of Human Services' 1999-2000 Annual Report.

**Table: Housing Sources by Program Areas**

Sources of Funds \$M	1999-00 (revised) Budget	Public Housing	Home Finance	Community Housing	SAAP
<b>Housing Output Sources:</b>					
Commonwealth - Base Funding	216.6	157.3	0.4	58.9	
<b>Total Commonwealth</b>	<b>216.6</b>	<b>157.3</b>	<b>0.4</b>	<b>58.9</b>	
State - State Matching	91.0	91.0			
<b>Total State</b>	<b>91.0</b>	<b>91.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>Total Housing Outputs ( Budget Papers)</b>	<b>307.6</b>	<b>248.3</b>	<b>0.4</b>	<b>58.9</b>	<b>0.0</b>
<b>Internal sources:</b>					
Rental Operations & Other	248.8	235.6		13.2	
Home Finance Operations	31.1	0.0	31.1		
Asset sales	55.5	54.8		0.7	
Home Loan Repayments	126.0	0.0	126.0		
<b>Total Internal</b>	<b>461.4</b>	<b>290.4</b>	<b>157.2</b>	<b>13.9</b>	<b>0.0</b>
<b>Total Housing</b>	<b>769.0</b>	<b>538.6</b>	<b>157.6</b>	<b>72.8</b>	<b>0.0</b>
<b>Supported Accommodation Assistance Program</b>					
Commonwealth	29.6				29.6
State	25.7				25.7
<b>Total SAAP</b>	<b>55.3</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>55.3</b>
<b>Total Housing Portfolio</b>	<b>824.3</b>	<b>538.6</b>	<b>157.6</b>	<b>72.8</b>	<b>55.3</b>

\*Note: Totals in table may not add due to rounding.

Source: Office of Housing

**Environment and Conservation: Western Regional Coastal Board appointments**

**1375. THE HON. P. A. KATSAMBANIS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Minister for Environment and Conservation): Given that a spokeswoman for the Minister advised the *Warrnambool Standard* newspaper on 26 October 2000 that an independent panel had made recommendations to the Minister regarding appointments to the Western Regional Coastal Board:

- (a) Who were the members of this independent panel.
- (b) On what basis and by what process were these members selected.
- (c) When was the panel appointed and when did it report to the Minister.
- (d) What were the recommendations of the panel to the Minister.

**ANSWER:**

I am informed that:

A publicly advertised Expression of Interest Process seeking nominations for membership of Regional Coastal Boards and the Victorian Coastal Council was widely advertised in the metropolitan and regional media.

As a result some 160 nominations were received. The Minister then followed the same process as the previous government, where in all nominations were assessed having regard to the knowledge, skills and experience of the applicant as outlined in the application form, and the requirements of the *Coastal Management Act 1995*.

Previous Opposition comments in the article in the *Warrnambool Standard* on 26 October concentrated on whether Warrnambool was appropriately represented on the Western Regional Coastal Board. I can advise that it is, through the appointment to the Board of Peter MacKay, Chief Ranger of the South-West Region for Parks Victoria, who lives and works in Warrnambool.

**Treasurer: Brighton and East Brighton — Land tax**

**1380. THE HON. J. W. G. ROSS** — To ask the Honourable the Minister for Energy and Resources (for the Honourable the Treasurer):

- (a) How many properties in each of the areas represented by Postcodes 3186 and 3187 (Brighton and East Brighton) are expected to have land tax levied on them in 2000-01.
- (b) What is the total expected value of land tax in each of those Postcodes for 2000-01.

**ANSWER:**

I am informed that:

- (a) Number of properties expected to be levied is 6,091 for the listed postcodes.
- (b) Total expected value is \$4,802,766.



