The SPEAKER (Hon. J. E. Delzoppo) took the chair at 10.05 a.m. and read the prayer.

Mr Leigh — On a point of order, Mr Speaker, I direct attention to what I regard as a serious matter concerning what appears in an article in the Moorabbin Standard of 6 September 1995.

I shall make a copy available to you, Mr Speaker. The article reports the honourable member for Springvale as saying:

... the present method was a 'kangaroo court' weighted heavily in favour of the government against the opposition.

'This has been the most partisan Parliament of any in my 12 years,' he said.

He did not like to see the Premier 'intimidating' the Speaker, and called for a 'more equal system for both parties'.

He concluded by saying:

During the ALP’s time in government, the then opposition leader, Mr Kennett, 'only wanted to get thrown out'.

'We bent over backwards to accommodate him'.

I believe the honourable member for Springvale has cast aspersions on you, Sir, as the Speaker in this chamber. It is not a kangaroo court. In my opinion the honourable member for Springvale is in contempt of the Parliament because he is saying that you, Mr Speaker, effectively do the bidding of the Premier.

You, Mr Speaker, and I often have disagreements, but I would never accuse you of doing the bidding of the Premier. What action do you propose to take against a member who clearly describes the Parliament in this manner and casts aspersions on your Speakership in this chamber?

Mr Micallef — On the point of order, Mr Speaker — —

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Springvale, like any other member, has the right to speak on the point of order and be heard in silence.

Mr Micallef — Mr Speaker, my suggestion is that the honourable member for Mordialloc is drawing a long bow. I think he needs certifying, and I fully support that.

The SPEAKER — Order! If the honourable member for Mordialloc provides me with a copy of the article at the appropriate time I shall give consideration to the point of order and provide an answer in due course.

PETITIONS

The Clerk — I have received the following petitions for presentation to Parliament:

Paul Charles Denyer

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:

The humble petition of the undersigned citizens of the state of Victoria sheweth that upon the brutal murders of Elizabeth Ann Marie Stevens, Debra Ann Frem and of Natalie Jayne Russell the perpetrator, Paul Charles Denyer, was tried, convicted and sentenced to imprisonment for life, and the court found also Denyer showed no remorse or likelihood of rehabilitation, and that he would be a continuing danger to the community.

That on appeal he was granted a 30-year minimum term and that a subsequent application for rehearing to the High Court of Australia has been disallowed, and that your humble petitioners are in no doubt that Paul Charles Denyer, if ever released, will represent a severe threat to the people of Victoria.

Therefore we ask that the honourable members record your concerns also that Paul Charles Denyer should never be released during his lifetime.

And your petitioners, as in duty bound, will ever pray.

By Mr McLellan (240 signatures)

Paintball or skirmish games

To the Honourable the Speaker and members of the Legislative Assembly in Parliament assembled:
The humble petition of the undersigned citizens of the state of Victoria sheweth their total opposition to any attempt by the government to prevent them from participating in the sport of paintball, also known as skirmish, either by banning the sport or not issuing Sunday shooting permits to legitimate paintball operators/clubs.

Your petitioners therefore pray that paintball or skirmish games shall not be banned in Victoria, that legal paintball operators/clubs be allowed to conduct games on Sundays and that holders of a current shooter's licence should continue to be allowed to own registered paintball markers.

And your petitioners, as in duty bound, will ever pray.

By Mr Finn (1156 signatures)

Laid on table.

BUSINESS OF THE HOUSE

Adjournment

Mr W. D. McGrath (Minister for Agriculture) — I move:

That the house, at its rising, adjourn until Tuesday, 3 October.

Motion agreed to.

EXTRACTIVE INDUSTRIES DEVELOPMENT BILL

Government amendments circulated by Mr S. J. Plowman (Minister for Energy and Minerals) pursuant to sessional orders.

Second reading

Debate resumed from 1 June; motion of Mr S. J. Plowman (Minister for Energy and Minerals).

Mr Hamilton (Morwell) — The opposition will not oppose this bill but will move a reasoned amendment to it, for reasons which I will come to in a moment. Firstly, I thank the minister for the early notification of the amendments. The courtesy of allowing our shadow minister in another place to look at the amendments is appreciated, as is the advance notice. I am pleased that the minister agrees that courtesy costs nothing.

The Extractive Industries Development Bill repeals an old piece of legislation that has been the cause of concern, disagreement and dispute for the extractive industry, landowners and local government in particular, and certainly for governments of all persuasions since 1966. It would seem more appropriate for the Minister for Planning to be sitting at the table handling this bill because much of what has developed has become the prerogative of the Department of Planning and Development. That is appropriate because we are fundamentally talking about a major issue. In fact, by and large the products of the extractive industries are used in planning and development.

In May 1993, Governor in Council gave terms of reference to the Natural Resources and Environment Committee of the Parliament for inquiry into the extractive industries. The opposition believes the terms of reference for that committee were appropriate and important. I will run through the five points in the terms of reference briefly. The first was:

- to establish options for ensuring the adequate protection of stone resources in Melbourne and metropolitan area.

That was and still is in many ways a major issue. Term of reference 2(a) reads:

- From the information provided to the committee on the distribution of stone resources by type and quality throughout the region and from the projected growth in demand consider:

  (a) the economic, social, environmental and other constraints likely to affect the development of new extractive industry options over the next 25 years, the next 50 years;

That reference is important because this was not a short-term projection. The committee was asked to inquire into the longer-term use of the stone and what was going to happen to the industry in general. Term of reference 2(b) reads:

- the adequacy and appropriateness of buffer zones and other methods for protecting proven reserves and the implications on landowners of long-term zoning and sterilisation of their land for other uses;

That has been an ongoing issue in this industry ever since we started building roads. Term of reference 2(c) reads 'to consider':
options to ensure protection of areas in which stone resources are only predicted or inferred on the basis of geological information and for which no demand can be immediately identified.

This was similar to what happened in the Latrobe Valley when the future use of the brown coal resource was examined and put into categories A, B and C. Category C was long-term uses that had to be considered over a long period. That was a wise move by the minister when he drafted the terms of reference to the committee. Term of reference 3 reads:

Utilising the information collected and work already completed by the previous committee, —

because this had been considered by a committee under the previous Labor government as well —

make recommendations which consider the previous committee’s interim report and comments made thereon together with the supplementary report of the Whittlesea Planning Scheme Amendment L50 Panel prepared by Marshall Baillieu.

That in itself was a fairly important, if not notorious, case which had caused a deal of concern. Term of reference 4 reads:

Consider the adequacy of the Extractive Industries Act 1966 for the development and effective regulation of the industry.

That of course has resulted in the new bill and the Extractive Industries Act 1966 being repealed and replaced. Term of reference 5 reads:

Identify options and recommend a preferred course of action including legislative changes necessary to give effect to the recommendations.

That recommendation has been carried out by the government. Although there were some 36 recommendations in the NREC report not all of them have been agreed to by the government, but it is my understanding from reading the report and looking at the bill that all of them have been responded to and most of them have been accepted and acted upon, and some real progress has been made. It is a pity that the honourable member for Gisborne, the Minister for Sport, Recreation and Racing, is not in the chamber because he would remember the proposal for the establishment of a quarry in the Mount Macedon region that has been going on for as long as I have been in Parliament, and probably a lot longer than that. That matter has been of great concern not only to industry in that area but also to the council. That development has been the subject of motions moved in this house, and it has been raised during adjournment debates.

Because of the history of opposition to the quarry development, a case which no doubt can be pleaded in many other inner and outer metropolitan areas where quarries have been established, I desire to move:

That all the words after ‘That’ be omitted with the view of inserting in place thereof the words ‘this house refuses to read this bill a second time until the proposed regulatory framework is fully known, and that all local government areas have properly elected councils that can respond to the concerns of their residents’.

The opposition considers the reasoned amendment to be fundamental to the development of a sensible and proper plan to get the industry and the planning processes in order. There is no doubt that the bill puts much emphasis on planning, zoning and planning permits, which have been the traditional responsibility of local government.

Mr McArthur interjected.

Mr HAMILTON — The honourable member for Monbulk would be aware that councils have always taken their planning responsibilities very seriously.

Mr McArthur — Except for quarries.

Mr HAMILTON — Local government believes proper planning is important. Local councils in country regions are even more aware than those in the city of that importance; local government believes it should listen to its residents — that residents should have a say. While commissioners are in place in all but 2 of the 74 remaining municipalities in Victoria, it appears that the opportunity for the community to have a say through the democratic process is on hold, to put it in its nicest terms, in most cases until March 1997.

It is possible that long-term decisions could be made to grant or refuse to grant permits for quarry operations, with consequent major implications for local municipalities. Each decision has its own special impact on what will happen in the industry.

For example, if a permit for the Gisborne development were granted by commissioners who
are now responsible for the planning processes in that municipality, a quarry which has been strongly opposed by the local residents for many years may be established. The residents have almost taken to the streets in protest about that proposal.

There is no doubt that people in Gisborne and other municipalities will be well aware of the decisions being made in the absence of a democratically elected local council. The opposition feels strongly about that position, which is why I have moved the reasoned amendment.

By and large, the extractive industry in Victoria has had a chequered history. Indeed, in the early days quarries were created with what appeared to be abandon, and then abandoned. The opposition supports the aspect of the bill which requires that rehabilitation plans for disused quarries be established: all too often that aspect has not been considered. For example, my electorate contains the largest quarry in Victoria.

Mr Kilgour — A big hole in the ground!

Mr HAMILTON — When it operated, the SEC had a rehabilitation plan for the overburden dumps and for the open cut. The opposition supports that important legislative approach which I believe is being lent demonstrably bipartisan support: the bill virtually says, 'You can create a quarry, but when it reaches the end of its useful life you must have a proper rehabilitation plan'.

Mr McArthur interjected.

Mr HAMILTON — The honourable member may smile and interject, but I have no problem in giving credit where it is due. I do not believe that all wisdom resides on this side of the house; sometimes examples of wisdom are shown on the government side! We must be ready to support that approach.

It is important to recognise that one of the most important parts of the legislation is the requirement for not only a rehabilitation plan but a deposit or bond to be put forward to ensure that the rehabilitation process occurs. If for whatever reason the owners of a quarry do not proceed with the rehabilitation plan when the quarry reaches the end of its useful life, the government of the day will be able to use that bond money to ensure rehabilitation takes place. That is a good and progressive way to deal with what is an important part of the industry.

Quarries, by and large, have a strong impact on the landscape. By their very nature, quarries leave scars on the terrain; those scars must be properly repaired. There is no doubt that some of the rehabilitation plans used previously — for example, using old quarries for rubbish tips — have created subsequent problems in their own right, particularly with contamination of ground water. I know of disused sand quarries which have been filled with rubbish where all sorts of environmental problems have been created simply because a rehabilitation plan was not carefully considered. Perhaps the relevant environmental information was not well known at the time, but now we should use the latest scientific evidence to address the long-term environmental impacts that may flow from such a practice.

One aspect not included in the bill is the growing development in the recycling of quarry products. In the Latrobe Valley and, I understand, in Ballarat a couple of companies have started a recycling program where concrete, used stones, some roadmaking materials and waste materials from building sites, especially from the roadmaking industry, are crushed, recycled and reused. A company named Ecologia that operates near the Midland Highway in the Latrobe Valley has created a substantial and quite economically viable industry.

People have recognised the advantage of being green, of using recycled materials — although with roadmaking material it is probably brown ecology rather than green — and the attraction of constructing roads and pavements far more cheaply using recycled material than is possible by taking material from quarries. That process ought to be encouraged by the community and the government.

Vicroads has introduced a process where it uses a machine to strip the bitumen from the surface of a road and replace its foundations; then it recycles the bitumen. That commonsense process should be encouraged rather than dumping the bitumen because it is seen to have no further use.

I shall return to the bill. From general statements it is apparent there were some concerns over the use and ownership of stones and materials. Most quarries are on private land and are private developments, but there was community concern that stone materials on private properties could be used for roadmaking. I am pleased to acknowledge that that concern has been addressed, and the opposition thanks the government on behalf of the farming community and congratulates it on using commonsense on that issue. Farmers these days are
better educated and more aware than they were and will not create erosion problems on their farms by the unwise use of their own resources as part of the development of a quarry.

We believe the community to be more environmentally aware these days, and the Landcare programs, which are important throughout Victoria, have made people more conscious of the possibility of serious erosion problems if they do not quarry sensibly, even if the materials are for their own use. We make that important point because a proper understanding of erosion problems and the wise use of land has been developed. The bill places a great deal of responsibility on the planning process. The newly formed Department of Agriculture, Energy and Minerals is there to advise the planning department on how or whether an approval should be given. For more than 50 years the department of minerals in Victoria has historically been the authority with the expert officers able to give advice on these materials. The final decision is a planning decision, which we believe is right and proper.

The bill provides for the opportunity to appeal to the Administrative Appeals Tribunal, a process that has been fairly well used and understood in the development of the planning process and planning permits in Victoria. It seems to me that we have problems with AAT decisions only when the minister calls in a decision, which can be done for good reasons or poor ones, but the calling in of a decision can give rise to a great deal of concern. Ministers traditionally have used that power infrequently because they understand that it takes the decision out of the democratic and independent process and puts it into a ministerial process, with all the connotations that may or may not go with that.

Under the subheading 'Planning scheme amendments and permits' the minister's second-reading speech states that the intent of the bill is to enable the Minister for Planning to undertake planning scheme amendments to change a provision that prohibits the use of land for extractive industry. The bill is actually saying that the responsibility of the ministers is spelt out in the Fitzroy Gardens.

Mr HAMILTON — They did, too. The minister would be wise to use that power to overturn a prohibition in a local planning scheme only after a great deal of in-depth investigation and advice from all the professional officers available, as well as, I would hope, a serious consultative process with the communities affected by the overturning of the prohibition.

There are probably very few parts of the planning process that create more controversy and argument than quarrying. It attracts controversy — maybe it is the noise and dust. Most of us like good roads to drive on, but it is not possible to have good roads without good quarries. It is not hard to get an argument if you are going to establish a quarry, and you can gain a few brownie points if you decide to close one down. Perhaps there is some reasoning behind this: the Minister for Planning will take the flak rather than the Minister for Minerals and Energy.

The bill provides for the usual work authorities, which have worked very well. It has certainly been my experience that once the works approval for a project has been given there has been a fairly serious and in-depth investigation of environmental concerns, and the proponent of the project has a contractual obligation to ensure that the works proceed according to the works approval and that the holder of the licence takes all due care and responsibility. Once that approval has been given, the minister must grant the work authority so the quarry can commence.

The bill also empowers the minister, after consultation with the operator, to add, delete or vary the conditions of the authority. That sounds a warning to me, in that it would depend on the determination of the minister. He is not required to consult with the operator, but if we get to the stage where an operator does not agree it will be necessary for the minister to exercise his ministerial authority with a great deal of consideration and thought. By the same token, the bill also empowers the minister to revoke a work authority.

The responsibility of the ministers is spelt out in the bill, and it seems to me that that is an example of part of the Westminster system being reinforced, which is quite different from what has occurred with a number of other bills the government has put forward. Quite clearly the responsibility stops with the ministers, and that is right and proper. If there is a disastrous end effect, the buck stops with the ministers. I notice the Minister for Minerals and
Energy nod, and I thank him, because to me that is the way the Westminster system ought to proceed. Regardless of how far governments or ministers may want to distance themselves from final decisions, the buck stops with the responsible minister and it is the minister's head that rolls. That is right and proper.

From my reading of the bill — from this side it appears to be good but it may not be so good from the other side — it reinforces an important aspect of the Westminster system, for which I commend the government.

I have already mentioned rehabilitation and rehabilitation bonds. Given that quarries generally have a fairly lengthy life — 25, 30, 40 or 50 years perhaps — the wisdom of Solomon will be required to work out the size of the bonds. That will be a challenge to the economic rationalists. It will not be a bad effort if they can accurately predict what a dollar will be worth in 50 years. Let us hope that for once in their life they can get something right and estimate the size of the bond appropriately.

The bill provides that any residual debt due to the Crown may be recovered through the courts. That is a problem in itself because it seems to me the only people who make money out of the courts are the lawyers — not the Crown or the litigants. That provision sends a yellow light signal. The inclusion of that clause reflects the point I was making — namely, that it is hard to determine accurately what the size of a bond should be when establishing a quarry that will be rehabilitated some 20 or 35 years down the track.

The bill sets out the relationship between the Extractive Industries Development Bill and the Mineral Resources Development Act, which fundamentally concerns licences to explore; the processes under those two bills are interrelated.

Clause 10 of the bill is pleasing. Under the heading 'Land not available for searching for stone' it provides that the minister must not grant a permit to search for stone on the following land: reference areas, national parks and those areas that have a declaration of preservation in force under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 and the Archaeological and Aboriginal Relics Preservation Act 1972.

The recognition of those areas is important. That provision simply reinforces the commitment of the government and the community to the preservation of the cultural heritage of the indigenous people of this country. I commend the government on its inclusion of specific provisions concerning those acts. No doubt, there would be such references under a number of other acts anyway, but their inclusion in the bill notifies everybody that an area that has been declared a national park or part of our indigenous heritage is not available even for the purpose of searching for stone.

A number of types of permits to search for stone on Crown land can be arranged. Their conditions are clearly set out in the bill. Providing those conditions are complied with, the opposition does not have any problems with the provisions. The minister's second-reading speech refers to compensation:

The government rejected the recommendation of the Environment and Natural Resources Committee that a levy be imposed on quarry production with subsequent payment into a community facilities fund. The government undertook to examine existing compensation mechanisms that may be available whereby persons directly affected by quarry operations could be compensated. Compensation mechanisms exist under the Planning and Environment Act, the Land Acquisition Act and the Mineral Resources Development Act. However, none of these provisions is capable of addressing satisfactorily all of the issues associated with any adverse effects on property owners arising from the establishment of extractive industry operations. With the adoption of specific performance standards at the boundaries of quarry sites and internal buffers, any adverse impacts on properties will be more effectively controlled. A monitoring group consisting of relevant government agencies, industry and local government representatives will be established to assess the effectiveness of these measures and the need for any specific compensation mechanism.

The government has recognised the problem and the people who ought to be involved in the resolution of the problem, but in effect it is an open-ended answer. This matter needs to be addressed and clearly is not resolved. Normally, I would be concerned about such a process but in this case, because of the number of parameters, although the government has not accepted the recommendations of the Environment and Natural Resources Committee, it has recognised the problem and is looking for a way around it. That emphasises the importance of my reasoned amendment.

Local government and local citizens need to be involved through their elected local government representatives. There is no doubt that the processes
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by which people in local government areas have
their say have been removed through the
appointment of commissioners, who have all the
powers of a council but, by and large, are not
intimately in touch with the feelings of their
residents. Certainly up until 7 September 1995,
commissioners have not been able to ascertain
through their consultation mechanisms what
communities feel about these processes — yet
compensation provisions will include the
involvement of commissioners.

Compensation has always been an extremely
important part of the planning and development
process. I am pleased the government has seen a
way of addressing compensation and has a
monitoring process in place. It is important that
compensation not be monitored by Sir Humphrey
Appleby, for heaven's sake! It is all too easy for
bureaucrats with a particular view of the world to be
left to judge that all is going along okay. Over the
years that sort of approach has resulted in some
disastrous events associated with extractive
industries. The opposition sounds a note of warning.

By and large, the bill is a good response to the
Environment and Natural Resources Committee
report. It still has some open-ended provisions. The
structure of the bill indicates that there is more work
to be done, bearing in mind the difficulties
associated with this sensitive industry. The bill
ought to be held over until such time as there can be
direct democratic input, with elected local councils
legitimately playing their part in the democratic
process.

The election of representatives is part of a
democracy. Honourable members believe in the
process of electing representatives; that is the reason
why each one of us is in this place. Without that
process, we could end up with a couple of
dictators — generally, one dictator and a couple of
helpers — sitting up on the hill making decisions for
us. That is not what Victorians or members of
Parliament believe in.

The principle of democracy should be applied to an
industry that has a sensitive part to play in our
involvement with the environment we live in. Let us
hold over the Extractive Industries Development Bill
until such time as there is democracy at the local
government level. This industry affects specific local
government areas. There cannot be a quarry that the
locals do not know about.

Mr PERRIN (Bulleen) — I compliment the
honourable member for Morwell on a particularly
good speech that closely followed the minister's
second-reading speech, but I am utterly
disappointed in the reasoned amendment he moved
and I will not support it for reasons I shall outline.

The Extractive Industries Development Bill is an
excellent bill because it totally rewrites the
legislation for extractive industries. It is entitled to
bipartisan support in this house, and it is a pity it
does not have that support. I do not share the
honourable member for Morwell's pessimism about
municipal commissioners being able to make their
voices heard.

This legislation has had a long gestation. The
reference was given to the Natural Resources and
Environment Committee of the former Parliament,
of which the honourable member for Caulfield was
chairman. He and his committee did a great deal of
work to produce an interim report. After the
election, when the new Environment and Natural
Resources Committee, of which I am chairman, was
set up the matter was referred to it. We went
through a long community consultation process and
produced our report in May 1994. This bill takes up
most of our recommendations. The legislation was
introduced during the last sessional period and was
allowed to lie over so that the community could
examine what it proposed.

I see no reason why there should be further delay.
We have been examining this matter for many years
and there is no need for more delay. I hope we can
defeat the reasoned amendment; another delay
would not be good for the industry, the
municipalities or the community. They want
certainty in the law, which is why we should pass
the legislation. I understand the minister will move a
number of small amendments that are no doubt the
result of the consultation process that has already
taken place. We should be in the business of passing
laws to provide certainty on this issue. I shall come
back to that in a moment.

The legislation is an example of a good
parliamentary system at work. A parliamentary
committee examined the issue and made good
recommendations, which the government has
largely adopted. This legislation is a good example
of a parliamentary committee and Parliament
working together. It is an example of how a
ccommittee can help government to produce
excellent legislation. I am sorry we do not have
bipartisan support for the bill.
Victoria has extractive industry resources that need to be protected from time to time, but the next time honourable members see a building site they should ask themselves where the sand for the cement, the stone and the clay for the bricks came from. They are all products of extractive industries. We need the extractive industry resources and we need to protect them so that they are available for future generations. It does not matter whether they are sand or stone or clay for bricks or the products of any other extractive industry, they are an important part of our economy.

A prime consideration for the committee was to ensure that these resources, which are located in specific areas, are protected. We wanted to ensure that they are recognised as valuable and that they will be available for future generations. We should not lock up these resources so that it is necessary to obtain supplies from industries further away, which would increase their cost. Well located and accessible extractive industry resources are a financial benefit to Victoria.

It became obvious to the committee that inordinate delays had occurred because of the process under the previous system — in other words, there was a crying need for change! I direct to the attention of the house appendix F of the report of the Environment and Natural Resources Committee, Planning Issues for Extractive Industries, May 1994, which provides a number of case studies that illustrate the sorts of delays experienced by companies trying to establish a new extractive industry. Page 140 sets out the history of the delays experienced by Barro Group Pty Ltd in the Shire of Gisborne when it was endeavouring to develop a basalt quarry. The history of the application began in December 1986 and by the time this report was tabled in Parliament in May 1994 a determination on that quarry still had not been made. That is an example of the inordinate delays under the previous process. That is the wrong way to go. The industry, the community and local government want certainty of outcome without expensive delays that take up time. The committee made recommendations intended to overcome those delays.

The second example is case study 6, involving McLeods in the Shire of Cranbourne. The extensive delays in that case took place over a much longer period. It began in May 1977 and by the time the committee's report was produced in May 1994 — some 17 years later — the matter still had not been determined. Legislation that allows that is bad legislation. Parliament has a duty to ensure that the processes put in place by legislation do not lead to those sorts of delays, which bring Parliament into disrepute. That sort of legislation creates angst and anxiety in the community and is bad legislation. That is another reason why we do not want to delay the bill, which will overcome that problem with a single adjudication process. It will also provide certainty of outcome.

Another important matter is extractive industry exemptions. We need to protect the resources and ensure that they are readily available to our community, but we also need some exemptions. I commend the government — as did the honourable member for Morwell — for the specific exemptions outlined in the legislation. It provides that no matter what natural resources are contained in certain areas — national parks, state parks, wilderness areas, reference areas and areas of Aboriginal significance — they will not be available for extraction. I am sure those exemptions will have bipartisan support. Although we can lock up various areas that will not be subject to resource extraction, we must ensure that the resources are readily available for extraction in other areas.

That is a commendable process. I congratulate the government on inserting the clause in the bill, because the Environment and Natural Resources Committee believed the issue to be extremely important.

I now refer to the single approval or one-stop shopping process. That process will mean that an application for an extractive industry licence will be integrated from the lodging of the application to the making of a decision. The review of and appeals against planning permit decisions will be made through the Administrative Appeals Tribunal. It is important that an application for a proposed quarry be considered not just at the local or parochial level because of the range of issues that are involved. For example, the work plan, the operation of the quarry, the effect on the local community, the end use of the quarry and the environmental effects must all be examined.

One of the key recommendations of the Environment and Natural Resources Committee was that there should be a single adjudication process to assess applications for extractive industry operations and that the process should be open and allow everyone to have a say. Under the bill the Department of Agriculture, Energy and Minerals will be a referral agency because of the critical role it
has to play. In many cases extractive industries have regional significance: they provide sand, stone or cement to industries not only in one municipality but throughout a wider region. Consequently, a broad view needs to be taken. Although we need to ensure that the views of local communities are considered, many others will want to have a say in the adjudication process. But I believe it is fair that more weight be given to the views of the people who live close to the extractive industry and those of the local municipality. That is why a single adjudication process is an important part of the legislation.

I now refer to the end use of quarries. The Environment and Natural Resources Committee and the former Natural Resources and Environment Committee received many submissions on end-use matters. As an indication of the importance of the issue I will give the house an example of what has happened in my electorate. For many years the Boral brickworks, which is in Bulleen, extracted clay from the site for the manufacture of bricks. The clay was eventually exhausted, leaving a large hole in the side of the hill. The Boral company continued manufacturing bricks at that site by bringing in clay from other quarries. Not so long ago the company decided to cease operations at the site and pulled down the brickworks. Some people were concerned about the end use of that large hole in the ground. However, the end use of a quarry need not necessarily be bad.

In the example I have cited clean fill was brought in to fill the hole, and the area is now being developed as an expensive housing estate. Some members of the local community were concerned that the quarry would be used for the dumping of putrescible waste. I did not expect that to happen, but some people were worried about it. The end use of quarries can benefit the community.

Mr Hamilton — Surely the end use must be good.

Mr PERRIN — Of course that should be the case. Consumer societies generate garbage, which means there must be places in which to put it — and local communities are understandably concerned about the prospect of quarries becoming garbage tips. The Environment and Natural Resources Committee addressed the issue in its report, recommending an increase in the size of buffer zones. Quarries that have exhausted their productive lives can be filled with leftover building materials and other rubbish, to which most people have no objection. Our committee saw many examples of quarries that had been turned into beautiful lakes surrounded by parkland — and Lake Sambell in Beechworth is a good example. So those sites can be turned into parkland and used for recreational purposes.

Most quarries have a life of 40 to 50 years, which means it is difficult to determine the end use of a quarry 50 years on. End-use plans can be developed for quarries with short working lives, and often prospective quarry owners are more than happy to attach end-use proposals to their applications. However, I understand the concerns raised by the honourable member for Morwell about the end use of quarries.

The Environment and Natural Resources Committee report recommended a significant increase in the size of buffer zones to protect both local communities from the operations of the quarries and quarry owners from the encroachment of housing.

I point out that there are houses as close as they could possibly get to the face of the quarry at the Boral brickworks site in Bulleen. Because of that there could be no buffer distances and the development of a garbage tip was not even remotely possible.

It is important to protect quarries and extractive industries from urban encroachment because, as I said earlier, our resources are limited and they must be protected so they continue to be available. The government picked up the recommendation of the Environment and Natural Resources Committee that buffers should be internal — in other words, they should be part of the quarry owner’s land rather than the abutting land, but that does not have to be the situation.

We need to be aware of the fact that quarries have some environmental effects. Blasting can affect the local neighbourhood. That does not happen with sand or clay quarries, but invariably trucks are constantly going in and out of quarry sites. The committee found there were many other ways of controlling the environmental effects of quarries — for example, implementing work plans to reduce the noise from quarry plants.

The next important area I shall turn to is rehabilitation. The honourable member for Morwell clearly stated that rehabilitation is essential. The bill gives the Minister for Energy and Minerals a great deal of control over what happens with work plans, rehabilitation plans and bonds. However, the bill is
flexible because we all know there are many quarry owners who work in different sites.

We need to make sure that rehabilitation plans are effective and that they are put into place. The importance of rehabilitation is that you do not wait to carry it out. If you go around to some of the quarries at the moment you will see that quarry owners are not waiting till the end of the quarries' life before they start rehabilitating the areas. There are many cases where the have planted trees to rehabilitate the sites long before the quarries have come to the end of their economic lives. That is excellent, and we want to encourage that rehabilitation. The quarry owners at Dromana have been able to cover the scar on the hill simply by planting trees as they are extracting.

I shall now turn to environmental effects. There is no doubt that the environmental effects of a quarry can be quite marked, particularly if it is an extractive quarry that is using blasting. There must be a clear indication of the impact blasting can have on a community. There must be some way of assessing the environmental impact of new quarry proposals.

If honourable members look at the report of the Environment and Natural Resources Committee they will see that an environment effects statement, which is sometimes requested for extractive industries proposals, is expensive. It is lengthy and expensive to put together an extractive industry proposal that involves an environmental effects statement. Whenever these statements are requested we must ensure that they are reasonable, sensible and that they cover the environmental effects of the proposed quarry. If we are to put the industry to that sort of cost we must ensure that the outcomes are relevant and that they are taken into account.

Before closing I shall comment on the compensation mechanisms on which the honourable member for Morwell seemed to hang his reasoned amendment. The Environment and Natural Resources Committee recommended that a levy be imposed on extractive industry operators and that the levy be used to compensate for adverse environmental effects. The government did not pick up that recommendation, and I have no problem with that at all. What the government has done is quite reasonable. The legislation includes buffers which provide a range of checks and balances the minister believes can prevent problems. The government's proposal is sensible and reasonable. If workable legislation does not allow the effects of a quarry proposal to be a problem, a levy is not necessary.

If there is an environmental effect on a local community the courts are always available to those people who wish to take issue with that effect. However, I shall put this point on the record — the honourable member for Morwell may not have understood the point — a levy on so much per tonne of extractive material will put up the price to consumers. The committee was conscious of that, and I am sure the government is conscious of it.

If the honourable member for Morwell is arguing that he wants to increase the price of extractive goods such as sand, cement, clay and stone, then the consumer will have to pay. The honourable member is asking for consumers to pay more to overcome a potential problem. My view is one of preventing the problem in the first place — that is, keep stone and sand resources at reasonable prices for our consumer. It has a great economic effect and we do not have to introduce this bureaucracy.

In conclusion, I strongly support the bill. I congratulate the minister and the government on picking up 90 per cent of the committee's recommendations. The committee carried out a lot of good work, and I know that the minister has congratulated all its members. Given that the committee comprises members from all political parties in this Parliament, the fact that the government picked up its unanimous recommendations and included them in legislation is a great credit to the committee and reflects the hard work that I and my colleagues undertook to produce the report and subsequently this bill.

Ms MARPLE (Altona) — The introduction of the Extractive Industries Development Bill shows how well our system of democracy can work. It may have faults and problems because you cannot always please everybody, but the committee system — even with a change of government — has in this case demonstrated that it works in a democratic way by producing a bill that can receive support from across the community.

That does not mean that the opposition agrees with everything in the bill and it does not mean that the opposition has no concerns. However, this bill shows that all honourable members are able to look at an area of concern for all Victorians and put forward ways of working with an industry that is of such importance to all of us.

There is no doubt that the extractive industry causes a lot of anxiety for people. At the same time we should take into account that the industry produces
goods that we all depend on. Construction work is
dependent on the sand and stone that is part of the
extractive industry. This great building, Parliament
House, is also a monument to that industry. I have
no doubt that a quarry nearby was used for the
stone for the building, and I am sure the nature of
the industry caused some anxiety to the early
residents of Melbourne — I refer to the noise, the
dust, and so on — just as it causes anxiety at the
present time.

Those who contributed to the development of the
bill worked on the problem of making sure we
preserve our natural resources for society's use
while taking into account the need to maintain the
environment for future generations.

It is appropriate to thank all the people who were
involved in the process, including the members of
the former Natural Resources and Environment
Committee that was established by the previous
government and chaired by the honourable member
for Caulfield as well as the current Environment and
Natural Resources Committee, which is chaired by
the honourable member for Bulleen. I am fortunate
to be a member of the committee that presented to
Parliament the May 1994 report entitled Planning
Issues for Extractive Industries.

I also acknowledge all the work done by public
servants; our research officer, Ms Barbara Guerin;
our executive officer, Mr Ray Wright; and the office
manager, Ms Janet Cresswell. There is no doubt that
our committee could not have functioned as well as
it did on this issue without those people, particularly
our research officer. Her guidance and her
knowledge of both the industry we examined and
the natural resources it uses was of the utmost
importance. We could not have done without her
work. All members of the committee join with me in
acknowledging and thanking those people — as, I
am sure, does the minister.

The government's positive response to our report
led to the introduction of the bill. That is how our
democracy works. The bill was allowed to lie on the
table over the winter recess to give people the
chance to have further input. The government has
circulated several pages of amendments to the bill.
For example, amendment 2 to clause 5 will enable a
farmer to remove stone 'from land that is a farm if
the stone is intended in good faith only to be used on
that farm for the purposes of a dam or other
farmworks and not for sale or any other commercial
use'. Farmers told both opposition and government
members they were concerned that they would not
be able to use, for example, the stone and gravel
resource on their farms to build dams and/or put
gravel in yards or along driveways on their farms.
That is why the amendment is before us today.

The opposition should also be able to propose
amendments that deal with its concerns. Although
the honourable member for Bulleen believes
members of the opposition should not be allowed to
put forward any amendments, our system of
democracy requires that we should be able to. That
is why it is important that the reasoned amendment
be agreed to, because it argues that the bill not be
read a second time until all local government areas
have properly elected councils that can respond to
the concerns of their residents.

In all honesty, we should all be concerned about
local government commissioners being in office for
such a long time. There are times when
commissioners are needed; but many of us are
concerned about the length of their appointments
under this government. Many local people have
expressed their concern about the appointment of
commissioners who live outside the municipality.
Sometimes people from outside are better placed to
see how a municipality is functioning; but on the
whole, voters do not believe that appointed
commissioners are anywhere near as good as elected
councillors who live in the areas and who
understand local issues. That is why we have moved
the amendment asking that consideration of the bill
be deferred until we have properly elected councils
to respond to the concerns of residents. We ask
government members to take note and to vote
accordingly — although we are not holding our
breath!

The inquiry was very interesting. Although I was
unable to go to all the quarries or attend every
public hearing and talk to all the people who
attended, it was enlightening to see the work that is
being done on the rehabilitation of quarries, which
the honourable member for Bulleen spoke about. It
can be done and the results can be excellent; but
unfortunately we all know that it does not always
happen. The opposition hopes the bill will ensure
that the rehabilitation work continues.

It is important that we watch carefully to see how
the bill works in practice and that Parliament is
ready to act if the legislation fails us. No legislation
stays unchanged forever, and I am sure the bill will
need some work in the future. If changes need to be
made the opposition will put them forward in the
hope that the government will take them up.
Along with the other committee members I was pleased that the government responded positively to the report. Some honourable members believe the committee’s recommendations are not as strong as they could have been, and I hope they will speak during the debate. However, the government responded positively to our recommendations. The ministerial response was also positive in most cases. The minister agreed to the need for the long-term protection of our stone resources, which the honourable member for Bulleen pointed out. We must not postpone any action until better geological knowledge is obtained — although that is the sort of information we must always be trying to obtain. I hope the government will plan for the long-term protection of the resource. As the honourable member for Morwell pointed out, the bill emphasises the importance of the work that needs to be done in the planning area.

The government has agreed to each of the proposals the committee put forward on the extractive interest areas. The government has expressed its concern about the operations of the extractive industry, recognising the need to preserve our natural resources — the base materials we need in our daily lives — and to protect the environment. I was pleased to read that that was agreed with in many areas.

I am disappointed the government disagreed with the committee’s recommendation that future landfill sites for putrescible waste should have a minimum internal buffer zone 200 metres wide. The government believes that should be determined by performance standards for quarry operations. I hope that turns out to be the case because, as the honourable member for Bulleen pointed out, that is one of the major issues regarding disused quarries. I hope the government’s decision will in future protect people who live near quarries.

I am pleased the government agreed with the administrative framework. However, it should be noted that the government disagreed with the recommendation that once permission for an extractive industries site is granted it should be rezoned as an as-of-right extractive industries zone. The government’s position is that the end result of that recommendation will be equally well achieved by granting of a planning permit for the life of the quarry. The opposition hopes that will be the case and will monitor the situation. I assume the government made its decisions in light of the considerable information at its disposal. The situation is well documented in the committee’s report and the minister’s reply to it, and that will assist in monitoring the operation of the act.

The honourable members for Morwell and Bulleen commented on the operation of the bond. The committee recommended that the current bond system should continue and that the bond should be appropriate to the operation involved, reviewed regularly against the performance of the operators and sufficient to return the site to a condition deemed to be commensurate with or equivalent to the environmental condition that prevailed before the extraction. Although the committee realised that determining an equivalent environmental condition involves a subjective judgment, it considered that could be worked through with local people.

The government disagreed with that recommendation and has adopted the position that the bond should be sufficient to return the site to a safe and environmentally sound state. I note that that has not necessarily happened previously. The government believed the committee’s recommendation implied that backfilling would be needed in each case, but I do not think that was in the minds of the members of the committee. In any case, the minister has said that would be impractical.

As the honourable member for Bulleen pointed out, although that was not within the committee’s terms of reference, it was one of the major issues brought before us. It is a fundamentally important consideration for people living near quarries. Those people have faced difficulties in managing that issue, and I admire them for that work.

When observing quarries in action and talking with local residents, I noted concern about truck movements. The committee recommended that consideration be given to truck movement levies and that the government should investigate the matter by establishing a truck movement levy review. The minister has said that will be referred to the Minister for Roads and Ports in another place for consideration. There is no doubt that although trucks have become an enormously important part of everyone’s life they also cause a great deal of concern because of the noise they generate and their ability to kill — no-one would like to have a confrontation with a large truck.

In many cases trucks travel through built-up areas and are often observed travelling at questionably high speed. Although problems with trucks are a broader community problem, people who live near quarries are faced with constant truck movements.
There is a need to consider the number of trucks on the roads and how they are managed.

Although the consultation process undertaken by the committee was important, further consultation has also taken place recently, and I thank those involved. I hope the future will bring changes because although we are all very dependent on the extractive industry it is also a cause for much concern. It is important that we monitor carefully how the legislation operates to ensure not only that the resource is protected but that its end products are available at a reasonable price for all to use in the provision of shelter, roads, paths and all the other things we depend on the extractive industry to provide.

We should also monitor the rehabilitation of the areas involved. Today there is much more community interest in these matters. Although people understand that quarries are an important part of their daily lives, they are also aware that they deplete our natural resources. People would prefer that disused quarries were not left as gaping holes in the environment but that they were returned to the community in a condition equivalent to that which existed before quarrying began — that is, an area that can be used by people in the way they consider best for them.

A refuse tip must be handled properly. With the proper use of water and the planting of trees such an area can be made to look beautiful and provide a lovely recreational area for the community.

It is essential that there be properly managed recreational areas for future generations, so it is important that the regulations be enforced. The government should not leave such areas entirely to private enterprise because the quarries must be managed properly, and when they are no longer in use proper rehabilitation processes must be put in place.

I commend the reasoned amendment moved by the opposition. It is important that the overall picture be the right one to enable society to function properly, especially with regard to elected councils. There must be community involvement, and not only by those who have the ear of the government. Everybody should be concerned about our natural resources and know what is happening to a quarry that is being worked and what will happen at the end of its life.

I am pleased at the way the government has gone about dealing with this issue through the committee process. We must be watchful about what the bill as an act will do for the future of the extractive industry and our environment.

Mr J. F. McGrath (Warnambool) — I congratulate the Minister for Energy and Minerals on biting the bullet on an issue that has been before the Victorian public and parliamentary committees for some time with regard to extractive industries. The honourable member for Morwell said that quarries were started with gay abandon and then abandoned. His comments were very appropriate because as we look around rural Victoria we see plenty of bad illustrations of that having happened and the enormous blight that has been left on the community.

I congratulate the Environment and Natural Resources Committee (ENRC) for its work. Before 1992 I also had the privilege and pleasure of being a member of the former Natural Resources and Environment Committee (NREC), chaired by the honourable member for Caulfield, that also examined the issue of extractive industry. Unfortunately the issues dealt with by parliamentary committees and the work they do are not seen or perceived by the wider community. We see a lot of short 15-second grabs on television of what goes on in this house, which in my view portray a poor image and example of the constructive forums that are available in the parliamentary process. Parliamentary committees are one of those structures.

This is just one example from the ENRC of what can be achieved by people from both sides of the political spectrum working together to try to achieve an outcome. The report has been supported unanimously by the committee members. I can recall as a member of the NREC dealing with some difficult and sensitive issues. We never had one dissenting minority report. Members on the committee came from both ends of the spectrum on issues relating to conservation, but we worked through them, albeit with some difficulty, and arrived at an agreed position which enabled the committee to submit a report.

Extractive industries have played a vital part in the development of Victoria since the start of democracy in this state. The building of this precinct would not have been possible had it not been for the extractive industry. The stone and material that have been used came from the extractive industry. The
development of Melbourne, other cities and regional and rural townships around our great state depended and will depend heavily on extractive industries in the future. Irrespective of advances made in technology, science and research and development that are taking place and will continue to take place throughout the world we have yet to come up with a commodity to replace that which can be produced only through the extractive industry process. The minister has been prepared to bite the bullet on an issue that is important and sensitive because it provides infrastructure and significant employment opportunities.

As a person who spent a short period — about 12 or 18 months — working as a driver in the extractive industry in a bluestone quarry I understand not only the importance of this legislation to the industry but also the importance of the people who work in that environment and the need to ensure that all safety elements are taken into account. There are large stone-crushing procedures and a lot of equipment at quarries, and therefore an element of risk, particularly to workers. The provisions of this legislation will be carried out by regulation, as we deal with many similar issues. Importantly, one would expect that out of it will come a much better managed industry. The industry has a good safety record up to this point, but there is potential danger at all times. In the days when I worked in the industry I recall that it was a reasonably safe environment, but there was potential danger.

There were some extractive industries in my electorate. Most members would be aware of the wonderful state game reserve called Tower Hill on the western side of Warrnambool between Warrnambool and Port Fairy. It is near where I was born. As a child I would ride my trusty pushbike some 5 miles from my home on a Sunday and circle what was a motorbike scramble track around Tower Hill. That is how three or four of us spent our Sunday afternoons. Since then a lot of work has been done on Tower Hill to restore the flora and fauna that originally existed. The great blight on Tower Hill is the quarrying that went on many years ago with no real view about the aesthetic outcomes for future generations.

As motorists drive along the Princes Highway it is clear to them what has been left by indiscriminate quarrying, which is in line with what the honourable member for Morwell said: quarries were started with gay abandon and then abandoned. There is a great scoria face that will be difficult to remedy no matter what procedure is put in place. It will be difficult to do much with it.

That is a legacy of poor management in an era in which we were not sensitive to the environmental issues that thankfully are so much on the minds of people today. It is a constant reminder when I drive along the highway and see that blight on the landscape. To the left as you drive over the top of Tower Hill is a beautiful view of the coast with the white caps of the waves rolling in. Beautiful volcanic soils lead up to the pasture and grazing country and to the right is this terrible feature of the cliff face. It is a bit sad but it is difficult to do anything about it now.

In my electorate is an extractive business called BAM Stone that supplies the bluestone paving along Bourke and Spring streets. Don Bartlett and his wife Yvonne are international leaders, having set up a business to extract and produce bluestone that has put the small township of Port Fairy on the map. BAM Stone supplies bluestone not only to the City of Melbourne, which is obviously a very important market for it, but also overseas — the Bartletts are developing an export industry.

As part of the extractive industry the Bartletts, with the assistance of geologists, are continually searching for stone that will give them a slightly different finish and make their product attractive. To their credit, they do not rest on their laurels but keep pursuing their aim. Recently they discovered a stone with a beautiful mustard strain through it. However, as they got into the body of the stone they found that it was impervious in some parts so the excavation, although small at the time, had to be filled in and left because the stone was unsatisfactory. So a lot of other work takes place as well.

That brings me to the important part of this legislation: that we ensure reclamation programs are put in place so that blights such as the one I mentioned are not left on the community.

It is interesting that Don Bartlett’s brother, Neville, has been more actively involved in drainage works than in extractive industries. He is a bit of a non-professional lawyer in the sense that he has taken a great interest in understanding legislation that affects his operation. The extractive industries legislation is one such piece of legislation. Neville Bartlett was invited to be guest speaker at the Yambuk branch of the Victorian Farmers Federation. Yambuk is a small farming village west of Warrnambool halfway between Warrnambool and
Portland at the western end of my electorate. Neville revealed that he thought that the 2-metre rule that had been changed in the definition from the old act to the new one was the one that might impact on farmers. That is where the original lobby of the farmers’ group came from. It shows the importance of consultation.

I sent Neville a copy of the bill and asked him to look at it and come back to me on any issues he thought were important. As a direct product of having gone through that process he was able to analyse the bill and come back to me. We were able to draw the matter to the attention of the minister who quickly analysed the situation and, to use a legal term, put beyond doubt the ambiguity that was there. It was a matter of how the bill was read, but the ambiguity removed the right of farmers to use the stone, or whatever the commodity, for their own use.

One of the amendments that will be moved deals with that ambiguity. Again it is pleasing to be able to respond to those sorts of concerns because farmers use those commodities for various reasons: for vehicle and stock tracks on their properties, around troughs and damp areas and where they have legitimate reason to use it for their own purpose to assist them in primary production. It was never the intention of the legislation to prevent that. That is why it is important to put beyond reasonable doubt the interpretation of that clause to ensure that property owners are able to continue those practices.

I have much pleasure in supporting this legislation as it impacts on my electorate. One of the issues raised by Neville Bartlett was the provisions for the pegging out of the work plan. He had some concerns about two people lodging a claim at the same time. I am given to understand that that will be dealt with in the mechanics of the legislation as it is put in place.

The other issue raised by Neville Bartlett that is worthy of consideration is how he interprets the power of inspectors in the legislation and the rights they have simply by the terminology used in the bill. I intend to discuss that with the minister and the department at some stage with a view to ensuring that the intent of the legislation is in line with the philosophy and not that which Neville Bartlett might see as being a possible outcome.

I have much pleasure in supporting the legislation to repeal and replace the Extractive Industries Act 1966 with the Extractive Industries Development Bill. I commend the minister. The name change is significant because we are not talking about only an extractive industry but about an extractive industry that provides development opportunities. That is what we have to be about. We have to see what we can develop, taking note of the conservation demands that are ever prevalent as we go about these sorts of practices. We must ensure that we are able to provide an environment for development where we can see these things happen.

Employment is the major problem of this nation and this state. We need to be mindful of the sorts of developments that we can undertake that will either directly improve employment opportunities or indirectly create employment opportunities through associated industries. This bill goes towards achieving that end. I commend the bill to the house.

Dr VAUGHAN (Clayton) — In entering the debate on this important legislation, I compliment the honourable members for Warrnambool, Altona, Bulleen and Morwell who have already spoken on the debate. The legislation is important because extractive industries are important to Victoria’s economic development. As the member for Clayton, I enter the debate principally because of the damage that has been caused by an inappropriately managed extractive industry, by over-extraction, in the southern part of my electorate. I refer to the areas of Heatherton, South Oakleigh, Clayton South and neighbouring suburbs.

I wish to comment on the process that has resulted in the development of this legislation. It had its genesis in an issue that the Honourable David White in the other place took to the cabinet of the former Labor government. Cabinet referred the issue to an all-party parliamentary committee and asked it to recommend new legislation to govern extractive industries in Victoria. I am pleased that that process occurred.

The investigation by the former parliamentary committee had not been completed at the time of the change of government, but a new reference was given to the new parliamentary committee established by the present government. That committee completed its task in a most satisfactory way. The committee was able to consult widely with all interested parties, including those with economic interests and those that use the products from extractive industries as well as communities, local government and other interested groups or parties.

The government has overwhelmingly picked up the recommendations resulting from the excellent work of the committee. This bill, in contrast to much legislation so far introduced during the reign of the Kennett government, is now the subject of appropriate debate in this place. The government is to be complimented on every aspect of the development of the legislation: it should be used as a model for other legislation that is to be the subject of debate in this house.

I mentioned the importance of extractive industries to the Victorian economy. When I look at high-rise buildings in the central business district I think, 'Yes, the sand probably came from my electorate'. When I look at houses in the south-eastern areas of Melbourne I think, 'Yes, the sand probably came from Clayton'. Most of the sand that can be extracted from the Clayton electorate has been extracted and it is time sand extraction from that area ceased.

If I had the facility available I would like to project onto the wall of this chamber an aerial photograph of the southern part of my electorate to illustrate to honourable members the blight, the scarring and the environmental damage that have occurred to the area in the postwar period because of the extraction of sand from there with no regard to rehabilitation. However, the sand extraction industry continues to operate locally in a cowboy or cavalier manner.

The sand extraction industry has been a very poor corporate citizen in the south-eastern suburbs of Melbourne. If I had to name one particular company with which we have had tremendous difficulties it would be Pioneer Concrete (Vic.) Pty Ltd, which has caused such diminution of urban amenity for the residential neighbours surrounding its operations that it would take me a week to list the company's faults.

To take a small example, it took years to get the company to behave in a moderately reasonable manner at its sand processing plant and former sand extraction location in Talbot Avenue, South Oakleigh. It took years to have that company tailor its operations in a way that confined even the sand it was processing to within its boundaries. That should not have been so.

The department should have policed the industry better. The company should have had some corporate pride in its ability to operate in a way that did not affect the amenity of other Victorians, but it seemed not to be able to do that. The department should have policed the company's operations in a far more stringent manner than it did.

It took years to accomplish even a modest improvement in the operations on that site; that should not have been the case. I place much of the blame for that on the operations of the department. I accept that for too long the department was operating within an inappropriate legislative framework but also it was too close to the industry. The department seemed incapable of finding an appropriate balance between the amenity of the public living in the vicinity and the need for the company to operate and earn a profit. That is why I strongly support the legislation.

What happened was inexcusable; finding a solution to the problem took too long. I have never wanted to see a repetition of that problem but, sadly, the problems continue to occur. I hope that under a new and more appropriate legislative framework the officers of the Department of Agriculture, Energy and Minerals will adopt a different culture or attitude towards their duties, which certainly include policing the industry in a way that protects the urban amenity of people who live and work in the vicinity of extractive industry operations.

The whole area across Clayton South, Heatherton, parts of South Oakleigh down to Springvale South and Dingley has suffered greatly for 50-odd years at the hands of poorly supervised cowboy-operated sand extraction operations. A tremendous legacy by way of a blight or scar on the landscape exists. For too long attempts have been made to repair the scar by inappropriately burying municipal garbage in the holes. I have spoken on that subject in this house on numerous occasions. It is appalling that the extractive industry behaved in the way it did.

I take issue with the point made by the honourable member for Morwell, who suggested that decisions by the AAT had generally been satisfactory. I was appalled by decisions of the AAT when the tribunal comprised persons with backgrounds in local government who treated every hole as a potential tip and seemed incapable of bringing an appropriate attitude to planning issues surrounding particular holes in the latter part of the 20th century. Appalling decisions regarding sandmining in the sand extraction zone in the electoral district of Clayton have been made by the AAT; but, more particularly, appalling decisions have been made about so-called rehabilitation and after-use where the after-use for an area was to be as a municipal tip.
Ticking away in the sand extraction zone in the Clayton area is an environmental time bomb with garbage and who knows what else buried below the watertable in an area where water movement through the former sand extraction site — that is, the current tip — is quite extensive. Major environmental damage has been caused not only by the sand extraction industry but also by the so-called rehabilitation and after-use — that is, municipal tipping.

Real problems in that area need to be addressed. Fortunately, local government and Melbourne Water came together in the late 1980s to develop a plan to turn much of the sand extraction zone into a proposed chain of parks. The title ‘Heatherton-Dingley chain of parks’ was used during the late 1980s, but more recently an incoming minister seemed to want to put his own stamp on the project, and I am happy about that. The name became the Sand Belt Open Space Project.

There is a tremendous need to rehabilitate those former sand extraction sites, but too little is occurring too slowly. Some small development has occurred adjacent to Warrigal Road, South Oakleigh, in a park that has recently been named Karkarook Park.

However, even that park is blighted with a potential sandmining proposal — an appalling concept when the whole zone has been so over-extracted. The relevant minister is potentially giving the green light to further sand extraction in an area that has been blighted for so long. I hope the minister will hear my words and reconsider this and other proposals where companies, grasping for the last dollar out of an over-exploited site, now want to mine the roads, which form an important corridor in the development of the area as a chain of parks. The roadside verge is the only remnant of native vegetation left, so it is an important biological resource for the reclamation of this vast area, which is the largest physical barrier, apart from Port Phillip Bay, in the Melbourne metropolitan area.

I was appalled when the Local Government Board failed to see that huge, man-made barrier across metropolitan Melbourne when drawing up boundaries for local government reorganisation.

Mr Hamilton — It is like putting your head in the sand.

Dr VAUGHAN — There is not much left to put their heads in! When the board drew those boundaries and put almost all the sites I am referring to in the new City of Kingston, an important part of the community in the City of Kingston north of those sites was divided from its natural links to community networks and services. That has little to do with the bill, but it is important to the community I represent.

Mr Hamilton — Getting away with murder.

Dr VAUGHAN — Murder is not what I am accusing the extractive industry of, but it has got away with just about everything else, and if this legislation can curb that and retrospectively undo some of the appalling damage, I shall be very pleased.

Sand extraction is a necessary industry for Melbourne. A good deal of Melbourne has been built from sand extracted from South Clayton and the surrounding areas, but the local community has suffered at the hands of the industry for several generations. It is time for the sand extraction industry to move on to the outskirts of Melbourne and source sand for this great city from elsewhere. There is sand beyond Cranbourne and in the South Gippsland area, and those resources can be brought on stream to replace the sand being taken from the Heatherton-Dingley area. It is time the government said no to any further extraction in that area and moved on to rehabilitating those devastated sites with more enthusiasm and resources than we are currently seeing.

There are many other examples of the excesses of the sand extraction industry locally. I have given only the one small example of an appalling response to community concern in the Talbot Avenue, South Oakleigh, area from Pioneer Concrete (Vic.) Pty Ltd, but I could have listed many others.

It is time for the government to get its act together and change the culture in the department, which has been too close to the industry and has ignored community concern for too long. Those are the important issues I would like to see addressed.

Debate adjourned on motion of Mr TANNER (Caulfield).

Debate adjourned until later this day.

PUBLIC ADVOCATE

The SPEAKER — Order! I wish to advise that this day I administered to Alan David Green, the Public Advocate, the oath required by schedule 3 of
UNIVERSITY ACTS (FURTHER AMENDMENT) BILL

Government amendments circulated by Mr HAYWARD (Minister for Education) pursuant to sessional orders.

Second reading

Debate resumed from 1 June; motion of Mr HAYWARD (Minister for Education).

Mr SANDON (Carrum) - The opposition does not oppose this bill, which makes changes to the Monash University Act 1958, the Melbourne University Act 1958, the La Trobe University Act 1974, the Deakin University Act 1974, the Victorian College of the Arts Act 1981, the Victoria University of Technology Act 1990, the Swinburne University of Technology Act 1992, the Royal Melbourne Institute of Technology Act 1992, the University of Ballarat Act 1993 and the University Acts (Amendment) Act 1994.

Some of the amendments are common to each university; others are specific to particular universities. The amendments have been requested by the universities.

Common to all universities are a number of financial provisions. Those provisions were applied to some universities through an amending bill, which was debated and passed with opposition support in the Legislative Council on 8 November 1994.

That amending bill provided for universities to borrow or obtain financial accommodation within the meaning of the Borrowing and Investment Powers Act; for the formation and membership of companies, joint ventures and so on; and for universities to notify the minister of their actions in that regard. This bill extends those provisions to other universities.

A second common amendment provides for the use of electronic and other forms of communication by councils without requiring members to be physically present at a meeting. A third common amendment widens the range of organisations that may be affiliated with universities.

Other minor amendments concern the terms of office of La Trobe University council members, an increase in the size of Deakin University council by two members and a change from the term 'PACCT staff' — or professional, administrative, clerical, computing or technical — to the term 'general staff' at Swinburne University of Technology.

There are amendments to the provisions governing the investment of trust funds to provide consistency with the procedures of Melbourne, Monash and La Trobe universities.

The Minister for Education will be introducing a wide range of further amendments in committee. The opposition does not oppose the legislation; it wishes it a speedy passage.

Mr KILGOUR (Shepparton) - I support the University Acts (Further Amendment) Bill. By introducing this bill the government shows it is prepared to work with universities; it is prepared to understand that they need to be up to date with new technology affecting not only educational spheres but all spheres.

The decision to discuss the bill in committee reflects the amount of information received from universities on what is required to bring them up to date with the latest technology and enable them to work with that technology, introducing new realms of education.

The bill is designed to streamline procedures that support universities in carrying out the roles of teaching and research — vital components of university life. The changes will improve their operational efficiency.

There has been full consultation with universities. They are looking forward to the proclamation of the bill and to getting on with the job.

A number of acts were amended last year. This is a housekeeping bill, bringing into line with other universities the Victorian College of the Arts, Monash University, Melbourne University, La Trobe University, Deakin University, Victoria University of Technology, Swinburne University of Technology, Royal Melbourne Institute of Technology and the University of Ballarat.

The state's universities are a vital cog in the wheel of Victoria's education system. The government must ensure it liaises with institutions, discussing their problems and dreams, how they can work not only together but also with industry — ensuring they provide people with the skills required by industry
UNIVERSITY ACTS (FURTHER AMENDMENT) BILL

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and ensuring this country’s competitive future — and how they can continue to provide a world-class standard of education.

Multicampus institutions have been developed. University education has been expanded in country areas such as Ballarat and Bendigo, which has a La Trobe University campus.

Mr Hamilton interjected.

Mr KILGOUR — I am glad the honourable member asks that question. In recent days university education has come to the City of Greater Shepparton and to the Goulburn Valley. I am proud of that and pleased to see that the honourable members for Morwell, Doncaster and Monbulk support me on that point. The honourable member for Monbulk recently visited the City of Greater Shepparton. I was pleased to be able to tell him that university education had come to the Shepparton municipality and that classes are to be held at the TAFE college.

The Minister for Education has been magnificent in his support in bringing university education to Shepparton. The North Shepparton Secondary College was closed and the bureaucrats wanted to sell the site. Although university education is vital to the City of Greater Shepparton and to the Goulburn Valley, there was not enough room for classes to be held at the Goulburn Valley Community College. The Minister for Education allowed the Minister for Tertiary Education and Training to approve of TAFE business and other studies being moved to the former North Shepparton Secondary College. In that way the main campus of the Goulburn Valley Community College has been able to accommodate university education.

That has meant a tremendous amount to Goulburn Valley residents. Now their children do not have to leave Shepparton to complete their first year of education. They can remain in the family home, saving the family thousands of dollars. People living in the metropolitan area do not understand the added expense of children having to leave the country home and board in Melbourne. It costs an incredible amount, around $14,000 a year, to pay for a student’s boarding costs in, say, a Melbourne college. It is vital that there be university education in the Goulburn Valley. I am thankful that those two ministers were able to make those arrangements.

As legislators, honourable members need to be aware of the changes in our education system and of the need to accommodate such changes and their impact on teaching and research, and to make arrangements enabling universities to be administered and operate successfully and effectively. There is an interaction between universities and industry and a development of research programs that has not been seen before. This amending legislation will support further involvement in research.

Some of the amendments concern the extension of borrowing powers and changes to company procedures, all of which is to do with modern business operations. Universities are just like businesses. They are working in a new environment. We must remove unnecessary constraints on the operation of universities, allowing them to compete with one another for students and ensuring they provide the best university education they can.

There are changing circumstances, and we need to acknowledge those changes in a university context.

Universities have the capacity to manage their affairs. Most importantly, the government is ensuring that universities have the capacity to manage their affairs on a sound commercial basis. The legislation gives universities the opportunity to enter into agreements, partnerships and joint ventures with outside bodies with minimal government interference.

However, we must ensure that universities continue to be properly accountable for the things they do. The bill provides for Monash University to come into line with others in the area of company procedures and borrowing powers. It also allows the university to affiliate with other institutions.

The bill provides that Deakin University can make resolutions without a meeting of the council being held. It modifies the company formation procedures, as it does for all the other institutions. It also provides for two additional members from outside the university to be appointed to the council in recognition of the wide geographic area covered by the university.

The bill makes some small changes to the Melbourne University Act, including changing the methods of communication, and makes other amendments required because of the changes made to the council membership last year. The La Trobe University Act is amended to make it possible for regulations to be made by the council rather than by statute. The bill gives the council the power to revoke academic awards and provides for changes in the membership...
of the council to take place on the standard date of 31 December. Amendments have also been made to provide for the borrowing powers, company formation procedures and approved methods of communication that have been provided for the other universities.

It is also necessary to amend the Victorian College of the Arts Act to remove the age restriction for council members and to provide for better methods of communication to ensure that organisational arrangements are put in place for the provision of academic programs leading to the awards granted by the University of Melbourne under the affiliation agreement. Amendments are made to the Victoria University of Technology Act that are similar to those made to the other university acts. The amendments to the Swinburne University of Technology Act remove the provisions that limit the number of terms council members can serve, and provision is also made to ensure that land granted to Swinburne University by the government cannot be disposed of without the minister’s approval. The Royal Melbourne Institute of Technology Act and the University of Ballarat Act will be amended to provide for similar housekeeping arrangements to those provided in the other university acts.

The operation of universities will improve. Trust funds will also be provided for and there will be consistency across the tertiary institutions following procedures established at Melbourne, Monash and La Trobe universities.

I support the bill. The universities also fully support the bill. They asked the government to provide them with the opportunity to use the most modern techniques in office procedures and communications between universities and within universities. I am sure they will be pleased when the act is proclaimed in the near future so that they can begin working under it.

Mr HAMILTON (Morwell) — I cannot resist the temptation to contribute to the debate on this bill, which does have some important aspects. I assure the house that there is no truth in the rumour that every university will now have a dollar sign incorporated in its logo. The bill will take university education away from the tradition of the wonderful days of Socrates and Plato. To paraphrase a famous song: when I was a young man, universities had something to do with education.

The bill is about the commercialisation of universities, and it behoves a member of this house to draw to the attention of the community what has happened to universities since the iconoclasts took over. Once upon a time the people in universities cared about education, learning and the seeking of truth and knowledge. They were the essential parts of our universities. However, nothing in this bill relates to that spirit of universities.

Honourable members interjecting.

The SPEAKER — Order! Two members on the government front bench are being disorderly and are interjecting from out of their places. I ask them to cease interjecting. The honourable member for Morwell should and does command great respect in this place, and I ask that attention be given to his words.

Mr HAMILTON — The protection of the Chair is appreciated. Another critical point has not been mentioned in the debate. In his second-reading speech the minister said:

A further change in the Monash, Melbourne, La Trobe and Deakin acts —

I would put Melbourne before Monash, given the history of those two organisations —

removes the requirement for the presentation of annual reports to the Governor since provision is made elsewhere ... for the presentation of these reports ... (to) Parliament.

That is an important phrase. Reading between the lines, it is saying that the government supports — I believe it is a good move — republicanism. We do not need to have the universities dealing with the Governor — as has been done traditionally — because now we can take the matters straight to Parliament and forget about the importance of the Governor. It is good to see the government supporting republicanism.

A more serious matter in the bill is the amendments that provide that resolutions can be made without members of the board or of the council attending meetings. Some may argue that their presence may not be important anyway, but now they do not have to get out of their plush leather chairs because they can do it all by telephone or through some other form of communication. It seems to me that that is letting them off the hook. Today in the newspapers there is an example of rorts in big business, with the board of Coles Myer walking away from its responsibilities. That is what will happen to
universities. The vice-chancellors will be left to run them without being overseen by the boards of the universities. That is a bad move. Surely if it is good enough to be on a university board or council, it is good enough for members to attend the meetings to make those decisions. Under similar circumstances I could make my speech from Morwell rather than coming up to Parliament House. There ought to be a commitment to the true tradition of universities that existed before the iconoclasts took over.

The other issue that concerns me about the bill is the gradual increase of commercial-in-confidence matters. We will not know what is going on in our universities because we will be told, 'We can't tell you that because that is a commercial-in-confidence decision'. Councils will make decisions by remote control or by a string being pulled by the vice-chancellor or, more likely, by a business manager. We have reached the last stage, because the only thing that is important is the almighty dollar. This is a prostitution of education. How honourable members on the government side of the house can sit there and see education prostituted because the rush to make the almighty dollar has taken over from the true meaning of universities — the search for truth and knowledge — is beyond me. I could say a lot more about that.

It is extremely important that the house recognise what will happen to university education when business takes over from institutions that have been the true protectors of the independence, culture and future of this race of people.

Mr HAYWARD (Minister for Education) — I thank all honourable members for their support of the bill. The honourable members for Carrum and Shepparton pointed out that this is essentially a machinery and administrative bill. It picks up the requests that have been made by the universities and has involved extensive consultation over a number of years. It has the support of all parties and is non-controversial.

A considerable number of amendments that are also essentially machinery and administrative matters will be made during the committee stage. They are the result of requests made by the universities as a result of the extensive consultation with them. The universities are fulfilling an outstanding role in Victoria and in Australia. They are showing leadership in a whole range of areas. The bill will give them the potential to improve their administration and efficiency. They will increasingly focus on new opportunities for Australia and Victoria. Our universities are fine organisations of which we can all be proud.

I thank the house and in particular the honourable members for Carrum and Shepparton for their support of the bill and their analysis of it. I am sure the bill will have a speedy passage through this house and the other place.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 3 agreed to.

Clause 4

Mr HAYWARD (Minister for Education) — I move:

1. Clause 4, line 25, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 5

Mr HAYWARD (Minister for Education) — I move:

2. Clause 5, line 7, after “University” insert “, whether before or after the commencement of section 5 of the University Acts (Further Amendment) Act 1995”.

Amendment agreed to; amended clause agreed to.

Clause 6

Mr HAYWARD (Minister for Education) — I move:

3. Clause 6, line 15, after “document” insert “circulated by, or on behalf of, the dean of the Victorian College of Pharmacy”.

Amendment agreed to; amended clause agreed to.

Clause 7

Mr HAYWARD (Minister for Education) — I move:

4. Clause 7, page 6, line 5, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.
Amendment agreed to; amended clause agreed to.

Clause 8

Mr HAYWARD (Minister for Education) — I move:

5. Clause 8, after line 11 insert —

'(1) In section 28(1)(e) of the Monash University Act 1958 —

(a) after “study, of” insert “prior learning, including but not limited to”;

(b) for “agricultural college, technical school, high school or secondary school or in any correspondence course or tutorial class” substitute “educational institution”.

6. Clause 8, line 12, before “In” insert “(2)”. Amendments agreed to; amended clause agreed to; clauses 9 to 13 agreed to.

Clause 14

Mr HAYWARD (Minister for Education) — I move:

7. Clause 14, line 18, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 15

Mr HAYWARD (Minister for Education) — I move:

8. Clause 15, line 32, before “In” insert “(1)”. Amendments agreed to; amended clause agreed to.

9. Clause 15, after line 33 insert —

'(2) In section 19(2) of the Melbourne University Act 1958, after “University” insert “, whether before or after the commencement of section 15(2) of the University Acts (Further Amendment) Act 1995”.

Amendment agreed to; amended clause agreed to.

Clause 16

Mr HAYWARD (Minister for Education) — I move:

10. Clause 16, line 7, after “document” insert “circulated by, or on behalf of, the president of convocation”. Amendment agreed to; amended clause agreed to.

Clause 17

Mr HAYWARD (Minister for Education) — I move:

11. Clause 17, line 20, after “document” insert “circulated by, or on behalf of, the chairperson of the board”.

Amendment agreed to; amended clause agreed to; clauses 18 and 19 agreed to.

Clause 20

Mr HAYWARD (Minister for Education) — I move:

12. Clause 20, after line 33 insert —

'(c) in paragraph (c) after “Representative Council” insert “Inc.”.

Amendment agreed to; amended clause agreed to; clause 21 agreed to.

Clause 22

Mr HAYWARD (Minister for Education) — I move:

13. Clause 22, line 6, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to; clause 23 agreed to.

Clause 24

Mr HAYWARD (Minister for Education) — I move:

14. Clause 24, line 20, after “University” insert “, whether before or after the commencement of section 24 of the University Acts (Further Amendment) Act 1995”.

Amendment agreed to; amended clause agreed to; clause 25 agreed to.

Clause 26

Mr HAYWARD (Minister for Education) — I move:

15. Clause 26, line 12, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”. Amendment agreed to; amended clause agreed to.
Clause 27

Mr HAYWARD (Minister for Education) — I move:

16. Clause 27, after line 23 insert —
   '(b) in paragraph (g) after “study, of” insert “prior learning, including but not limited to”'.

Amendment agreed to; amended clause agreed to; clauses 28 to 33 agreed to.

Clause 34

Mr HAYWARD (Minister for Education) — I move:

17. Clause 34, line 29, after “document” insert
   “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 35

Mr HAYWARD (Minister for Education) — I move:

18. Clause 35, line 15, after “University” insert
   “, whether before or after the commencement of section 35 of the University Acts (Further Amendment) Act 1995”.

Amendment agreed to; amended clause agreed to.

Clause 36

Mr HAYWARD (Minister for Education) — I move:

19. Clause 36, line 23, after “document” insert
   “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 37

Mr HAYWARD (Minister for Education) — I move:

20. Clause 37, after line 33 insert —
   '(1) In section 28(1)(g) of the Deakin University Act 1974, after “study, of” insert “prior learning, including but not limited to”’.

21. Clause 37, line 34, before “In” insert “(2)”.

Amendments agreed to; amended clause agreed to; clauses 38 to 45 agreed to.

Clause 46

Mr HAYWARD (Minister for Education) — I move:

22. Clause 46, line 20, after “document” insert
   “circulated by, or on behalf of, the President”.

Amendment agreed to; amended clause agreed to.

Clause 47

Mr HAYWARD (Minister for Education) — I move:

23. Clause 47, page 37, line 5, after “document” insert
   “circulated by, or on behalf of, the chairperson of the Board of Studies”.

24. Clause 47, page 37, line 35, omit “Director of the College” and insert “chairperson of the Board of Studies”.

Amendments agreed to; amended clause agreed to.

Clause 48

Mr HAYWARD (Minister for Education) — I move:

25. Clause 48, line 9, before “In” insert “(1)”.

26. Clause 48, line 12, omit “granting diplomas”.

27. Clause 48, line 12, omit “of” and insert “or”.

28. Clause 48, after line 12 insert —
   '(2) In section 27(1)(g) of the Victorian College of the Arts Act 1981, after “study, of” insert
   “prior learning, including but not limited to”’.

Amendments agreed to; amended clause agreed to; clauses 49 and 50 agreed to.

Clause 51

Mr HAYWARD (Minister for Education) — I move:

29. Clause 51, line 30, after “document” insert
   “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 52

Mr HAYWARD (Minister for Education) — I move:

30. Clause 52, line 15, after “document” insert
   “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.
Clause 53

Mr HAYWARD (Minister for Education) — I move:

31. Clause 53, line 29, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 54

Mr HAYWARD (Minister for Education) — I move:

32. Clause 54, after line 3 insert —

'(1) In section 26(5) of the Victoria University of Technology Act 1990, after “Institute” insert “, whether before or after the commencement of section 54(1) of the University Acts (Further Amendment) Act 1995”.

(2) In section 35(1)(i) of the Victoria University of Technology Act 1990, after “study, of” insert “prior learning, including but not limited to”.

33. Clause 54, line 4, before “In” insert “(3)”

Amendments agreed to; before “In” insert “(3)”

Clause 58

Mr HAYWARD (Minister for Education) — I move:

34. Clause 58, after line 25 insert —

'(6) In section 26(5) of the Swinburne University of Technology Act 1992, after “College” insert “, whether before or after the commencement of section 58(6) of the University Acts (Further Amendment) Act 1995”.

Amendment agreed to; amended clause agreed to.

Clause 59

Mr HAYWARD (Minister for Education) — I move:

35. Clause 59, line 33, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 60

Mr HAYWARD (Minister for Education) — I move:

36. Clause 60, line 17, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 61

Mr HAYWARD (Minister for Education) — I move:

37. Clause 61, line 31, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to; clause 62 agreed to.

Clause 63

Mr HAYWARD (Minister for Education) — I move:

38. Clause 63, after line 8 insert —

'(1) In section 37(i) of the Swinburne University of Technology Act 1992, after “study, of” insert “prior learning, including but not limited to”.

Amendment agreed to; amended clause agreed to; clauses 64 to 68 agreed to.

Clause 69

Mr HAYWARD (Minister for Education) — I move:

39. Clause 69, line 23, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 70

Mr HAYWARD (Minister for Education) — I move:

40. Clause 70, line 8, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 71

Mr HAYWARD (Minister for Education) — I move:

41. Clause 71, line 22, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.
Mr HAYWARD (Minister for Education) — I move:

42. Clause 72, after line 31 insert —

'(1) In section 26(5) of the Royal Melbourne Institute of Technology Act 1992, after “Phillip” insert “, whether before or after the commencement of section 72(1) of the University Acts (Further Amendment) Act 1995”.

(2) In section 33(1)(i) of the Royal Melbourne Institute of Technology Act 1992, after “study, of” insert “prior learning, including but not limited to”.

Amendment agreed to; amended clause agreed to; clauses 73 to 75 agreed to.

Clause 76

Mr HAYWARD (Minister for Education) — I move:

43. Clause 76, line 23, after “document” insert “circulated by, or on behalf of, the Chancellor”.

Amendment agreed to; amended clause agreed to.

Clause 77

Mr HAYWARD (Minister for Education) — I move:

44. Clause 77, line 8, after “document” insert “circulated by, or on behalf of, the chairperson of the Board”.

Amendment agreed to; amended clause agreed to.

Clause 78

Mr HAYWARD (Minister for Education) — I move:

45. Clause 78, after line 15 insert —

'(1) In section 26(5) of the University of Ballarat Act 1993, after “College” insert “, whether before or after the commencement of section 78(1) of the University Acts (Further Amendment) Act 1995”.

(2) In section 30(i) of the University of Ballarat Act 1993, after “study, of” insert “prior learning, including but not limited to”.

Amendment agreed to; amended clause agreed to; clauses 79 and 80 agreed to.

New clause

Mr HAYWARD (Minister for Education) — I move:

46. Insert the following new clause before clause 76:

“AA. Deputy Chancellors

(1) In section 15 of the University of Ballarat Act 1993 —

(a) or “the Deputy” substitute “a Deputy”;

(b) or “and Deputy Chancellor” substitute “and Deputy Chancellors”.

(2) In section 22 of the University of Ballarat Act 1993 —

(a) in sub-section (4) for “a person to be” substitute “one or more persons to be a”;

(b) in sub-section (5) for “The Deputy” substitute “A Deputy”;

(c) in sub-section (6) for “the Deputy” substitute “a Deputy”.”

New clause agreed to.

Reported to house with amendments.

Remaining stages

Passed remaining stages.

National scheme legislation

Mr PERTON (Doncaster) presented discussion paper no. 1 on the scrutiny of national scheme legislation and the desirability of uniform scrutiny principles.

Laid on table.

Sitting suspended 12.57 p.m. until 2.06 p.m.
Electricity Industry: SEC privatisation

Mr. BRUMBY (Leader of the Opposition) - I refer the Premier to the letter which was sent today to all members of Parliament by the former general manager of the SEC, Mr. Charles Trethowan, and four other former SEC managers, which states that the government's proposals for the reform of Victoria's electricity industry will:

...inevitably lead to a significant lowering of operational reliability, increased cost after the franchise period to small domestic, commercial and industrial consumers and a total absence of a properly coordinated expansion of the generating system to the disadvantage of the development of the state.

In light of the letter and of what Mr. Terry McCrann has described as a $3 billion financial disaster for Victoria, will the Premier now cancel his overseas trip so that he can meet with Mr. Trethowan and address the crisis that he has created in the electricity industry?

Mr. KENNETI (Premier) - As I said on Tuesday and Wednesday - we are seeing it again today - the Leader of the Opposition has obviously done nothing whatsoever during the parliamentary recess. His question today is not based on any research whatever during the parliamentary recess. Nothing whatever has been sent and received as late as today, and as late as today, the Leader of the Opposition on his absolutely confirming not only to me, but to all members of Parliament, that he would have to be the laziest Leader of the Opposition on his absolutely confirming not only to me, but to all members of Parliament, that he would have to be the laziest Leader of the Opposition.

Mr. BRUMBY - Charles Trethowan, the director of a number of private companies, is saying the reforms are a disaster.

Government members interjecting.

The SPEAKER - Order! I ask the Leader of the Opposition to conclude his question.

Mr. BRUMBY - In light of that letter, a damning indictment of the Premier's electricity reforms, and in light of what Mr. Terry McCrann has described as a $3 billion financial disaster for Victoria, will the Premier now cancel his overseas trip so that he can meet with Mr. Trethowan and address the crisis that he has created in the electricity industry?

Mr. KENNETI - Not only did we produce 40 per cent of that, but we also know that the SEC did when Charles Trethowan and the others were running it. I have not seen the letter signed by Charles Trethowan and those other individuals. It is not the first but the second time they have expressed that view, so it is not new. I can understand the Leader of the Opposition reaching out and grabbing the latest letter that comes into his mailbox. Charles Trethowan is a former chairman of the SEC. I know Charles; he is a very nice, pleasant, personable chap. Many honourable members who have a few years under their belt would also know him. One of the reasons we are currently involved in privatisation is that those who were charged with the management of the SEC - both Liberal and Labor - had to produce excess capacity - 40 per cent more...
QUESTIONS WITHOUT NOTICE

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I think it's important not just to be hung up on that first paragraph and it's important to stress up front that I believe that, in an operational sense, the privatisation of the electricity industry is good for Victoria and good for Victorians.

Honourable members interjecting.

Mr KENNETT — I thank my colleague, the Treasurer. That again shows the way in which we cooperate on this side of the house while you continue to make an absolute fool of yourself!

The answer to the final part of the Leader of the Opposition's question about whether I will cancel my trip is no.

Lieutenant-Governor

Mr DAVIS (Essendon) — Will the Premier inform the house of developments in relation to the position of Lieutenant-Governor?

Mr KENNETT (Premier) — Sir John Young has asked to be relieved of his responsibilities as Lieutenant-Governor after serving this state in that position for 21 years. Sir John served Victoria with great distinction during his term as Lieutenant-Governor and prior to that as Chief Justice of the Supreme Court.

All Victorians owe a deep debt of gratitude to Sir John for his long and distinguished public service and to Lady Young for her commitment to public life and for assisting Sir John in discharging his responsibilities professionally and with great dignity.

Sir John's dedication to Victoria and the way he conducted his office earned him the respect of all on both sides of politics. Following his retirement as Chief Justice, Sir John was requested by the previous Premier to continue as Lieutenant-Governor and remained in the post following the change of government in 1992.

I accept Sir John's decision to retire. I have formally notified Her Majesty the Queen, who has accepted Sir John's resignation and terminated his commission, to take effect from 31 August 1995.

Mr Justice Phillips, Chief Justice of Victoria, will act for the Governor as and when required until a new Lieutenant-Governor is appointed. Obviously I will not address the issue of that appointment until I return from my trip.

On behalf of the Victorian government and all Victorians, I wish Sir John and Lady Young a long and happy retirement after very many years of dedicated public service to Victoria.

Rail: derailments

Mr BATCHelor (Thomastown) — I refer the Minister for Public Transport to the derailing of a West Coast Railway passenger train at Werribee last weekend, which followed the derailing of a passenger train near Warrnambool in April. Apart from those two incidents, will the minister advise the house whether there have been any other derailments in Victoria this year of passenger trains operated either by V/Line or the two private train operators?

Mr BROWN (Minister for Public Transport) — The accident at Werribee at the weekend is under investigation on two fronts and we will await the outcome of that investigation as to the cause of the accident. I recollect there has been one other train derailment, as there were regularly during the full 10 years in office of the former Labor government.

Trains on rail systems throughout the world travel many millions of kilometres each year and accidents do happen and derailments take place. It is not something that has never happened before or will never happen again. Each time a derailment occurs there is a full and thorough detailed investigation as to its cause to determine whether change is needed in the way any procedure is conducted in any area. That is exactly what happened under the former government.

When a man was killed in the Melbourne yards during the time of the former Labor government, that government appointed Mr Kevin Mason to conduct an inquiry into rail safety. We are using the same gentleman to conduct the latest inquiry.

My recollection is that there has been one other derailment. However, I will check and inform the honourable member of the details of any derailments that have taken place.

Electricity industry: privatisation

Mr WELLS (Wantirna) — Will the Treasurer inform the house of any recent developments concerning the privatisation of the electricity industry in Victoria?

Mr Seitz interjected.
Mr STOCKDALE (Treasurer) — Your inheritance was lost by the last government.

Mr Seitz interjected.

The SPEAKER — Order! The honourable member for Keilor will remain silent.

Mr STOCKDALE — I can assure the honourable member that we have no intention whatever of giving it away; we are engaged in introducing competition and private equity into the industry.

It is important for the house to recall that last month the government announced that Power Partnership, a majority Australian-owned company comprising the AMP Society, the New South Wales state superannuation scheme and Utilicorp, an American utility company, was the successful tenderer for the United Energy business. I am pleased to advise that settlement of that transaction took place yesterday.

An Honourable Member — It's early.

Mr STOCKDALE — It certainly is. It is almost two weeks early and that early settlement represents a saving for the people of Victoria of approximately $200,000 a day in interest. The settlement was of the capital sum and some $1.553 billion was paid over in a series of cheques delivered to the government. Initially, as the result of an increase in the state's financial assets, and, in due course, by the paying down of debt, that has the immediate impact of reducing the state's net debt by $1.5 billion in round terms.

In addition, over the next five years or, if agreement can be reached in the course of continuing discussions, by converting those franchise fees into an up-front payment, the state will receive a further benefit which will be applied to debt reduction and will represent a reduction in state debt in present value terms of $275 million or in nominal terms of more than $380 million. That is the largest single reduction of state debt of which I am aware and is a very important development in improving state finances and reducing net debt.

Not only is it a further step toward drawing back from the abyss into which Labor dropped us on our credit rating and the cost of interest on our borrowings in this state, it also represents a significant further improvement in the state's finances, a massive reduction in net debt and a very good beginning to the government's privatisation program.

The reform of the electricity industry is very significant. It is already apparent from the announcements made so far, and from the discussion of its services by the new Power Partnership operators of United Energy, that very significant benefits will flow to electricity consumers — in addition to the reductions in prices that have been occurring over the past two years. Prices have been frozen for the whole of the past two years and will remain frozen throughout 1995-96.

Reductions in real terms will flow through to consumers. By the end of the decade residential customers will have received reductions of 9 per cent in real terms and reductions of around 22 per cent —

Mr Brumby interjected.

Mr STOCKDALE — You won't be here to report on it by 2000. We will certainly have forgotten who 'John Brumbly' was by then.

The company has announced that it proposes to introduce extended payment plans, which will allow consumers to budget for their energy requirements, and energy aid programs, in which Power Partnership will work with welfare groups and charities directly as a supplier to manage the requirements of disadvantaged customers. The company also provides special attention for customers on life support systems.

An honourable member interjected.

Mr STOCKDALE — There are obviously no life support systems over there; there has not been a sign of life for the past three years!

It is proposed to introduce third-party guarantees under which if disconnection notices are sent to disadvantaged customers with special needs a duplicate will be sent to a third party such as a welfare or church agency that can assist the consumer.

For general residential customers infrared scanning services are being introduced so that apparatuses can be identified; special appliance warranties are being provided by the company to give additional protection; there will be improved response time with enhanced field crews, and energy services will be packaged to give greater flexibility in the marketplace.
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These reforms involve a massive reduction of state debt. The first major step is not only halting the growth of debt we inherited from Labor but actually reversing it; the second is providing an improvement in terms of greater competition and lower prices for consumers and the third is enhancement of services available to customers, particularly disadvantaged customers who have had a history of difficulty in managing their accounts.

As I said in my response to Terry McCrann, this is an all-round win-win outcome for the people of Victoria.

**Rail: Violet Town derailment**

Mr BATCHELOR (Thomastown) — I direct my question to the Minister for Public Transport. Is it not a fact that there was a passenger train derailment this year, that it occurred near Violet Town on 1 August 1995 when carriage no. BRN52 derailed on the 6.20 a.m. V/Line service between Wodonga and Melbourne, and that this derailment was also caused by a shattered wheel? What action did the government take following this incident to ensure that public safety would be protected and there would be no repeat of this type of accident?

Mr BROWN (Minister for Public Transport) — I said that my recollection was that there had been another derailment. I indicated that in my previous answer. Again, from recollection, I believe the Public Transport Corporation undertook an inspection of all vehicles. The vehicle that derailed at Werribee at the weekend had been in for maintenance and had the particular wheel and other wheels checked three weeks before that derailment. That is far and away an improvement on the situation when the former Labor government was in office. Obviously the wheels of the carriages involved in the derailment at Werribee and all aspects of the carriages of the train are being thoroughly examined.

All fragments of debris from that accident were collected under the supervision of police. A coronial inquest is taking place. My understanding is that every part of the vehicle will be completely reconstructed, and once it is checked it can be determined from what part of the train the items may have come. Even a minor steel fragment would be subjected to full metallurgical tests.

The bottom line is that wherever there is an accident all checks are made. In the case of other derailments the PTC decided to inspect the entire fleet.

**Science and technology: government initiatives**

Mr ROWE (Cranbourne) — Will the Minister for Education inform the house of science and technology initiatives the government has introduced to improve the quality of learning for all Victorian students?

Mr HAYWARD (Minister for Education) — The government is committed to giving every child the best chance for the future. In this aim, quality science and technology learning is of great importance. The government is committed to giving to children the opportunity of world-class science and technology learning. Science and technology centres are an invaluable resource for students and teachers in this type of learning.

I am pleased to advise the house of the establishment of two new science and technology centres in Victoria. This is the result of proposals made by the Northcote High School and the Casey cluster. The process was that schools located in the northern and the south-eastern growth areas were invited to make proposals to be considered for selection as science and technology centres. Two independent selection panels were set up to investigate each proposal and to make a selection.

The selection panel for the northern growth area consisted of Mr Ivan Deveson, National President of the Australian Institute of Management; Associate Professor Michael Nott of the University of Melbourne; and Mr Steve Macpherson, regional general manager of the Directorate of School Education.

The panel for the south-eastern growth area consisted of Mr Pat O’Riley from ACI Australia; Dr Patricia Vickers-Rich from Monash University; and Mrs Merril Haeusler, regional general manager of the Directorate of School Education.

These two new science and technology centres join four other science and technology centres which have been established by the government across Victoria. Their purpose is to assist advanced learning in science and technology and to provide expertise for students and teachers across Victoria.

They will be equipped in particular with information technology and telecommunications technology facilities. These are very important and will enable them to share their expertise and knowledge with schools in the area and across...
Victoria. This is particularly important in what is termed the middle years of learning. A major study is taking place with regard to the middle years, between years 5 and 8. We have been focusing on the early years and have brought forward the important initiative called Keys to Life, which focuses very much on literacy in the early years.

It is important that there be close coordination between primary and secondary schools so far as those middle years are concerned because the division between primary and secondary is in a way artificial. The concept of science and technology and telecommunications systems allows for there to be a sharing of facilities between primary and secondary schools.

Curriculum is important because there are indications that students are looking for a more active approach to curriculum. A key aspect of the centre's links with local industry. Local firms will make their expertise available to the centres and will provide practical work experience opportunities for students. That follows a pattern that we have seen with most advanced cities and countries in the world.

This will be particularly valuable for students so far as their job prospects for the future are concerned. If students have the opportunity, work experience and their links with local industry, it assists their prospects. This is much better than some of the strange approaches that the federal government is now putting forward which are attempting to turn our secondary schools into CES centres.

A special focus of the Northcote High School science and technology centre — I hope honourable members opposite will be interested in the Northcote proposal — will be wide area networking and curriculum resource sharing with local schools, including primary schools. This is also particularly valuable for the Casey cluster, which draws together five secondary colleges: Cranbourne, Langwarrin, Lyndhurst, Hampton Park and Koo-Wee-Rup.

A special focus for the Casey cluster will be on coordinated professional development for teachers in the five secondary colleges. Extensive work and consultation will now occur on the implementation of the projects.

I thank all honourable members who helped their schools in the development of these proposals. I especially thank the honourable members for Berwick, Cranbourne and Northcote.

It is important to put this on the record because when honourable members help schools in their electorates they need recognition. The honourable member for Berwick gave strong support to the project in his area, and the assistance of the honourable member for Cranbourne was vital in putting together a consortium of schools in the Casey cluster.

I also pay special tribute to the honourable member for Northcote on the development of the project at the Northcote High School, which reflects his creativity and his in-depth understanding of the importance of the links between secondary colleges and local industry, which benefit students through work experience and future employment opportunities. I thank the honourable member for Northcote for his assistance.

Health: government policies

Mr THWAITES (Albert Park) — I refer the Minister for Health to the recent statements by the member for Mordialloc that he would not blame anyone for being critical of the government's handling of the health system, and that the Kennett government could be damaged at the next election as a result. Is this an accurate assessment of how the minister has mismanaged her portfolio?

Mrs TEHAN (Minister for Health) — The answer is no.

Hospitals: enterprise bargaining

Mr HYAMS (Dromana) — In light of the recently announced wage increases for health workers and nurses in Victorian public hospitals will the Minister for Health inform the house of the importance of achieving the productivity component of those increases?

Honourable members interjecting.

The SPEAKER — Order! I have had to caution the member for Keilor on several occasions. My patience is at an end. If he interjects again I will deal with him.

Mrs TEHAN (Minister for Health) — The honourable member for Dromana raised with me the recent agreements negotiated with me the recent agreements negotiated between the government, the Victorian Hospitals Association, the
nurses and the health union responsible for the non-direct care workers. In each of those negotiations, and in current negotiations with the Victorian ambulance officers, a productivity contribution has been required. This is consistent with enterprise bargaining across the whole of Australia; it is totally consistent with the consideration of enterprise bargaining incorporated in enterprise agreements where productivity offsets are negotiated.

Mr Batchelor — On a point of order, Mr Speaker, the minister is reading from a document and I would like that document tabled.

The SPEAKER — Order! It is well known in the house that if a minister is using notes or an aide-mémoire, he or she is allowed to do so. Would the minister describe the document?

Mrs TEHAN — I have not referred to a single note, but if the opposition wants a piece of paper — —

The SPEAKER — Order! There is no point of order.

Mrs TEHAN — Enterprise agreements automatically require productivity offsets. That is the whole basis of enterprise agreements as understood by Bill Kelty and Mr Keating in all federal negotiations. The enterprise agreements in these cases require 3 per cent productivity offsets from the nurses and 3 per cent productivity offsets from the health services union over a two-year period. These agreements were entered into with the consent of the unions, which were forthcoming in providing examples of productivity offsets, and were sanctioned by the Australian Industrial Relations Commission.

The only person who has raised concerns about productivity offsets is the member for Albert Park. In a recent press release he said that in the past state governments have always fully funded staff pay rises. Under the Labor government we had a budget deficit of $2.2 billion because the Labor Party and people like the member for Albert Park required all moneys to be paid by the government with no offsets, no productivity agreements with unions, and no give in productivity as required by the Industrial Relations Commission.

The unions negotiated these agreements, put forward productivity offsets and entered into those agreements freely.

The proposal put forward by the member for Albert Park in his press release last week would cost the Victorian taxpayer $50 million in wage increases for health workers. Those workers have agreed quite voluntarily, in the spirit in which enterprise agreements are entered into, that productivity offsets should and will be found. The government will continue to negotiate with workers for fair and reasonable pay increases based on a contribution of productivity; it will continue to find improved ways of working through these enterprise agreements consistent with both federal and state arrangements, yet the member for Albert Park continues to suggest that the government throw taxpayers' money away. If the Leader of the Opposition is genuine in wanting to bring in continued balanced budgets, as we have now been able to provide under this government, he will certainly have to rein in the member for Albert Park who is just giving away taxpayers' money.

The SPEAKER — Order! the time for questions without notice has expired.

Mr Mildenhall — Mr Speaker, I raise a point of order about a possible breach of the Members of Parliament (Register of Interests) Act 1978, and seek your advice about whether a prima facie case exists for further action both for the benefit of this particular case and for members generally.

On 15 August 1995 the *Dandenong and District Examiner* carried a story entitled 'MP Takes Court Work'. The first paragraph reads:

State member for Berwick Robert Dean last week admitted he was taking work as a barrister — —

The SPEAKER — Order! The member is straying into an area that I would rather not hear in the open house. I am advised such a complaint ought to be given to the Speaker in writing and discussed in chambers to see what action can be taken from there.

Mr Batchelor — On your ruling, Mr Speaker, that would apply if you are talking about a privileges matter. The member for Footscray is asking your guidance and direction about a matter of privilege and he should be entitled to make that point. We should at least be in a position to hear it before your making such a ruling.

The SPEAKER — Order! the honourable member for Footscray, with great courtesy, asked for my guidance. I have given that guidance and I have
given that advice. There is no point of order at this stage.

Mr Brumby — On a further point of order, Mr Speaker, I seek your guidance about the matters that have been raised by the member for Footscray. Would those matters be prevented under the standing orders from being raised during an adjournment debate, and if so — —

Mr Kennett interjected.

Mr Brumby — And from the interjection by the Premier the answer is no. I ask: consistent with your ruling why would it be possible for the member to raise such matters during an adjournment debate in the full openness of the house but for him not to be able to raise them now seeking your consideration in a proper and public way in the Parliament?

Mr Richardson — On the point of order, Mr Speaker, the Leader of the Opposition is again revealing his lack of understanding — indeed, his lack of knowledge — of the forms and procedures of this house. From what we understand about the matter raised on a point of order by the honourable member for Footscray, it is not a matter that would properly come within the purview of the adjournment debate.

Mr Brumby — The Premier said it would.

Mr Richardson — The inevitable outcome of the matter alluded to by the honourable member would have been a consideration of whether it was a matter that should be referred to the Privileges Committee. That being the case, there is a well established procedure for raising matters of privilege. I should have thought the Labor Party would have understood that because the same rules apply now as applied for many years during the years of the Labor government. There has been no change.

The fact that the honourable member for Footscray is but a lad in this place and has been here 5 minutes should not be an excuse for the failure of his leader to inform the honourable member about how he should conduct himself.

Mr Cooper — I support the point of order made by the honourable member for Forest Hill. I refer to notes circulated by former Speaker Coghil on 1 October 1990 about matters to be raised during the adjournment debate. These notes will benefit the Leader of the Opposition; I am sorry he has not bothered to read them before. The former Speaker states:

The purpose of the adjournment debate, which has its origin not in standing orders but in longstanding practice of the house, is to provide members with the opportunity of raising matters of immediate concern. A time limit of 5 minutes ...

He spells out the time limit, and further states:

Matter must relate to government administration and not relate to future legislation ...

It would be clear to the house, and it would have been clear to the Leader of the Opposition had he done even a modicum of homework, that the matter raised by the honourable member for Footscray is not one of government administration but concerns the activities of a member. If the opposition wishes to raise the matter in this house it must so by substantive motion or, as you have ruled previously, Mr Speaker, by bringing it to your attention in chambers — as the honourable member for Footscray should have done had he followed the forms laid down by this house and the behaviour followed by all members of the house.

The SPEAKER — Order! The subject that the honourable member for Footscray attempted to raise is covered in the Members of Parliament (Register of Interests) Act. I refer to section 9 of that act, which states:

Any wilful contravention of any of the requirements of this act by any person shall be a contempt of the Parliament and may be dealt with according and in addition to any other punishment that may be awarded by either house of the Parliament for a contempt of the house ...

As the house should know, such matters must be referred in writing to the Speaker. In answer particularly to the point of order raised by the Leader of the Opposition about the adjournment debate, if that matter were raised the same ruling would be made by the Chair.

COMPETITION POLICY REFORM (VICTORIA) BILL

Second reading

Mr KENNETT (Premier) — I move:

That this bill be now read a second time.
This bill is a direct result of the agreements reached on 11 April of this year between the Premiers, the Prime Minister and the Chief Ministers to implement the proposals of the National Competition Policy Review Committee, chaired by Professor Hilmer.

As members will be aware, the proposals of the Hilmer committee are, in essence, to implement a national competition policy.

Under the national competition policy adopted by all Australian governments, all jurisdictions will cooperate to ensure that universal and uniformly applied rules of market conduct apply to all market participants regardless of their form of ownership. In other words, the implementation of the policy will lead to a truly level playing field for all participants in the economy.

The national competition policy is based on a number of related considerations:

first, that a competitive, transparent and open market provides the greatest stimulus for the development of a strong, efficient and innovative economy;

second, that it is far more cost effective for business and government to operate under a national competition regime with consistent rules, rather than a plethora of state specific and industry specific regulatory arrangements;

third, that Australia is, for most purposes, a national market and it is therefore appropriate to develop a nationally consistent approach to competition policy to further integrate the national market, reduce complexity and reduce duplication; and

finally, that to be fully effective the policy must cover every sector of the economy, including government enterprises and utilities. At present the competitive conduct rules in part IV of the Trade Practices Act are of limited application as they do not apply to conduct beyond the scope of the commonwealth's legislative power. The objective of the bill before the house is to expand the application of those rules.

However, before I deal with the matters contained in the bill I will outline for the benefit of the house the elements contained in the national competition policy which are to be implemented in accordance with the intergovernmental agreements.

COMPETITIVE NEUTRALITY

The principle of competitive neutrality requires that government-owned businesses competing with private sector businesses should compete on the same footing: business activities of government-owned bodies should not enjoy any net competitive advantage simply as a result of their public sector ownership. In particular, such bodies should face equivalent taxation and regulatory regimes and similar costs of funds. Implementation of competitive neutrality will involve corporatisation where appropriate, tax equivalent payments by government business enterprises, equivalent regulatory frameworks, debt guarantee fees and general pricing policies. The house will note that this government is already committed to this principle in the context of the reform of government business enterprises.

PRICES OVERSIGHT OF GOVERNMENT BUSINESS

State and territory governments have agreed to consider establishing independent sources of price oversight of state and territory government business enterprises, where such oversight does not exist. In Victoria the Office of the Regulator-General already performs this function in relation to entities in the electricity, water and grain handling industries and is likely to do so for entities in the gas and ports industries. At the same time the Commonwealth Prices Surveillance Act will be amended to permit, in certain circumstances, price oversight of state and territory government businesses. National prices oversight of state government business enterprises may be applied if a state agrees or if it is judged that an effective independent pricing mechanism is not in operation in an area deemed to have significant impact on interstate and overseas trade.

STRUCTURAL REFORM OF PUBLIC MONOPOLIES

The Hilmer committee proposed that public monopolies be restructured to introduce competition into a market traditionally dominated by public monopolies and proposed a number of methods of restructure. Such restructure is even more important if a substantial monopoly is to be privatised. All governments have now agreed upon a set of principles which are designed to ensure that public monopolies are subject to appropriate restructure before they are corporatised or privatised. Compliance with this principle can be seen in the restructure of Victoria's major public enterprises.
ACCESS TO ESSENTIAL SERVICES

Access to certain strategic essential facilities may be necessary if a party is to compete in certain markets. These essential facilities will usually be natural monopolies which cannot be economically duplicated — such as the high-voltage electricity transmission grid, to which access is essential if a party is to compete in the market for supply of electricity to customers. All governments have now agreed on a framework for access to services provided by significant infrastructure facilities.

REVIEW OF LEGISLATION THAT RESTRICTS COMPETITION

The Hilmer report found that legislative and regulatory restrictions were among the most pervasive forms of restriction on competition in the Australian economy. These restrictions arise from legislative or regulatory arrangements such as the licensing of particular occupations, the creation of statutory marketing authorities for agricultural produce, and statutory restrictions on transportation of certain goods. All governments have agreed to review existing legislation that restricts competition by December 2000. Thereafter, legislation will be reviewed every 10 years. The guiding principle is that legislation, including regulations, should not restrict competition unless it can be demonstrated that the benefits to the community outweigh the costs and that the objectives of the legislation can be achieved only by restricting competition. New legislation will need to comply from the outset.

The final element in the national competition policy is the element which directly concerns the bill before the house: the extension of part IV of the Trade Practices Act to all persons within the legislative competence of the state.

Part IV of the Trade Practices Act sets out the competitive conduct rules which govern incorporated enterprises. This act draws on the commonwealth's constitutional power to regulate corporations and over interstate trade. Part IV does not extend to unincorporated enterprises which are not involved in interstate trade, nor does it cover state-owned entities or state business activities covered by the shield of the Crown.

This bill deals principally with the application of the competition code to persons within the state's legislative competence and allows for a national scheme to administer the code. The code is created by the Commonwealth's Competition Policy Reform Act 1995 and essentially consists of part IV as applied to persons rather than corporations as well as the remaining relevant provisions of the Trade Practices Act.

The major functions of the bill are that it:

- applies the competition code as a law of Victoria;
- automatically applies future modifications of the code by commonwealth law within two months of the date of modification unless excluded by order in council;
- applies the Commonwealth Acts Interpretation Act 1901 to the code;
- applies the code to the Crown in relation to each of the Australian jurisdictions in so far as the Crown carries on business;
- subjects the Crown in right of Victoria to the codes of other jurisdictions;
- confers functions on the Australian Competition and Consumer Commission, the National Competition Council and the Australian Competition Tribunal;
- confers jurisdiction on the Federal Court to the exclusion of Victorian courts;
- applies commonwealth laws to breaches of the code; and
- applies commonwealth administrative law to matters arising under the code.

A most important aspect of the bill is that state governments, as well as state authorities which represent the Crown, will now be required to comply with part IV of the Trade Practices Act to the extent that they carry on a business. The term 'business' is defined to exclude certain forms of government activity, including such activities as taxing, licensing and certain forms of compulsory acquisition of primary products. Similarly, transactions between persons representing the same state entity will not be regarded as business.

The functional parts of the bill will come into operation 12 months after the royal assent to the commonwealth's Competition Policy Reform Act — that is, on 21 July 1996. For a year from that date, activities newly subject to part IV of the Trade Practices Act will not be subject to pecuniary...
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penalties under the act, although other remedies will apply. All contracts entered into prior to 19 August 1994 which give effect to activity that would offend part IV of the Trade Practices Act will be protected from the operation of the code until they are varied or until they expire.

The house will note that under the commonwealth's Competition Policy Reform Act states retain the power to enact exemptions from the competitive conduct rules of the Trade Practices Act. However, states will be able to exempt conduct only if the exempting law expressly identifies the activity being exempted and refers to the Trade Practices Act. Given the Victorian government's strong commitment to the spirit of competition, a significant case would be needed for exemption to be provided. In most cases it is expected that anti-competitive conduct should be modified so that it ceases to be anti-competitive rather than an exemption sought.

The house will note that the bill is modelled on the act prepared and recently passed in New South Wales. That act was prepared following discussions between the state parliamentary counsel of each of the jurisdictions. It is understood that each of the other states and the territories will also enact application legislation based on the New South Wales act.

I wish to make a statement under section 85(5) of the Constitution Act 1975 of the reasons for altering or varying that section by the bill. Clause 38 of the bill provides that it is the intention of that clause to alter or vary section 85 of the Constitution Act 1975. This provision precludes the Supreme Court from entertaining civil and criminal matters under the competition code other than those which arise under any law of Victoria relating to the cross-vesting of jurisdiction.

The reason for limiting the jurisdiction of the Supreme Court is as follows. The bill, the Competition Policy Reform Act 1995 and the complementary legislation of other states and territories will establish a national scheme for the administration of the competition code of this jurisdiction and the codes of other jurisdictions as if the codes were a single commonwealth law. This scheme will allow the codes to be administered in a nationally consistent way and in the same manner as part IV of the Trade Practices Act 1974 of the commonwealth.

To give effect to this national scheme, the bill and the complementary state and territory legislation will vest jurisdiction concerning code matters in the federal court. This will be to the exclusion of the jurisdiction of local courts other than jurisdiction arising from local cross-vesting of jurisdiction laws. As a result, the codes will be administered as if they were a commonwealth law and in the same manner as part IV of the Trade Practices Act 1974.

It would reduce the effectiveness of the national scheme if the Supreme Court of a state had additional jurisdiction concerning matters arising under the code as such a variation to the scheme will allow the code to be administered in a state in a manner which will not be consistent with the administration of the codes in other jurisdictions.

The enactment of this bill is the first step in the implementation of the agreed national competition policy in Victoria. As members will be aware, the Victorian government has been at the forefront of competition reform since coming to office in October 1992. The government's reforms of state-owned enterprises in the electricity, gas, water, ports and other sectors are aimed at harnessing the positive strengths of competition and imposing ongoing disciplines on utilities to improve performance. The objective of the Victorian government reform program has been to improve the efficiency of these key service industries in order to reduce business costs and increase the overall productivity of the Victorian economy.

The competition policy both complements existing micro-economic reform initiatives in Victoria and provides a broader framework for the pursuit of reform throughout Victoria. It also complements the regulatory and consumer protection initiatives which the Victorian government has put in place as part of its state-owned enterprise reform program — for example, the establishment of the Office of the Regulator-General to promote and safeguard competition and to ensure consumers benefit from competition and efficiency. Other significant initiatives include the implementation of a community services obligations policy, complaints and dispute mechanisms, consumer consultation, service standards and credit management schemes.

Clearly, the Victorian government is well placed to implement the agreed competition policy, and to ensure that Victorians enjoy the substantial benefits of increased efficiency and productivity that are expected to ensue. The Industry Commission has estimated that the full range of national competition
policy reforms has the potential to bring about a substantial improvement in Australia's standard of living. In March the commission concluded that the implementation of Hilmer and related reforms could lead to a $23 billion, or 5.5 per cent, per annum increase in real national GDP.

The head of government agreements, the national competition policy and the bill before the house represent a significant achievement for this government and all Australian governments, and for this state and the nation as a whole. These achievements, reached through an unsurpassed spirit of interstate and state-commonwealth cooperation and common purpose, will lead to the dismantling of the private and regulatory barriers to competition and the promotion of competition throughout the economy. As a result, there will be a major boost to the growth prospects of the national and state economies to provide more opportunities for the benefit of all Australians.

I commend the bill to the house.

Debate adjourned on motion of Mr BRUMBY (Broadmeadows).

Debate adjourned until Thursday, 21 September.

HERITAGE BILL

Second reading

Mr MACLELLAN (Minister for Planning) — I move:

That this bill be now read a second time.

The bill contains a consolidated legislative framework for heritage protection in Victoria. It is to repeal the Historic Buildings Act 1981 and the Historic Shipwrecks Act 1981 and replace them with a single, updated act which will also deal with non-Aboriginal archaeology sites, currently covered under the Archaeological and Aboriginal Relics Preservation Act 1972.

Victoria's history can be traced through the archaeological sites, buildings and structures around us. Early sealing and whaling sites, shipwrecks, cottages and grand mansions, goldmining and forestry camps, shearing sheds and factories, corner shops, churches and schools, all are evidence of the events, social customs and common aspirations that give Victoria its unique character.

These places, the objects associated with them, and the stories they tell are a valuable part of our rich heritage, which attracts visitors to Victoria's coastline and countryside, to its historic towns and which makes significant contributions to the most livable city status of Melbourne.

Victoria's social, economic and political future is based on the solid foundations laid by the achievements of its past. A community that does not sensibly balance development with preservation of its significant heritage places or objects risks losing touch with its past and denying itself and future generations the benefits that come from such an awareness.

Victoria is fortunate in that there is strong community interest in protecting evidence of the past. In the early 1970s community appreciation of the value of our history, coupled with concerns about the sudden loss of so many important buildings in the 1950s and 1960s, led to the introduction of legislation and regulations to protect Victoria's cultural heritage.

VICTORIA LEADS THE WAY

The state of Victoria has long been a pioneer in heritage protection. The Archaeological and Aboriginal Relics Preservation Act was among the first pieces of legislation to recognise and provide protection for Aboriginal sites and relics as well as other types of archaeological sites. The Historic Buildings Council was the first government body of its kind in Australia when it was established in 1974. The passage and subsequent operation of the Historic Shipwrecks Act has contributed to international recognition of Australia as the leader in this field.

The bill will implement the commitments relating to heritage conservation set out in the planning statements of August 1993 — 'Planning a Better Future for Victorians' — and 1994 — 'Planning a Better Future for Victorians; One Year On' — for:

a Heritage Council consisting of people with expertise and interest in heritage conservation;

the protection of a broad range of significant places, including buildings, certain categories of objects, historic and archaeological sites, precincts, gardens, cemeteries and shipwrecks;

simplified listing and approval processes which incorporate links to local planning schemes; and
the provision of incentives and assistance to achieve quality heritage conservation.

The draft proposals for the bill were circulated to interested organisations for comment in 1994. Comment is also to be invited on the bill following its introduction. It is intended that debate in the Parliament on the bill not occur until comments received are considered and any proposed changes are assessed. Passage of the bill would occur towards the end of the session.

At the outset it is important to stress that comparable powers to those proposed in this bill already exist in the current legislation, which also provides similar hearing and appeal rights in respect of historic buildings and places. The proposals of the bill are essentially intended to consolidate Victorian heritage protection provisions in a single updated act, and to make heritage protection processes clearer, simpler and more accessible.

The bill will not affect the operation of the Archaeological and Aboriginal Relics Preservation Act as it applies to Aboriginal archaeological sites and relics, but there may be recognition under the Heritage Act of a place or object which is registered under the Archaeological and Aboriginal Relics Preservation Act where the place or object has a non-Aboriginal cultural heritage significance in addition to its Aboriginal cultural heritage significance.

I shall now deal with the main features of the new framework.

ADMINISTRATION

It is proposed that the 16-member Historic Buildings Council be replaced by a 10-member Heritage Council with membership based on skills and expertise rather than on organisational representation. There will also be a power for the minister to appoint three persons demonstrating understanding of or expertise or interest in heritage matters. The bill provides for the council to include a representative of the National Trust, selected by the minister from a panel of three names submitted by the trust in recognition of its special role in heritage protection.

The council will be able to establish advisory committees as needed. The Historic Shipwrecks Advisory Committee will be retained for specialist advice on historic shipwreck preservation.

The bill will require the executive director and the staff of the council and any other employees necessary for the purposes of the act to be employed under the Public Sector Management Act 1992.

REGISTRATION PROCESS

Currently there are no statutory time limits within which nominations must be considered and over the years a large backlog has developed. A streamlined process is proposed:

the new Heritage Council is to determine assessment criteria for inclusion of items on the register, having regard to the matters listed in clause 7(2) of the bill, such as the historical importance of the place or object;

a person or body nominating a place or object for registration must give reasons why it warrants registration, using the assessment criteria published by the Heritage Council;

the executive director will make recommendations on registrations to the council. The council will make decisions on registrations;

the executive director may refer the nomination to a local government body or the minister for consideration for inclusion of the place in a local planning scheme in accordance with the provisions of the Planning and Environment Act 1987;

any objections to registration proposals are to be considered by the council or a committee of the council;

time limits will apply to decisions where there are no submissions and to objections;

the current rights of owners to be heard are to continue;

the minister will have a call-in power, applying to heritage places and objects including archaeological relics, but not including the remains of a ship or articles associated with a ship because of the distinctive nature of these, such as vesting of ownership in the Crown, the '75 year rolling-date rule' by which all shipwrecks of a certain age are deemed to be historic, and the need for consistency with the commonwealth act; and
places on the register will be identified in local planning schemes so that planning schemes may provide a single source of information for establishing the status of a property.

PERMITS

Currently a permit is required for any alteration to a building or land registered under the Historic Buildings Act 1981, and appeals against the council's decisions are determined by the minister, who may seek a report from the Administrative Appeals Tribunal. The AAT has rarely been used for this purpose.

It is proposed that the bill provide for generic and specific sets of permit exemptions to be given at the time of registration as well as after registration occurs. The exemption in the current act for liturgical changes by churches is to be carried over into the new act. The executive director is to be empowered to decide on permit applications but is to report to the council on all decisions taken. Time limits will apply to decisions on permit applications. It is proposed that the executive director be able to refer applications to a local authority for determination under delegation.

Appeals by the owner or any person with a real and substantial interest against decisions not to issue a permit under this act are to be heard by the council, unless the minister refers the appeal to the AAT for determination. The minister will also have a call-in power. The Heritage Act is to provide no avenue for appeals against decisions made under the Planning and Environment Act 1987.

CONSIDERATION OF THE STATUTORY DUTIES OF PUBLIC AUTHORITIES

The Historic Buildings Act 1981 requires that economic and other considerations be considered, together with heritage issues, when any application for a permit is determined. The bill proposes to apply this provision to both government-owned and privately owned buildings. In addition the bill proposes that in decisions on permit applications by public authorities there also be consideration of the extent to which the application, if refused, would unreasonably detrimentally affect the ability of the public authority to carry out a statutory duty specified in the permit application.

INTERIM PROTECTION ORDERS

The bill will enable interim protection orders to be issued by the executive director or the Heritage Council to protect places while they are considered for inclusion on the Victorian Heritage Register, similar to the provision of this kind in the Historic Buildings Act 1981.

REPAIR ORDERS

The bill provides for registered places and objects which are being allowed to fall into disrepair to be subject to repair orders, similar to the provisions of the Historic Buildings Act 1981. A right of appeal to the AAT is included because an order could impose substantial costs upon the owner and because there is no right of appeal to the AAT at the time of registration of the place or object.

HERITAGE FUND

A heritage fund, which may be used by the council to assist the conservation of Victoria's cultural heritage, will replace the historic buildings fund. All moneys allocated for this purpose from the appropriation for the Department of Planning and Development and fees paid under the new act will be paid into the fund. The fund may be used to assist owners or managers of registered places and objects to conserve these resources, including assistance to undertake necessary maintenance or restoration works. It may also be used to assist local authorities to identify and conserve places or objects within their areas. The Heritage Council is to be subject to the requirements of the Financial Management Act 1994. It is to provide a prospective business plan of its proposed works and operations for the year, as well as an annual report.

GOVERNMENT BUILDINGS

The Government Buildings Register was closed in 1989. Government-owned buildings considered for registration since that time and deemed to be significant have been included on the general Historic Buildings Register.

Although many buildings on the Government Buildings Register have been considered by the Historic Buildings Council and either deregistered or placed on the general Historic Buildings Register, some have never undergone a formal assessment of heritage significance. Accordingly, it is proposed that buildings on the Government Buildings Register should not be automatically included in the
new Heritage Register, but would need to be nominated and considered for inclusion through the new process for registration. Where a building is of obvious heritage significance, there is provision for the Governor in Council on the recommendation of the minister to include that building in the Heritage Register.

The Register of Government Buildings and the provisions applying to it in the Historic Buildings Act 1981 are to be saved for two years from commencement of the Heritage Act. Buildings not registered through the new process in the Heritage Act in that time (or declared to be included in the Heritage Register by order of the Governor in Council) would then lose the protection afforded to them under the saved provisions of the Historic Buildings Act 1981. The government is giving further consideration to this issue and it invites the opposition to contribute its ideas on this matter.

ARCHAEOLOGICAL PROVISIONS

Similar provisions to those operating under the Archaeological and Aboriginal Relics Preservation Act 1972 are proposed for the protection of historic archaeological places and relics. Known occurrences of archaeological relics and places of potential, but undetermined, archaeological significance are to be identified in a heritage inventory. Proposed excavation of these places requires notification to the executive director and there are restrictions on actions which would damage or destroy a place or object included in the inventory or the register. The executive director may direct the excavation or examination of a registered archaeological place and the removal of relics to a place of safe storage.

SHIPWRECKS PROVISIONS

The existing provisions for the protection of shipwrecks have been updated and are incorporated as a separate part of the Heritage Bill, because of their distinctive nature.

TREES AND GARDENS AND MOVABLE OBJECTS

Over the years there has been a growing awareness of the need to ensure the protection of additional items of our cultural heritage such as historic sites, cemeteries, historic gardens and certain types of objects, and the bill will provide this capacity.

The bill also provides for the registration and protection of significant gardens and trees and for movable objects to be included on the Heritage Register where they have a significant association with a place. This will overcome problems caused by lack of clarity about coverage of items of this kind in the current legislation, which have prevented the registration of some items of conspicuous cultural heritage significance. It is intended that application of the act to movable objects not embrace documents as currently covered by the Public Records Act 1973 nor items lodged in museum collections.

It is important to note, however, that unlike the Australian Heritage Commission, the Heritage Council is not intended to have responsibility for protecting the state's natural heritage assets.

VARIATION OF SECTION 85 OF THE CONSTITUTION ACT 1975

Clause 174 declares the intention of this section to alter or vary section 85 of the Constitution Act 1975 to the extent necessary to prevent the bringing before the Supreme Court of an action of a kind referred to in subsection 104(5).

Subclause 104(5) provides that a civil action does not lie against a person in respect of any action taken by the person pursuant to a notice given to him or her under subclause 104(1). Subclause 104(1) enables the executive director by notice in writing to require a person who has possession of a historic shipwreck article or relic to take specified action for the purpose of conserving, exhibiting or providing access to the article. The rationale for granting this immunity from suit to a person to whom the executive director gives a notice is as follows.

The effect of clause 104 is to transfer the immunity which is currently granted to a person who takes action in pursuance of a notice given to him by the minister under section 16(1) of the Historic Shipwrecks Act 1981 to a person to whom the executive director gives a corresponding notice under the Heritage Act. Accordingly, subclause 104(5) does not introduce an additional limitation of jurisdiction on the Supreme Court.

As honourable members will appreciate, a person to whom such a notice is given should be able to comply with the notice without becoming liable to suit. Under subclause 104(4) a person to whom a notice is given and who does not comply with the notice becomes liable to a penalty of 100 penalty units in the case of a natural person or 200 penalty units in the case of a body corporate. An equivalent penalty provision occurs in section 16(4) of the Historic Shipwrecks Act 1981. The granting of
immunity from suit in these instances also has the virtue of precluding a situation in which persons may be liable to suit if they comply with a notice and liable to a penalty if they do not comply with the notice.

The heritage places and objects of Victoria form a priceless and finite asset. Victoria will continue to set the standard for protection of its heritage. This bill is an important step in consolidating these achievements.

I commend the bill to the house.

Debate adjourned on motion of Mr LEIGHTON (Preston).

Mr MACLELLAN (Minister for Planning) — I move:

That the debate be adjourned until Thursday, 21 September.

Mr LEIGHTON (Preston) — On the question of time, although the minister has moved that the bill be adjourned for two weeks I note his undertaking during his second-reading speech that he will receive comments from the opposition and that he will not bring on the bill for debate until later in this sessional period. I take it that the government will not bring on the bill for debate in the next week of the sittings in October. Is that the minister’s intention?

Mr MACLELLAN (Minister for Planning) (By leave) — It is not my intention that the bill be debated in the week of the resumption of the sittings, but that will depend upon the amount of business before the house. I anticipate that there will be plenty of business before the house, so debate would not be resumed at that time.

Motion agreed to and debate adjourned until Thursday, 21 September.

LOCAL GOVERNMENT (ELECTIONS) BILL

Second reading

Mr MACLELLAN (Minister for Planning) — I move:

That this bill be now read a second time.

The bill is part of the process of the continuing reform of local government and contains important policy initiatives in relation to the number and remuneration of councillors. The bill also makes a number of housekeeping amendments in relation to the conduct of elections.

I turn first to the number of councillors. In February 1995, the Minister for Local Government requested that the Local Government Board undertake a review of the roles and functions of councillors. Such a review was considered both important and urgent given the fundamental changes that have been introduced to the structure and operation of local government. The minister was concerned that councils may not be able to fully realise their potential if the roles and functions of councillors were not better defined within the context of the overall reform agenda. The board in its interim report identified the number of councillors as a key issue.

The legislation currently specifies that a council must consist of not fewer than 9 councillors and not more than 15 councillors. While many submissions on this issue argued for as few as three councillors, the board considered that such a small number would unduly narrow the range of interests that would be represented at the council table and exclude candidates who could not give the additional time that would require of them. At the other extreme 15 councillors was regarded by the board as being too large a number and not conducive to good decision making. Even prior to local government restructuring only one council had 15 councillors.

The bill proposes a range of between 5 and 12 councillors and so recognises the need for flexibility. Each council will determine the number of councillors within the range offered most appropriate to its municipal district. The range was recommended by the board in its interim report and enjoyed widespread support.

The remuneration of councillors was also considered by the Local Government Board as part of its review and was the subject of considerable debate. The legislation currently provides for a council to fix allowances for mayors, deputy mayors and other councillors. Those allowances cannot exceed a prescribed amount. The prescribed amount for mayors and deputy mayors is currently fixed at $100 000 per annum and the allowance for other councillors at $3000 per annum.
BUILDING (AMENDMENT) BILL

Thursday, 7 September 1995

ASSEMBLY

The bill provides for allowances for mayors and other councillors to be set by order in council. An order will specify the minimum and maximum amounts that can be paid to councillors or mayors. It will then be up to each council to determine the amounts of the allowances to be paid to its councillors or mayor within the ranges specified in the order. The bill also provides for the payment of allowances to mayors at a level higher than that set for other councillors. In determining the amount of the allowances, a council will be expected to take into account such factors as the size of the municipal district, the number of electors in the district and the functions involved. A council will be obliged to pay each councillor the amount set by the council. A councillor may decline the allowance but must formally state the reason for the decision.

The bill makes separate provision for the Melbourne City Council by providing that the allowance for its councillors and lord mayor may be up to 50 per cent higher than the maximum amount payable for councillors and mayors of other councils. The demands on the lord mayor and other councillors of a capital city are different from those in other councils. The ability to set allowances up to 50 per cent higher for the Melbourne City Council reflects that difference.

I now turn to the position of deputy mayor and the deputy lord mayor. The act currently provides for the election of deputy mayors and a deputy lord mayor. In practice deputy mayors have very limited roles. In any case if the mayor is absent and no deputy mayor has been elected, the council must appoint one of the councillors to act as mayor. The Local Government Board has recommended that the office of deputy mayor and deputy lord mayor be removed. The bill implements that recommendation.

The bill also makes a number of housekeeping amendments to the provisions of the act that relate to elections. They follow extensive consultation with peak government agencies as well as the State Electoral Office, the Australian Electoral Commission and interstate electoral offices. Those bodies also participated in discussions on the proposed regulations which will cover elections by attendance voting as well as elections by postal voting. A regulatory impact statement has been prepared which examines the economic and social impact of the proposed regulations.

The minister will release the draft election regulations together with the regulatory impact statement for public consultation and comment within the next week. The draft regulations are being released at this time to give councils an overall view of the proposed provisions for the conduct of elections for March 1996 and, in particular, to assist councils in deciding whether to conduct forthcoming elections by the new means of postal voting. The proposed amendments are intended to clarify and rationalise the existing electoral provisions in the act. Certain provisions in the act have been repealed and have been recast in the regulations so that the act will be confined to matters common to all types of elections.

The bill also creates two new offences that relate to postal elections intended to ensure the security of the ballot paper. The first makes it an offence for a person who has agreed to return a postal ballot paper on behalf of a voter not to do so in time for the counting of votes. The second makes it an offence for an unauthorised person to interfere with the electoral materials sent or delivered to each voter in an election by postal voting.

The bill limits the provisions in relation to the retirement of candidates by removing the ability to retire because of ill health or 'any other personal reason'. That ability has been removed to overcome the incidence of orchestrated retirements on such spurious grounds as pressure of work, which have resulted in added costs to genuine candidates as well as councils. Except in the case of a candidate being not qualified or disqualified, the bill provides that a candidate can retire only if the effect of the retirement will be that the election will not be contested. That is intended to encourage and protect genuine candidates.

I commend the bill to the house.

Debate adjourned on motion of Mr LEIGHTON (Preston).

Debate adjourned until Thursday, 21 September.

BUILDING (AMENDMENT) BILL

Second reading

Mr MACLELLAN (Minister for Planning) — I move:

That this bill be now read a second time.

During the second-reading debate on the Building Act 1993 the Minister for Planning made a commitment to evaluate the legislation after one
BUILDING (AMENDMENT) BILL

ASSEMBLY Thursday, 7 September 1995

year. Included in the evaluation was consultation with the Building Advisory Council, which is set up under the act and which has as one of its prime functions the role of advising the minister on the operation of the legislation.

The Building Act 1993 introduced a number of important reforms. The key reform was the introduction of full private sector competition to the council-based building permit system, which is underpinned by professional liability reforms and a new registration and insurance regime for various building professionals. The amendments in the bill build on those important changes and will further improve the building control system of this state, which has already become the benchmark for the rest of Australia.

The proposed amendments are generally of a machinery nature and will do the following:

- provide a mechanism to standardise fees for the lodgement of building permit documents with councils;
- prevent the temporary occupation of non-complying buildings where temporary occupation is simply an interim step to permanent occupation of a building under an occupancy permit;
- prevent municipal building surveyors from acting as private building surveyors in the municipality which employs or engages them;
- confirm the right of appeal to the Building Appeals Board in relation to emergency orders;
- provide additional flexibility in the preparation of ministerial orders relative to building practitioner insurance;
- give purchasers of buildings constructed by an owner builder access to insurance if there is a structural defect within the 10-year period of liability under the act;
- further specify who the Building Appeals Board can consult before reaching a decision on the modification of regulations;
- recognise the role of councils in building control matters by making them a reporting authority, where there is no reporting authority, for the purpose of entering into an agreement in respect of modifications of the building regulations;
- provide for accreditation of persons from a body approved by the Building Practitioners Board and also enable qualifications to include experience;
- enable the review of a building practitioner's ability to practice where he or she has not held a practising certificate for three or more years;
- provide that a lessee or licensee of Crown land is to pay the building permit levy;
- introduce a threshold for the payment of the building permit levy;
- allow the minister to appoint an additional person as his or her nominee on the Building Advisory Council;
- require a lessee or licensee of Crown land to obtain a building permit;
- standardise the provisions in respect of the improper use of information to all appointed bodies established under the act;
- provide for additional regulation making powers to enable a condition to be placed on an occupancy permit for places of public entertainment;
- provide that where a council or a council officer has failed to inform a relevant building surveyor or the applicant of a consent or refusal in the prescribed period the failure is subject to appeal.

LODGMENT FEES

The Building Act 1993 requires copies of building permits and related documentation to be lodged with municipal councils. However, the act does not provide for a lodgement fee. Even so, a number of councils have been charging a fee for lodgement under provisions of the Local Government Act 1989. Some councils are only charging the fee to clients of private building surveyors and not the municipal building surveyor.

This amendment is designed to ensure a uniform, non-discriminatory approach where a council determines to charge such fees.

TEMPORARY OCCUPATION OF BUILDINGS

This amendment will clarify the provision to ensure that a relevant building surveyor can only issue a temporary occupancy permit in a situation where
occupation is not an interim step to permanent occupation under an occupancy permit.

PRIVATE BUILDING SURVEYORS — WHEN THEY MAY NOT ACT

The Building Act 1993 when it was introduced provided a choice to consumers as to where they could obtain a building permit. This amendment will prevent a municipal employee or person engaged by a council from accepting an appointment as a private building surveyor for work carried out within the municipal district of that council. The amendment is being made to the act to ensure that the process is not compromised and to discourage unethical behaviour.

EMERGENCY ORDERS — RIGHT OF APPEAL TO BUILDING APPEALS BOARD

Section 104 of the Building Act 1993 mentions the Building Appeals Board. A question has arisen as to whether this confers a right of appeal if there is a refusal or failure to lift an emergency order. To ensure that there is an appeal right, the act is to be amended to give the board specific jurisdiction.

It is not intended that the service of the order should be a matter of appeal as this would stay the effect of the order and reduce the effectiveness of its emergency status.

MINISTERIAL ORDERS — INSURANCE BUILDING PRACTITIONERS

This amendment will provide additional flexibility in the preparation of ministerial orders relative to building practitioner insurance. To achieve this the provisions will:

- clarify that professional indemnity insurance can be taken out by a company or firm on behalf of individual building practitioners employed by the company or firm;
- refer to category of building practitioner as well as class of building practitioner;
- make provision for explicit powers for the minister to vary the level of excess where an order specifies a particular level, if the minister is satisfied it is appropriate to do so.

INSURANCE — OWNER BUILDER

Building owners have obtained a level of protection not previously available through the registration and insurance requirements under the act. Should there be difficulties with construction a consumer has redress against a registered building practitioner and has the protection of that practitioner’s insurance.

That same protection is not available in the case of a building constructed by an owner builder. It could be argued that this places registered builders at a disadvantage and encourages owner builders to use unregistered contractors.

This amendment, by requiring owner builders who sell before the 10-year liability period expires to obtain insurance for the remaining period, will give all purchasers an equal level of protection.

SPECIAL POWERS — MODIFICATION OF REGULATIONS

In recognition of the overall supervisory role of councils in building control matters, sections 162, 164 and 165 of the act are being amended to enable the nomination of the relevant municipal council to act in place of a reporting authority in the absence of a reporting authority. Otherwise if a reporting authority is not involved there is nobody to make an agreement with.

MODIFICATION OF REGULATIONS — AGREEMENT

The functions of the Building Appeals Board are such that there are situations where additional expert advice is warranted, such as where there is an absence of members for whatever reason, or where
through a conflict of interest an appropriate member is unable to hear a matter.

To resolve this problem the amendment will provide for an alternate member pool encompassing people who would be available to act in the place of any appointed member.

QUALIFICATIONS

To streamline the processing of applications from experienced but academically unqualified practitioners, an amendment is being made to specifically include a reference to an accreditation from an organisation approved by the Building Practitioners Board. The board will still consider the application for registration in the same manner as for any other application. The amendment also enables qualifications to include experience.

BUILDING PRACTITIONERS — EXTENDED SUSPENSION

There are concerns that once registered, building practitioners and in particular building surveyors and building inspectors retain the ability to resume practising notwithstanding that they may have been out of the industry for significant periods of time.

It is proposed that where registration has been suspended because of a failure to present a current certificate of insurance for a period of more than three years, the act is to provide that the Building Practitioners Board shall, in the interest of public safety, reassess the ability of that building practitioner to practise before issuing a new building practitioner’s certificate to that person.

The board should not be obliged to revoke the suspension unless it is satisfied that the person is of good character and the reasons for the period of inactivity as a building practitioner are satisfactory.

A right of appeal will apply to the Building Appeals Board in the event of a failure to revoke a suspension. Such appeals are relatively inexpensive and the board has the ability to award costs in appropriate cases.

LESSEE OR LICENSEE OF CROWN LAND TO PAY BUILDING PERMIT LEVY

The Crown is exempt from paying the levy under section 217. The Crown’s exemption lies in the accepted practice of the Crown not taxing the Crown. As a consequence of the Crown’s exemption, legal advice has suggested that the lessee or licensee of the land also enjoys an exemption. That certainly was not the intention of the legislation.

The amendment will make a lessee or licensee liable for the building permit levy where the building work is on Crown land. This puts a private development on Crown land on an equal footing with a development on private land.

THRESHOLD FOR BUILDING PERMIT LEVY

Under section 201 of the act a levy of 0.064 cents in every dollar of the cost of building work — $64 for every $100 000 — applies at the time a building permit is issued. The levy provides approximately two-thirds of the cost of running the Building Control Commission and the related bodies established under the act.

The commission analysed the costs of collecting the levy and found that building work under $3000 provides only 1.42 per cent of the total levy revenue. Such work, however, comprises 43.03 per cent of total number of data entries. A $3000 threshold will ensure that the collection of the levy is cost effective.

MEMBERSHIP OF BUILDING ADVISORY COUNCIL

To increase the breadth of advice available to the minister an additional member will be appointed to the council on the minister’s recommendation.

LESSEE OF CROWN LAND TO OBTAIN BUILDING PERMIT

The Crown or a public authority is not required to obtain a building permit under part 5 of the Building Act 1993. Advice has been received that the exemption for the Crown carries over to Crown land. Government policy, however, requires government departments and agencies to obtain building permits whenever possible. Any departure from this policy is required to be reported in the relevant annual report. Where a building permit is not obtained the plans and specifications must be certified by a registered building surveyor.

It was never intended that the Crown’s exemption would apply to the use of the land by persons other than the Crown. This amendment brings lessees or licensees into line with owners of private land and into line with government policy on the use of Crown land.
IMPROPER USE OF INFORMATION

The amendment standardises the provisions in respect of the improper use of information to all appointed bodies established under the act in line with existing provisions for the Building Appeals Board.

ADDITIONAL REGULATION-MAKING POWER

This amendment formalises a condition previously required under fire protection regulations made under the Health Act 1958. Regulations made under the Building Act 1993 will enable a condition to be placed on an occupancy permit to require a skilled person be present when a place of public entertainment is occupied. This is a necessary safety item which is supported by the Metropolitan Fire Brigade.

FAILURE TO INFORM

The amendment provides a new avenue of appeal to the Building Appeals Board where there is a failure of a council or an officer of the council to inform the relevant building surveyor or the applicant of a consent or refusal of consent under the Building Regulations 1994 in the prescribed time. This is considered the best option for overcoming potential deadlock situations. A deemed consent approach was not considered appropriate as council assets such as drains are often involved.

The failure to notify provisions will allow the matter to be assessed quickly and inexpensively before the Building Appeals Board, which is an independent technical body. The board will have the power to make an appropriate order, and, as previously indicated, it can award costs. This approach is supported by industry. I commend the bill to the house.

Debate adjourned on motion of Ms MARPLE (Altona).

Debate adjourned until Thursday, 21 September.

PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL

Second reading

Mr W. D. McGrath (Minister for Agriculture) — I move:

That this bill be now read a second time.
the state. They include, for example, practices associated with the transport and display of crayfish and the preparation of fish and crustaceans for the table. It is envisaged that the bill will encourage and hasten the development of codes of practice for the use of fish and crustaceans in many circumstances.

An additional beneficial consequence of the addition of fish and crustaceans to the application of the act means that their use in research will have to be considered under the protective provisions of part 3 (scientific procedures) of the act. The community in general has never understood why those animals have been exempt from the provisions of the act. In that respect the bill reflects serious community concern about those animals.

The application of the act has also been extended to such conveyances as vehicles, vessels and aircraft by including them in the definition of premises. The need to be certain that the act is applicable to any of those transport modes follows the addition of fish and crustaceans to the scope of the act, the need to control the carriage of dogs on open-backed vehicles and the extensive volume of the intrastate, interstate and international movement of livestock occurring in the state.

The bill makes some adjustments to the application provisions of the act by removing as a separately specified exemption the slaughter of poultry for human consumption in accordance with the requirements of an established religion. The Meat Industry Act 1993 will ultimately set standards for all animal slaughter that is intended to produce meat for sale for human consumption. Animal slaughter that fails to meet those standards will not be exempt from the protective provisions of the Prevention of Cruelty to Animals Act 1986.

The bill also provides that the act is not to apply to the slaughter on a farm of farm animals for consumption on that farm, provided that the slaughter is conducted in a humane manner. The slaughter will need to be consistent with the principles contained in the Meat Industry Act 1993. The bill alters certain matters in the cruelty provisions of the act relating to the transport of animals. That will afford better protection for the animals concerned by encouraging those responsible for the transport of animals to avoid overcrowding animals or using unsatisfactory means of transport such as car boots.

The changes will require on the part of those responsible a better awareness of the guidelines contained in relevant codes of practice. Previous problems in the determination, for the purposes of prosecution, of which person or persons had possession or custody of animals subjected to cruel acts or neglect have also been addressed. The cruelty provisions of the act will be modified by extending 'responsibility' to include the owner of the animals as being also liable for certain offences. It will be a defence for the owner if there exists an agreement with another person under which that other person agreed to care for the animal.

The bill will extend the application of the act by adding to it a new provision for the carriage of dogs on moving trucks and trailers. The driving of an open-tray truck or vehicle with trailer on a highway with a dog on the tray or trailer will be prohibited unless the dog is secured so as to prevent it from falling, moving off or being injured by the movement of the truck or trailer. The bill provides an exemption where a dog is being used to assist in the movement of livestock.

The bill introduces the practice of three tiers of enforcement:

(a) the general, in which the current inspectors are to operate — stock inspectors, RSPCA inspectors, police and local government officers;

(b) the special, in which specialist inspectors are to operate, who will be persons with appropriate qualifications and who will have less restrictive powers of entry to investigate specifically technical matters of animal welfare on highly specialised animal-use premises whenever the minister agrees that particular investigative action is necessary; and

(c) the ministerial, in which the resolution of a serious and protracted animal welfare problem is authorised by the minister using procedures which the act will empower him or her to use.

The bill will extend the authority of inspectors with general powers to enable them to:

(a) free an animal from an entanglement, a tether or a bog — but not from the premises — if one of those encumbrances is causing pain and suffering; and

(b) inspect an animal observed to be showing signs of disease or injury for the need for treatment by a veterinary surgeon and to
arrange for the attendance of a veterinary surgeon; and

(c) enter premises other than a dwelling to destroy animals in circumstances where they are a threat to human or animal life or are distressed or disabled and are suffering.

Those extensions of authority are proposed on the basis of experience in the administration of the act since 1986. There is a need to empower inspectors to enable them to take a wider range of direct action to provide for animals in immediate need of attention. That is because it is typically the case that the person or persons responsible will not take the necessary action or are absent when that action needs to be taken. In those cases where it is apparent that the persons responsible are willing to respond to the need, they will be given the opportunity to do so before the inspector acts.

The specialist inspectors will have the authority to enter particular premises where animals are housed or grouped for the purposes of primary production, exhibition, competition or amusement. They will be authorised to undertake the inspection of the animals and the management practices used in connection with them. This activity will take place only in particular circumstances with the prior knowledge and authority of the minister since the power is principally intended to assist the government in reporting to the community about the welfare of the animals in these kinds of premises.

The judgments to be made by specialist inspectors will require specialised training in animal diseases and management. It is more likely to be the case that persons with the appropriate qualifications for appointment as specialist inspectors will be found among the ranks of government officers or in academic organisations. As a consequence, rather than placing any limitations on the minister as to the suitability of persons, the proposed amendments indicate that any person with the appropriate qualifications may be appointed as a specialist inspector by the minister.

The bill enables the minister to authorise the seizure of animals under the control of a person if the minister is satisfied that they are likely to become distressed or disabled. This authorisation may be considered only where there has been a history of the need for either a general or a specialist inspector to humanely destroy an animal under the control of that person on more than one occasion in the preceding 12 months. That particular aspect of the history of an incident will assist the minister in determining whether or not the exercise of this authority is warranted. The authorisation can include, if necessary, all animals under the care of the person concerned whether or not they are located on the property where animals have been destroyed.

The remedial action the minister may take after seizing animals is to sell them or arrange for their humane slaughter at an authorised premises such as an abattoir or knackery or a burial pit organised for the purpose. The action to be taken will depend on the particular circumstances of the case. The minister will be required to give the person concerned seven days notice in writing before authorising the seizure. In that period the responsible person will have one last opportunity to remedy the neglect.

The authorisation to seize will not be limited by a need to successfully prosecute the responsible person beforehand. This course of action will stand separately from that of the animal custody disqualification provision already in the act. The seizing of animals under this authority is not an action associated with any punitive measures but one designed to prevent, as quickly as possible, animals from becoming seriously distressed or disabled. The bill also provides for the replacement of separate penalties for first, second and third offences with maximum penalties for an offence. The majority of maximum penalties have been increased.

The bill will substantially improve the capacity of the provisions of the Prevention of Cruelty to Animals Act 1986 to protect animals from cruelty. It will extend the range of animal species protected and give inspectors greater powers — through a three-tiered level of authority — to intervene in incidents, to prevent cruelty and to provide remedial action where it has occurred.

In view of the importance of the bill to the community at large, the government will ensure adequate consultation during its passage through both houses.

I commend the bill to the house.

Debate adjourned on motion of Ms MARPLE (Altona).

Debate adjourned until Thursday, 21 September.
EXTRACTIVE INDUSTRIES DEVELOPMENT BILL

Second reading

Debate resumed from earlier this day; motion of Mr S. J. PLOWMAN (Minister for Energy and Minerals); and Mr HAMILTON’S amendment:

That all the words after ‘That’ be omitted with the view of inserting in place thereof the words ‘this house refuses to read this bill a second time until the proposed regulatory framework is fully known, and that all local government areas have properly elected councils that can respond to the concerns of their residents’.

Mr TANNER (Caulfield) — As the government whip and on behalf of the Minister for Energy and Minerals and the Acting Leader of the House, I thank the opposition for the way it has facilitated debate on this bill and on the University Acts (Further Amendment) Bill earlier today. The government appreciates the way the opposition has facilitated the working of the legislative program this week.

Having made those comments, I have to say that the government rejects the reasoned amendment moved by the honourable member for Morwell because it amounts to the tail wagging the dog. He proposes that institutions created by the government should end up controlling the actions of government. That is not acceptable. The government is known as a can-do government and has set out to improve the prosperity and way of life of Victorians, particularly in the mining and kindred areas. In fact, opposition members indicated by their contributions that the new conservatives are very much like the old conservatives — that is, they agree there is a need for change, but not just yet!

This bill is the second leg of the quinella in the mining and kindred industries area. The community has seen that the government has set out through the Mineral Resources Development Act to create a mining exploration boom in this state that during the course of this decade should lead to greatly enhanced prosperity in the Victorian community. The extractive industries area is nowhere near as glamorous as the mineral resources area; nonetheless, it an essential industry that is fundamental to the community. Modern communities cannot exist without water, food, and stone for buildings and roads.

As honourable members would be aware, consultation on this legislation began under the previous government and has been proceeding since 1991. I was chairman of a committee of the previous Parliament which initially investigated this area and which reported in 1992. The new coalition government picked up the report in 1993 and referred the matter to a committee of the current Parliament. That committee reported in 1994. The government then went through a community consultation process until, approximately three months ago, the Minister for Energy and Minerals introduced the bill to allow further public scrutiny. The bill is now being debated.

The government rejects the opposition’s reasoned amendment. There has been a great deal of consultation and the government believes the community is happy with what is proposed. Let’s get on with the second leg of the quinella!

Mr S. J. PLOWMAN (Minister for Energy and Minerals) — I thank the honourable members for Morwell, Bulleen, Altona, Warrnambool, Clayton and Caulfield for their contributions on an important bill for a very important industry. As with the Mineral Resources Development Act, this legislation is intended not just to control the industry but to develop it. If, following experience of its operation, the legislation needs to be finetuned, as has the Mineral Resources Development Act, the government will look at that matter and listen to the honourable member for Morwell and others if they wish to contribute to that process.

I thank honourable members for their bipartisan support of the objects of the bill. I do not have time to go through all the contributions, but I remind the honourable member for Clayton, who talked about the appalling behaviour in sandmining and the lack of rehabilitation and so on, that most of that appalling behaviour took place during the time the former Labor government was in office. He was a member of the former government and should wear a lot of the responsibility for that appalling behaviour.

I turn to the reasoned amendment. I think the honourable member for Morwell would expect me to say, and would probably accept as true, that he is putting a political point of view in the reasoned amendment. He does not think commissioners can do it as well as councillors, and we will have to agree to differ on that matter.
The reasoned amendment talks about the bill not being read a second time until an appropriate regulatory framework is better known. I remind the honourable member for Morwell that there is plenty of scope for the regulatory framework to be worked out after the bill is passed so that the bill and regulations can be proclaimed at the same time. That process is well advanced. The same process applied with the Mineral Resources Development Bill: the regulations were not completed until 12 months after the passage of the bill. For those reasons the government rejects the reasoned amendment.

The SPEAKER — Order! The time appointed for debate on this bill has expired.

Amendment negatived.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 59, schedules 1 and 2 and circulated government amendments 1 to 18 as follows agreed to:

1. Clause 2, line 9, omit “1 comes” and insert “1 and section 60 (1) and (2) come”.

2. Clause 5, page 7, after line 15 insert —

“(4) The provisions of this Act do not apply to or with respect to the extraction or removal of stone from land that is a farm if the stone is intended in good faith only to be used on that farm for the purposes of a dam or other farmworks and not for sale or any other commercial use.”.

3. Clause 18, lines 21 to 22, omit “, or vary.”.

4. Clause 18, lines 23 to 28, omit sub-clause (2) and insert —

“(2) If the Secretary has determined that a work plan should be varied and consulted the holder of the work authority about the variation, the Secretary may direct the holder of the work authority to submit an application for approval of the variation.”.

5. Clause 18, line 30, after “plan” insert “or is directed by the Secretary under sub-section (2) to submit an application”.

6. Clause 18, page 16, line 10 omit “vary a work plan or”.

7. Clause 18, page 16, lines 17 and 18, omit “vary a work plan or”.

8. Clause 22, line 18, after “with” insert “— (a)

9. Clause 22, line 20, after “situated” insert “; and (b) if the work authority relates to Crown land, the Director-General.”.

10. Clause 25, omit this clause.

11. Clause 41, page 32, line 1, after “(1)” insert “(b)”.

12. Clause 41, page 32, line 3, after this line insert —

“(3) A person must not be appointed under sub-section (1) (a) unless he or she has appropriate qualifications, training or experience to manage and oversee the day to day operations of this Act.”.

NEW CLAUSES

13. Insert the following New Clause to follow clause 22:

“AA. Transfer of a work authority

(1) The holder of a work authority may, with the consent in writing of the Minister, transfer that work authority to another person.

(2) The Minister must consent to the transfer of a work authority if —

(a) the person to whom the work authority is to be transferred has entered into a rehabilitation bond for an amount determined by the Minister; and

(b) the Minister is satisfied that the work plan relating to the work authority is adequate.”.

14. Insert the following New Clause to follow clause 59:

“BB. Incidental mining requires licence under Mineral Resources Development Act 1990

(1) Section 17B of the Extractive Industries Act 1966 is repealed.

(2) After section 8(2) of the Mineral Resources Development Act 1990 insert —

“(3) Sub-section (1) applies to the extraction or removal of stone under a lease, licence or extraction permit under the Extractive Industries Act 1966 which would necessarily involve the mining of a mineral.”.

(3) For section 8(3) of the Mineral Resources Development Act 1990 substitute —
DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL

Second reading

Debate resumed from 1 June; motion of Mrs TEHAN (Minister for Health).

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

RETIREMENT OF CLERK

Mr McNAMARA (Acting Premier) — By leave, I move:

That this house places on record its appreciation of the valuable services rendered to the Parliament and to the state of Victoria by John Gregory Little, Esquire, JP, as Clerk of the Legislative Assembly, and in the many other offices held by him during his 39 years of public office, of which 27 years were spent as an officer of the Parliament.

John Little has distinguished himself as an exemplary Clerk of the Legislative Assembly. This house has certainly benefited greatly from his strengths as an administrator and manager, and he has set a high standard for those who follow. His clear sense of purpose and personal management style have endeared him to his staff and contributed to the overall effectiveness of this chamber.

After commencing with the Victorian government in 1956 John Little established himself as a capable administrator with the Public Works Department in that year before joining the staff of the Parliament of Victoria in 1968. John was initially the secretary of the Public Accounts Committee, and between 1969 and 1983 he assumed the role of Serjeant-at-Arms as well as being joint secretary of the Subordinate Legislation Committee. In 1983 John was appointed Assistant Clerk and Clerk of Committees. In 1985 John was appointed Deputy Clerk of the Legislative Assembly and in 1991 was appointed Clerk of the Legislative Assembly. John will be remembered for his sense of fairness, the personal rapport he established with his staff and, above all, the professional manner in which he executed his duties within this house.

Outside this house John served with the Citizen Military Forces from 1956, being commissioned as a lieutenant in 1967. He was also appointed a justice of the peace in May 1991. He was honorary treasurer to the Commonwealth Parliamentary Association (Victorian branch) from 1982 to 1991, and assistant secretary of that branch from 1991 to 1995.

We know that John has been an active sportsman, playing both cricket and football, and he was also the founder of the parliamentary gymnasium. He has always encouraged members to make good use of that. I understand he is now favouring golf and fishing, and I am told that he remains an avid angler. I am sure this has had some influence on his
RETIREMENT OF CLERK

Thursday, 7 September 1995

choice of Metung in the Gippsland Lakes area for retirement. I understand John has bought a property at Metung, and he could pick no better spot than what is well known as the Riviera of Victoria. I am sure the honourable member for Gippsland East will be a regular visitor for afternoon tea on various occasions.

John and his wife Helen have my best wishes for good health and success in their retirement.

Mr BRUMBY (Leader of the Opposition) — The opposition joins the government in supporting the motion. Today is the last sitting day in this house for John Little. On behalf of the opposition I wish to place on the record our sincere appreciation of his 39 years of service to the state of Victoria, his 27 years of service to this Parliament and particularly his distinguished service as Clerk of the house since 1991.

In his role as Clerk of the Legislative Assembly John is probably the most impartial and arguably the most respected person in Parliament House. While there are others in this house who have known John and experienced his help and expertise for a lot longer than I as Leader of the Opposition, I, and probably more particularly my staff and the manager of opposition business, have found that John is always very courteous, helpful and, unlike members of Parliament, always correct in the advice he gives.

John transferred from the Public Works Department to the Parliament of Victoria on 19 March 1968. In August 1969 he became Serjeant-at-Arms of the Legislative Assembly and joint secretary of the Subordinate Legislation Committee.

In August 1983 he was appointed Assistant Clerk and Clerk of Committees, and in September 1985 he became Deputy Clerk of the Legislative Assembly.

As the Acting Premier said, in July 1991 John was appointed to his current position as Clerk of the Legislative Assembly. His actual date of retirement, after giving 27 years of service to this Parliament, is 29 September.

The Clerk of the Legislative Assembly is the senior adviser to Parliament on procedures and laws, and is responsible in the Assembly for putting together all the records and proceedings. The Clerk is also the custodian of the records of the decisions of Parliament.

There have been only 13 Clerks of the Legislative Assembly in the 138 years of the Victorian Parliament and, thanks to John, a portrait gallery, and with it a rich history of an essential part of the Parliament, has been compiled.

Because of the extraordinarily long hours the Clerk must spend in Parliament House, over the years many people have wondered how John Little and Clerks before him have been able to keep their sanity. In an interview with the Age in April 1994 John gave some insight into how he has been able to remain sane while mixing with the likes of those who sit on both sides of this chamber.

In the interview John said the main credential the Clerk needed was a sense of humour. He said the job involved long hours and that you had to love the place. He went on to say that the basic view we take here is that if you understand that you are seeing history being made every time you are in this place you can keep your sanity.

John worked extraordinary hours. The 1993 article reported that in the last week of the previous session John said he had worked 110 hours on just a few hours sleep. I was not in the Parliament at that time — I did not come in until 18 September — but the hours at the beginning of that session and the last session of 1992 were very long indeed.

As the Deputy Premier has remarked, John Little loves fishing in the high country and he tries to get away at least once a year to indulge in that interest. Another interest John Little has taken up in the past few years — and I am a bit concerned that he seems to have taken up this interest at about the time I was appointed leader of the Labor Party — is martial arts, and that is listed on his CV. I am sure, Mr Speaker, you have known of John Little’s martial arts prowess and his former career in the army reserve and that that knowledge has given you greater confidence and surety in dealing with malcontents in this place!

Not only has John Little seen and overseen history being made in this place, he has also been an integral part of that history being made himself. He has given tirelessly to the state of Victoria and over many years he has given tirelessly to this Parliament. He has given, as the Deputy Premier said, exemplary service in every sense of the word. On behalf of the Victorian Parliamentary Labor Party I wish John a long and fruitful retirement on his new property in Metung, and I thank him for his assistance over the years. I am sure he is looking
forward to spending more time with his wife Helen his three children and three grandchildren. We wish John the very best in retirement. I am sure that down there in Metung he will be subscribing avidly to the Parliamentary Debates, and if John has any problems sleeping at night he can grab one of those debates and nod off straightaway. John, we thank you for your great service to the Parliament.

Mr S. J. PLOWMAN (Minister for Energy and Minerals) — I am pleased to add a few remarks in support of the motion so ably moved by the Deputy Premier and very well supported by the Leader of the Opposition. As you would know very well, Mr Speaker, when one becomes a Speaker one gets to know the officers of the Parliament perhaps on a level that is rather more personal and closer than most members.

When I became Speaker in 1979 John Little was the Serjeant-at-Arms and I got to know some of his characteristics extremely well. As a very new Speaker, and rather surprised to be elected to that position, I had to come under the tutelage of the then Clerk, John Campbell, who left an indelible mark on John Little, too, in his example as a Clerk. I had to also come under the tutelage and advice of the Serjeant-at-Arms in such things as having to get the right tailored uniform made for the Speaker, which involved going to a tailor at the bottom end of Swanston Street. If you know the bottom end of Swanston Street, you know it is a fairly seamy part of town. John took me through a little arcade, up some steps and past a very adult entertainment place and I thought, 'My God, is this the sort of thing the Serjeant-at-Arms is into?'. I thought he was taking me in there to introduce me to the seamier side of life as Speaker. I regret to say we kept walking and went to see the tailor. However, that was not the end of it.

As part of the official garment of the Speaker the cut-off trousers had to be worn for formal dress with black attire on the legs. Obviously this attire had to be found somewhere so John Little took me down to the Georges stocking counter. When John said, 'I want a pair of black tights for my friend', the girl behind the stocking counter wondered what she had struck. In fact she said, 'I am very sorry, sir, we can't deal with you here, you had better go somewhere else'. A similar situation transpired but at least we got some tights from the ballet suppliers. A parliamentary officer does have a variety of tasks, and John handled that with great aplomb, and I was going to say with no hair on his head — but perhaps he did have some then!

It was mentioned that John has been a great fitness fan and has encouraged members to use the gymnasium. When I became Speaker, John persuaded me of the necessity to have a gymnasium in the Parliament. I went to the then Treasurer and got the grant for the exercise equipment in the gymnasium. We all owe John a lot of thanks — at least those of us who use it. I used to use it but I have become a bit of a backslider. John encourages us to use the gym, and it has been a good innovation. John also has a great love of open spaces, as has been mentioned — fishing, hiking, enjoying the bush, occasional rabbiting on farming properties, as he would remember on my property. Above all, as the Leader of the Opposition and the Deputy Premier said, he has provided very sound, unbiased advice to this Parliament, and as Clerk, Deputy Clerk and Assistant Clerk throughout his period he has provided first-class and loyal service to all the members of this Parliament in a completely unbiased way.

John, we thank you for those 39 years of distinguished service. I thank you particularly for the relationship we had when I was Speaker and also for the ongoing advice you have given to all members of Parliament and to me since my return in opposition and since becoming a minister. That will be long remembered. I put on record my thanks to you and good wishes to Helen, your wife, in Metung. I know where Metung is; I think you might be getting a visitor.

Mr BATCHELOR (Thomastown) — I join the rest of Parliament today in making some comments in support of the retirement of John Little from this place. As one of the newer members to the Parliament and as a member who has only recently had to take on additional responsibilities in the management of opposition business in this chamber, I have found the assistance John Little has provided exemplary. It is not an easy task at times being responsible for managing opposition business in the Parliament. In starting out my parliamentary career it is a responsibility I did not envisage that I would have to take on, so it is with great appreciation that I thank John for his assistance.

As everyone here would know, John is a straightshooter. You can go to John with an idea, a proposition or seeking advice and you always get good counsel. Sometimes you do not appreciate the outcome but at other times you do. On every occasion I have sought advice on parliamentary procedure, precedent and the rules, it has been exemplary. As everybody knows — perhaps none
more so than a person such as myself in this new area of responsibility — John has an encyclopaedic knowledge of the rules of this Parliament. He knows May backwards, he knows the precedent, he knows the fine print, he knows the standard rulings and precedents. It is of great assistance to have someone of his knowledge and experience. When you go to him from the opposition point of view with a request for advice on tactics or the rules, his advice is always straight and honest, and above all I have found it to be correct. Some would say that is the basis of the structural arrangement, because he always gives the same good and correct advice to the Speaker of the day and it would be hard to get a different interpretation.

However, putting that to one side, he has given good counsel. I am appreciative of that counsel, as are members of the opposition. At times it has been hard, at other times it has been good-humoured. I personally thank John. The opposition will miss him as will all parliamentarians. We wish him and his wife Helen all the best in their retirement.

Mr W. D. McGrath (Minister for Agriculture) — I briefly endorse the remarks made by other honourable members in expressing a vote of appreciation for John Little. I well recall coming to this place very much as a naive and young politician in 1979. John Little and the other officers took the new members through the procedures of the house and introduced them to the legislative procedures. That early grounding was very much appreciated by me and other new members in the 1979 group.

Now 16 or 17 years later John Little is leaving while some stay a little longer! John Little would have seen many sobering situations in this place — some occurred after dinner when some sort of sobering sentiments needed to be introduced into the proceedings! He has seen some humorous incidents and endured some tedious speeches. I think Jim Simmonds, a former member for Reservoir, might still hold the record for the longest speech. He started at about 1.30 a.m. and continued until about 5:00 a.m. It was a good speech, but he repeated everything about four or five times!

I also thank John Little for the establishment of the gymnasium. Along with many other honourable members I have enjoyed the opportunity of using that facility. Had it not been for his foresight and his own interest in maintaining a reasonable fitness level, the gymnasium may never have been established.

I notice that John and his wife are retiring to Metung. Although I can understand his reasons because it is a pleasant place, I thought he might have gone to the Grampians where the fish are bigger and the water is deeper. However, if he prefers to go east rather than west, so be it. I thank John Little for his assistance.

I came off the proverbial interchange bench this week to act as the Leader of the House while Phil Gude was in hospital recovering from an operation. Therefore, on behalf of Phil Gude, I express appreciation to you, John, for the way in which you interacted with the Leader of the House and the honourable member for Thomastown, the manager of opposition business, to ensure that the business of the house ran well and that the procedures were followed in accordance with the rules. In conclusion, I say to you, John, ‘Well done’.

Mr Sandon (Carrum) — I also wish to make a few remarks about John Little and to wish him well in his retirement. Since 1982 I have known John in a number of roles and from a number of different perspectives. As the Minister for Agriculture said, we first met in 1982 when we attended this place to receive a briefing on the rules of parliamentary debate. That was an eye-opener to us all!

I have had the good fortune of working with John in a number of places: in another place; as a backbencher; on parliamentary committees; as a cabinet minister; as a shadow minister; and, I think, for a while as a backbench member in opposition. In other words, I have known John from a number of perspectives in a number of different roles.

I have always enjoyed working with you, John; it has been an absolute pleasure. You gave advice without fear or favour but, most of all, there has always been room for a joke over a cup of coffee about some of the things we shared, including the impossible dream we both share — that is, trying to perfect a golf swing!

John plans to retire to Gippsland. I thought of you, John, when I was recently looking at Victoria’s weather maps. It has been warmer in Gippsland than throughout the rest of Victoria and I understand why you have chosen to live in that part of Victoria. The weather will be warmer, there will be more water and exercise for you down there and you will also be able to engage in your other love — fishing.
Knowing that you enjoy a good red, John, the only thing I cannot fathom is that I was under the impression the wineries down there were not that good! However, you will certainly get good advice from other people, and even a former Premier will support you in that regard.

One of the joys of coming to this place is that you get to meet some very interesting people or — dare I say in some sense — characters. Part of the joy of coming here is the staff you meet and whose company you enjoy as they provide support to members of Parliament. We have staff inside and outside this place — door staff, garden staff, House Committee staff and others I meet frequently and whose company I enjoy. We are always able to share good humour and a joke. John, you have always been one of those people and I will miss you. I wish you well in your retirement and in your golf and fishing expeditions.

Mr HAYWARD (Minister for Education) — I join with my parliamentary colleagues in thanking John Little very much for his help. John’s departure will be a great loss for this Parliament. Like other members who have spoken on this motion of thanks I have been greatly impressed by John’s professionalism and his extraordinary knowledge of parliamentary procedures. It has been a real joy working with you, John. One of the joys has been that you knew that when you asked John for advice, you could rely on it with total confidence; you never had to think about it again. That is a wonderful and real thing.

One of the criteria of a person’s greatness is the respect accorded by one’s peers in a range of areas. I have had the opportunity of meeting parliamentary officers in other parts of Australia, including Canberra, and, indeed, the United Kingdom. It is a universal theme that people speak of John Little with respect. That is very high praise indeed and a credit to him.

I know his life — particularly in his present task — has been demanding. We have all been very well served and we all owe you, John, a debt of gratitude for your commitment and contribution to this place. We will remember you well. We will miss you greatly, John, and I would like to join with other members of this place in again saying thank you, John, for all that wonderful help. I wish you the very best of good wishes for a long, happy and healthy retirement.

Mr RICHARDSON (Forest Hill) — I am pleased to be associated with the tribute being paid to John Little on his retirement after 27 years of service to this Parliament. The office of Clerk is ancient, honourable and exceedingly onerous. John has carried on the tradition of Clerks that has been established over many years. He has performed his duties and his service to this Parliament and its members with great distinction.

The office of Clerk requires its holder to be totally impartial and to provide fearless advice to whoever seeks it. It also requires absolute confidence on the part of members about the confidentiality of any conversation that may be held with the Clerk and confidentiality on the matters raised and the advice given. In all the years Mr Little has served this place he has kept to that tradition. Members from both sides of the house have sought his advice and have received that advice, which has always been correct. There has never been a question of any breach of the confidentiality which is fundamental to the relationship that exists between a Clerk and the members of the house.

I know you, Mr Speaker, would have benefited greatly from the advice provided to you in your high office by the Clerk and in the person of Mr Little; that advice would have been fearless and, invariably, correct.

Reference has been made to Mr Little’s interest in sport, but there has been one serious omission from the list of his many interests, and that is the sport of harness racing, an interest we share. I regret that I have not had an interest in some of the horses he has owned; I am equally grateful, on the other hand, that I have not had an interest in some of the horses he has owned.

He has served this Parliament with great distinction for many years. He has earned the respect of all members over those years, and I congratulate him on his record and wish him well in his retirement.

Mr STOCKDALE (Treasurer) — I would like to add one thing to the tributes that have been paid to John Little: he has been the Clerk for most of the time I have been a member of this house, and I am very grateful for his cool counsel. This job is a little unusual and when the Clerk has the greatest demand on him to be clear, cool and calm and not to become involved in the hurly-burly of the house that is the moment of greatest stress. It is a credit to John Little that during times when circumstances have been difficult for the Speaker and both sides of the
house he has sat there calmly giving impartial and invariably accurate advice, serving the house very well at its time of greatest need. I wish him well in his retirement and hope he keeps hitting them very long and straight!

Mr STEGGALL (Swan Hill) — I would like to add my word of thanks to John Little, to congratulate him on the manner in which he has carried out the task of Clerk of this house for so many years and to wish him well in his retirement.

The Treasurer mentioned the hurly-burly and heat of Parliament. I can remember one evening in 1989 when a little fluster came across John's face at about 11.30 when we were debating the infamous water bill. We were about to deal with approximately 700 amendments when the Clerks said, 'Mr Speaker, may we have time off to do the paperwork?', and we adjourned for 2 or 3 hours while the Clerks caught up with the many amendments. It was a fascinating evening and one we appreciated very much. The Clerks put in a prodigious performance that night dealing with all those amendments, and the number of changes we had to make after that was very few.

I add my thanks for his guidance, good counsel and assistance, particularly since I have looked after getting the legislation in, and I appreciate the work he has done to help me in that task, as well as his good counsel and friendly attitude. I wish him well for the future.

Mr REYNOLDS (Minister for Sport, Recreation and Racing) — I would like to add my remarks to those of all the previous speakers today. Mr Little was a constituent of mine until he saw fit to move to eastern Victoria, and I wish him and Helen every enjoyment in their retirement. I know the gymnasium may not get quite the attention the golf course will!

But beyond all that, while everybody has spoken of John's impartiality and ability to assist, provide great counsel and be a mentor, from my point of view — he lived in my electorate for almost all the time I have been here — it should be recorded and recognised that he has always been available to talk to community groups and service clubs on the processes of Parliament in a fair, unbiased way, as naturally you would expect — except that when I am in the audience he talks about his being the permanent one and my being the temporary one, and that is true.

He has been a great community-minded person and a great help to Sunbury and Gisborne. Whether it be at the golf club at Gisborne, where he was the captain and held other offices, or elsewhere, he never just enjoyed taking the fruits of membership, he always put a little back into the club or organisation. That was true of organisations his children were connected with when they were growing up and going to school in Sunbury and in Kyneton and, beyond that, the Gisborne fire brigade. We will miss you, John, but we wish you well.

Mr COOPER (Mornington) — I wish to add a tribute on the service of John Little to this Parliament. In doing so I draw the attention of the house to the fact that when I came here in 1985 the Clerk of the house was John Campbell, who retired a year or so later and was replaced by Ray Boyes who was replaced by John Little. These men had been Clerks at this place for a long time, and suddenly within the space of a few years we have lost two more Clerks. That says something about the quality of the Clerks or something about the quality of the membership of this house. I prefer to think it might be the latter rather than the former!

The way members of Parliament are elected and have to conduct their lives tends to make them somewhat introspective. We tend to see things from our point of view. Our horizon is usually a four-year one that extends from election to election. As we go through the stresses and strains of life as members of Parliament we tend to forget that our actions have effects that flow on to others. Although we may think the pressure is on us when Parliament is sitting, the pressures we impose on the Clerks are probably unknown to us. All members should appreciate that our actions have a flow-on effect, and the people who bear the primary brunt of those actions are inevitably the Clerks of this house.

I have appreciated the fair and impartial advice I have always received from John Little and his colleagues. His help will be missed by me and I am sure by all other members. One other time when I will miss John Little is at breakfast when the house is sitting. The Breakfast Club, as we have called it over the past six or seven years, has by and large dropped in numbers, but in recent times it has shrunk even more and in the sitting week it has come down to two or three old stagers — John Little and Robin Cooper being two of them — joined by a couple of others. I could always be sure that if I came to breakfast at about 8 o'clock in the morning, if I was not first, I would be immediately behind John Little.
We were both always there at breakfast. Apart from anything else, I will miss John Uttle for that.

But he will be enjoying his fishing and his golfing with his new set of Cobra clubs, which I hope work well for him, and all the other things he will be doing in Gippsland. I wish him well and he and his family good health.

The SPEAKER — I join with the Deputy Premier, the Leader of the Opposition and other honourable members in paying a tribute to John Uttle. As the Minister for Energy and Minerals has said, there is a very close association between the Speaker and the Clerk, and the Speaker has to rely very heavily indeed on the advice, integrity and honesty of the person who holds that office.

As other honourable members here have said, John's impartiality in giving advice to this institution and its members has been absolutely exemplary. I used to smile to myself when I heard some conversations. I would know he had given the government certain advice, and then he would advise the opposition, ignoring the advice he had already given to the government.

His advice was completely without fear or favour, without bias. That is something only peculiarly strong characters can bring to the job.

John has a great respect for the institution of Parliament as well as its members. The institution of Parliament is close to his heart. He is always mindful of the traditions of the Parliament and the appearance the Parliament has to have in a democratic society.

Mention was made of the terrible time we suffered in 1992, when the house sat terrible hours. It is strange that two developments have emerged from that. The strain on the health of members and, indeed, on the health of the Clerk — as honourable members know, he fell ill on the last day of those three sitting weeks — led to the Clerk being approached on how we could overcome the terribly long sitting hours.

The form we use now, whereby the business program is agreed to by the house virtually without exception, was masterminded by the Clerk, Mr Uttle. He did a tremendous amount of research and prepared a number of drafts in putting up a scheme acceptable to both sides of the house that would prevent the stresses of working long hours. I am sure all honourable members would join with me in expressing our gratitude, because in recent times we have enjoyed more civilised sitting hours compared to those we had in 1992.

Another interesting development arose from the 1992 sittings. As I have mentioned, it is well known that the Clerk was stressed after that three-week session. He looked so very miserable at the time. I am a little short of words! The sitting left him looking 'stressed out'. I was so sorry for him that I said, 'Here are the keys to my fishing house at Metung. Why don't you take off a couple of weeks?'. He did. He fell in love with Metung, and he bought a very nice house there. I have seen it; it has more lawns than Government House! How he will cut them, I do not know. I suppose that will give him plenty of exercise.

Mr Stockdale interjected.

The SPEAKER — His wife Helen no doubt will cut the lawns.

Mr Little has a couple of other attributes I envy. He has a marvellous ability during boring speeches from both sides of the house to sleep with his eyes open. There must be a magic spot somewhere near where the honourable member for Mordialloc is standing now. John focuses his eyes on that spot and is away with the birds. The platypus has the ability to close its ears when it dives into the water; I am sure the Clerk has the ability to close his ears and let some of the words uttered pass by him.

I am grateful to the house that it saw fit to pay such tributes to John Uttle. As under the standing orders he is unable to respond, I do so on his behalf. I am sure he is touched that the house has put aside this precious parliamentary time; I am sure he is flattered and humbled at the words offered by both sides of the house. I suggest we express our gratitude by acclamation.

Motion agreed to.

Remaining business postponed on motion of Mr W. D. McGrath (Minister for Agriculture).

ADJOURNMENT

Mr W. D. McGrath (Minister for Agriculture) — I move:

That the house do now adjourn.
Learning assessment program

Mr SANDON (Carrum) — Does the Minister for Education have full confidence in the learning assessment program (LAP); does he believes it is educationally sound; and is he prepared to express full confidence in the organisation that has designed the test?

The government and the education minister have introduced to our school system nothing more divisive than the LAP. It has put parents against parents, parents against teachers, principals against principals, principals against teachers, and school community against school community. There continues to be nothing more divisive to this day — and the government has introduced so many divisive measures.

LAP is something the minister wanted to introduce. He pushed and bullied and his parliamentary secretary endeavoured to ensure that all schools were involved. They blackmailed and they cajoled the schools. They did everything they could to ensure that it was introduced.

This week independent observers have undertaken an overview of LAP from a mathematical and literacy perspective to assess its value, and they have found it wanting. They suggested that it lacks credibility because it is not a true and accurate reflection of how children learn, and they also suggested that the way LAP was delivered to parents has not helped them understand how their children learn. The independent observers have so severely criticised the LAP test that I suggest it should be revamped.

Does the minister still have confidence in the test? Will the organisation that designed it continue to work on it? Will it continue to formulate the test? Will its contract be renewed next year? Can the minister assure the house that the LAP test is educationally sound?

Frankston Freeway: sound barriers

Mr McLELLAN (Frankston East) — I ask the Minister for Agriculture to direct to the attention of the Minister for Roads and Ports the installation of sound barriers along the Frankston Freeway. Work funded by the minister during the past financial year has been completed recently, and in a survey local residents who live along the freeway expressed their appreciation of that work. They appreciated the barriers from both the safety and noise perspectives.

However, much of the freeway does not have barriers.

The section between Frankston-Dandenong and Seaford roads and north of Seaford Road is yet to have barriers erected. I was recently in the area with a local resident and it appears that a similar situation occurs north of the Frankston-Dandenong Road intersection, where there is a pedestrian overpass. I believe the cost of the construction today would be approximately $2 million. It passes over the width of the freeway and provides people with a safe crossing, but local people have seen fit for reasons best known to themselves to cut holes in the fence alongside the overpass to allow them to cross the freeway.

One wonders at either the mentality or the fitness of these people — perhaps they are unable to walk up the ramp. The only way to cure the problem is to install more sound barriers of sufficient height to deter people from crossing the road.

What they are doing is a dangerous practice that should be brought to the attention of the media and local residents. The residents to whom I have spoken are in a similar predicament to householders who reside along other freeways — the edges of their houses are within 5 metres of the tarmac section of the Frankston Freeway.

I ask the minister to install more sound barriers along that section of the freeway given the barriers have the dual role of safety fences and reducing the noise of cars and trucks travelling along the freeway. Some sections of the freeway are not in my electorate, but I raise the issue because no amount of money saved is worth the life of a young person.

Upper Goulburn: tree clearing

Mr THOMSON (Pascoe Vale) — I direct the attention of the Minister for Natural Resources to the clearing of 60 trees along the bank of the Goulburn River near Molesworth. The clearing of these trees is a concern for all Victorians, especially as there is a significant koala habitat in the area. The Department of Conservation and Natural Resources has apparently approved the clearing of the trees. I am concerned that the department describes the trees as young saplings when some of them are 2 feet in diameter. I believe an enlightened approach to river management would require the retention of stream-side vegetation rather than straightening the bend of the river.
I understand lack of funding is the reason why the department has adopted a scorched-earth policy along the banks of the Goulburn River rather than the more expensive environmentally sensitive works.

Local residents have expressed concern about the prospect of the mature river red gums being bulldozed, with the loss of the koala habitat, as a result of the flood mitigation works proposed to be carried out by the Upper Goulburn Waterways Authority. I am concerned that the Murrindindi shire has granted a works permit for the clearing of the trees without advertising for public objections.

Local people are concerned about the proposal to bulldoze the trees. It appears that the department, in giving approval for this proposal to go ahead, does not understand the significance of the trees. Its description of them as saplings is inaccurate. Against that background I ask the minister to investigate the position his department has taken and, if appropriate, to organise an alternative method of dealing with the problem. It is evident that the installation of a rock wall would produce a better outcome than the one presently proposed by the Upper Goulburn Waterways Authority.

**Monash Medical Centre**

Mrs Peulich (Bentleigh) — I direct to the attention of the Minister for Health the Monash Medical Centre, which is a major hospital serving my electorate and a number of surrounding electorates. Over some months, and certainly over the parliamentary recess, our local papers have fairly keenly run a series of articles on the Monash Medical Centre based on some unpleasant experiences of a small proportion of people — certainly a small proportion given the total number of people treated at the hospital.

The articles have created some anxiety in the community, especially in my electorate which has a large number of aged constituents, it being the fourth highest in the number of people aged over 65. Many constituents who have required urgent care have commended the hospital and the care they have received. Nonetheless, a small number of genuine concerns have been fully investigated and, unfortunately, in some instances found to have been avoidable.

A small number of people have spoken to the press and a small number have contacted their local MPs, not so much about the treatment they have received — in fact they have gone out of their way to say it was good treatment — but to make a political point.

As a team of local, hardworking MPs, we have endeavoured to meet with departmental staff, ministerial staff and the CEO of the Monash Medical Centre. Recently we sought an appointment with the health care network chairman to discuss the concerns that have emerged. I suspect that many of the problems faced by the hospital have been caused by the amalgamation initiated by the Labor government in 1986 involving the Queen Victoria, Prince Henry's and Moorabbin hospitals and the Monash Medical Centre. In fact, the closure of the casualty department and many of the problems we still see now were experienced following that amalgamation and are largely evolutionary in nature.

I shall quote from an internal document given to me in 1991 by Mr David Edty from the Monash Medical Centre's emergency department dated 9 December. In forecasting the closure of the emergency department, it says:

> For these reasons, the emergency department at Moorabbin campus should either be closed or replaced with a different type of unit ...

These changes should occur after all adult beds have opened at Clayton because at present there is a critical bed shortage at Clayton and the emergency department is choked with patients awaiting beds. Some patients spend two or three days in the emergency department and their presence severely limits the department's ability to accept new urgent patients.

These problems have been longstanding. I ask the minister to clarify and investigate what practical measures can be taken to alleviate not only some of the problems that the hospital has been experiencing over some time, but also to alleviate community concerns. I hope the local press will report on the matter.

**Respite care: western suburbs**

Mr Bracks (Williamstown) — In the absence of the Minister for Community Services I direct to the attention of the Minister for Agriculture who is at the table a matter concerning the state of respite care in the western suburbs. In particular I shall refer to a report a Yarraville constituent, David Toms, sent to me. The report is a draft from the minister's department — namely, recommendations from the
respite review of August 1995. It was sent to parents in my electorate and across the western suburbs.

The draft report is quite disturbing if you look at the comparisons between regions and what support is given to respite care across Melbourne. For example, if you look at the western region of Melbourne, you will see it has about 159,000 children — that is, 20 per cent of children in the metropolitan area live in the area and yet it receives funding for only 4.9 per cent of beds. The report is suggesting it should receive a notional allocation of 21 per cent. I shall set out the comparison with the other regions: eastern region, 50 per cent of beds and a notional allocation of 29 per cent; northern region, 22 per cent of beds and a notional allocation of 20 per cent; southern region, 23 per cent of beds and a notional allocation of 31 per cent.

Clearly Mr Toms has a legitimate concern when only 4.9 per cent of the beds in the metropolitan area — or only five children beds — are provided in Melbourne's western suburbs. Mr Toms was driven to take up the matter with me and in turn would like the Minister for Community Services to investigate whether there should be a redistribution of respite care beds in the metropolitan area in favour of the western suburbs given the current small provision in that region.

Mr Toms’s concern is expressed best in a further note to me where he says:

The issue is one of fairness, balance and equality. The children and young adults (under 18) that are affected are unlikely to ever vote for you. That’s not an excuse not to try and help them. Because they are intellectually disabled they probably will not ever vote for anyone. They cannot mount campaigns for their cause, they cannot organise petitions. In fact they can do very little for themselves.

He obviously wants me to raise it in the house.

They need you, they need you to ask the hard questions in Parliament. Are you prepared to help them?

I ask the minister: who is in a position to help? What about the inequity involved in allocating only 4.9 per cent of the beds to the western suburbs when a draft report prepared by the minister's department says that 21 per cent of the beds should be given to the region? My constituent — —

The SPEAKER — Order! The honourable member’s time has expired.

Goulburn-Murray: water diversion

Mr KILGOUR (Shepparton) — I direct to the attention of the Minister for Natural Resources the problems that have come to light this winter in the Goulburn Valley as a result of various land-holders diverting water from natural watercourses.

When Parliament rose at the end of the autumn session Victoria was experiencing a drought. During the three-month recess the state had its wettest winter for some time. In those three months more than 11 inches of rain fell in my electorate, well over half the rain we normally get in a year. This has caused problems in the Goulburn Valley, where laser grading has caused massive changes in the way water is diverted from and runs off properties. Water now runs off properties and goes to particular spots more quickly than it did in the days before laser grading.

I ask the minister to examine the situation. As I understand it, the Water Act says that land-holders must not put banks across natural watercourses and that anyone affected by it can take the people who did it to court. I made representations on behalf of a number of land-holders to officers of the Rural Water Corporation — or Goulburn-Murray Water as it is now known. The officers said they would not become involved unless a bank affected a structure that belonged to Goulburn-Murray Water. I also talked to local council officers, who said they would not become involved unless the diversions of water led to problems with a shire road.

There is a problem with one case in particular. A land-holder has put up a bank which is about 1½ metres high and which has backed water onto the property of another land-holder and right into his yard. The affected land-holder cannot afford to employ legal counsel but if he loses the case he will lose his farm. The diversion of water onto other people’s properties is having serious consequences. I ask the minister to review the Water Act to see whether land-holders can be given some way of dealing with the situation caused by water being backed onto their properties as a result of the construction of illegal banks.

Taxis: driver licences

Mr HAMILTON (Morwell) — I raise a matter for the attention of the Premier in his self-appointed role as Minister for Taxis. On this morning’s radio the Premier said that any taxidriver found smoking on the job for the third time would lose his licence. The
issue I raise is far more serious than that, and I ask
the Premier to take note of the situation.

I refer to a series of letters written by a Ballarat
constituent and various ministers concerning Alan
Theodore and his being a suitable person to continue
to hold a taxi driver's licence. Part of a letter written
on 21 September 1993 by Mr Baxter, the Minister for
Roads and Ports, says:

Mr Alan Theodore

Police records reveal Mr Alan Theodore was convicted
at the Melbourne County Court on 1 February
1986 — —

Mr Coleman — On a point of order, Mr Speaker, the
matter being raised clearly concerns the
administration of the Minister for Roads and Ports,
whom the Minister for Public Transport represents
in this house. I understood the matter was to be
raised with the Premier. It would be more
appropriate if it were directed to the attention of the
Minister for Public Transport, given that he handles
matters such as this on behalf of the Minister for
Roads and Ports.

The SPEAKER — Order! I uphold the point of
order. I will take it that the member has been
addressing and will address his remarks to the
Minister for — —

Mr Hamilton — The matter is terribly serious; let's hope we get a good response. This person was
convicted of eight charges of armed robbery. He was
also convicted in the Magistrates Court at Ballarat
on 5 February 1987 of 43 charges of imposition, for
which a maximum sentence of four and a half years
was imposed. Vicroads was aware of the convictions
and its officers interviewed Mr Theodore and his
employers at length. The current regulation states
that no-one with a conviction punishable by a prison
sentence of six months or more can hold a taxi driver
licence, yet these were more serious convictions.

Another letter advises that the Minister for Roads
and Ports had indicated to the honourable member
for Ballarat East that there was no problem with
Mr Theodore holding a taxi driver certificate and
that the matter had been fully considered. I
understand the minister subsequently advised the
honourable member that there was no problem.
Subject to matters raised both externally and
internally Mr Theodore's licence was not revoked.

The matter is quite serious, given the stated
intention of the Premier and the government that the
taxi industry needs to be cleaned up. This matter
must be of great concern to every applicant for a
licence.

Buses: Nightrider

Mrs Elliott (Mooroolbark) — I raise a matter
for the attention of the Minister for Public Transport.
Late in 1992 when I was first in Parliament on one
occasion when the house sat all night, a member of
staff came to see me and told me some of my
constituents were in the public gallery. They were
young people who had come from the Metro
nightclub and were waiting for the first train to
Mooroolbark.

It takes approximately 50 minutes to drive to the city
from my electorate and it is difficult for many of my
constituents to come to the city for entertainment.
The introduction of the Nightrider bus service has
been of great assistance in that respect. However, the
service operates only on weekends.

As any parent of teenagers knows, Thursday night is
the night when young people go out. Many young
people from my electorate who like to come to the
city to visit the various nightspots in this area would
benefit from some extension of the Nightrider bus
service. Many other constituents of mine may wish
to frequent theatres and restaurants in the city, and
the entertainment offered at the casino — and it
would also benefit from an extension of the
service — and avail themselves of the service.

The service has been of inestimable value not only to
the residents of Croydon, Mooroolbark and
Chirnside Park but also to residents of areas further
out, who are represented by the honourable member
for Monbulk. It saves people who want to have a
drink when they are in the city from having to worry
about whether they can get home satisfactorily and
avoid the booze buses, which are almost inevitably
out on the Maroondah Highway and Canterbury Road in the evenings.

I ask the Minister for Public Transport whether it is
possible to extend the excellent Nightrider bus
service to operate not only on weekends but also
during the week to service the needs of people who
live in the outlying areas of Melbourne so that they
may avail themselves of the delights the capital city
has to offer, and which have been extended even
further by the current government.
ADJOURNMENT

Thursday, 7 September 1995

Western Region Centre for Alcohol and Drug Dependence

Ms GARBUIT (Bundoora) — I raise a matter for the attention of the Minister for Women's Affairs and ask her, on behalf of the women of Victoria, to take it up with the Minister for Health.

The Minister for Health has asked that the Western Region Centre for Alcohol and Drug Dependence change its model of service from a women-only service to a mixed-gender service. The service offers withdrawal beds as a statewide service for women who are drug dependent. One of the principal features of the service is that it assists women to access it by offering to care for their young children.

It has been shown that the lack of child care is one of the major obstacles to women seeking services for their drug or alcohol dependency. This service offers that assistance; it is recognised as the only one of its kind in Australia and as representing best practice in this area. Many of the women who use the service have been in or are in abusive relationships and have or have had partners who abuse alcohol and drugs. The safest and best way for those women to treat their addiction is in a women-only service.

This is another step in the destruction of women-specific health services. It follows from the forced integration of women's health centres into community health centres, where the focus on women and the ability to challenge the normal health services in the way that they deal with women and their problems will be lost. This is another step in ending those women-specific services.

The women's service at the Western Region Centre for Alcohol and Drug Dependence is a well integrated network with other communities and health services in the area and can help women and their children with ongoing support. The service works closely with child protection services to enable both women and children to receive effective care and support.

One of the most telling factors is that the occupancy rate for the women's service last year was 92 per cent. That is above the occupancy rate of the mixed gender service, which often refers women. It is obvious the service meets the needs that the mixed gender service does not.

Will the minister take up this issue with the Minister for Health in an endeavour to stop the change from occurring or at least to call a moratorium, because an independent evaluation of the service as well as a review by the department on existing drug and alcohol services is being undertaken? Those reviews should be assessed before this step is taken.

Radar detectors

Mr WELLS (Wantima) — I raise a matter for the attention of the Minister for Public Transport as the representative in this place of the Minister for Roads and Ports in another place. A constituent who lives in Wantima has written to me about a brochure that has been letterboxed from a West Australian company, Nelson Warehouse Direct. I do not pass any judgment on that company: it may be an excellent company, but it is in the business of shop-at-home, which is becoming more and more popular.

The concern of my constituent is that the brochure advertises radar detectors, and states:

You deserve a break!

Treat yourself to one less road hazard. Nelson Corp radar detectors are top of the range and undetectable. The units pictured are the best money can buy and imported direct from the manufacturer. Each one suits slightly different driving habits.

It goes on to list a range of different radar detectors. My concern is that under the Road Safety Act that is administered by the Minister for Roads and Ports it is illegal to own, sell, use or possess a radar detector in the state of Victoria. The problem is that this company is circumventing the current state laws by selling these radar detectors from Western Australia.

The brochure is obviously encouraging irresponsible people to purchase the radar units from Western Australia so that they may be installed in motor vehicles in Victoria. This is not what police throughout Victoria wish.

Recently I was informed that the police have detectors that will detect these radar detectors, and therefore the technology is advancing. The brochure states that the radar detectors are undetectable.

Will the Minister for Public Transport discuss with the Minister for Roads and Ports in another place whether he can amend the Road Safety Act to make it illegal to advertise the sale of radar detectors, and will he advise me on how best to inform my constituent of this complaint?
ADJOURNMENT

Responses

Mr HAYWARD (Minister for Education) — The honourable member for Carrum raised the matter of the learning assessment project. It is very important for us to understand that the learning assessment project is a diagnostic process for parents and for teachers. Essentially it does two things: it identifies certain areas where a child can move ahead more strongly, and at the same time it identifies the areas where a child needs improvement.

The learning assessment project is in line with worldwide thinking. For example, in the United Kingdom Mr Tony Blair of the opposition is very much in favour of rigorous assessment. The New South Wales and Queensland governments are strong on rigorous assessment, and it is interesting that inquiries from overseas and other parts of Australia about the learning assessment project have increased. The learning assessment project is a much more sophisticated approach than exists anywhere else. Unlike some systems that focus only on what are termed basic skills, the learning assessment project looks in a diagnostic way to a child’s strengths and weaknesses; it also involves a considerable amount of teacher assessment.

It is only the opposition here that is out of touch with the world. It has made a major political error in this simply because it takes its instructions from trade union officials and, as we know, trade union officials are not interested in students at all. This project is leading the world. It is a sophisticated program that has attracted worldwide attention and interest. The Board of Studies is now planning for the 1996 learning assessment project. It recognises that it is important, as in all new projects, to learn from the experience of the previous year.

The Board of Studies has had the benefit of extensive input from teachers who have indicated there are significant improvements that can be made based in the implementation of the learning assessment project. The Board of Studies is taking all that into consideration. It has already prepared a report setting out the proposed improvements. As in all aspects of the learning assessment project, the proposed improvements will be the subject of ongoing and extensive consultation with teachers.

Essentially the learning assessment project is the result of the teachers’ own suggestions and planning. The project will continue to serve students well and will continue to enjoy widespread community and parental support. It is a wonderful innovation that is receiving worldwide acclaim and recognition.

Mr BROWN (Minister for Public Transport) — A number of important issues have been raised for my attention in the adjournment debate today. The first matter concerns the member for Mooroolbark.

The honourable member for Mooroolbark has been an extremely efficient and cooperative member of Parliament as far as the Minister for Public Transport is concerned. She puts forward well-considered, mature requests in a forthright and well-rehearsed way. She has been very effective, not only in our party room, in making sure the viewpoints of our constituents are put forward, and in the way she performs her own work thoroughly before she puts up a proposal.

The honourable member for Mooroolbark has been impressing upon me for some considerable time now the very great support that constituents in her area, primarily young people, have given to the Nightrider bus service. The Nightrider bus service is an initiative of this government.

We now have Nightrider buses operating within an extended radius of Melbourne. At a very moderate cost they bring young people from the outskirts of Melbourne into the heart of the city and return them home safely on Friday and Saturday nights.

I am prepared to respond positively to the representations of the honourable member for Mooroolbark. It is with a degree of pride that I announce that the Croydon Nightrider bus service will commence a trial operation, and I expect that it should become permanent given the great support for the Friday and Saturday night services.

These after-midnight trips will commence on weekdays as from Monday, 18 September. That will be the first seven-days-a-week after-midnight public transport service in Melbourne in living memory. I understand this will be the first time ever in the region served by the honourable member that 24-hours-a-day, seven-days-and-nights-a-week public transport will be available. That service is a stunning success resulting from the work of the honourable member for Mooroolbark.

The new services will depart Melbourne at 1.30 a.m. and 3.30 a.m. Monday to Friday. They will service Kew, North Balwyn, Doncaster, Box Hill, Blackburn, Nunawading, Mitcham and Ringwood on the way to Croydon. A galaxy of stars in the form of other
honourable members as well as the honourable member for Mooroolbark will have their electorates serviced by that extended service!

The service will also operate from Croydon to Melbourne at 12.30 a.m. and 2.30 a.m. As a bonus it will operate from Crown Casino, providing casino patrons with the option of travelling home on public transport. This significant transport initiative is being introduced by Mount Dandenong Passenger Service Pty Ltd which, I might say, should be congratulated on its pro-active approach to this fine initiative.

The government put the Nightrider bus network to tender in May 1995. This is one of a number of initiatives introduced, amazing as it may seem, at no additional cost to the government. As I said, that bus firm is to be congratulated on this initiative.

As the house knows, other developments have included the extension of the Croydon route to service Montrose, Mooroolbark and Lilydale; the extension of the Werribee service and the introduction of a $2 local fare between Ringwood and Lilydale. A number of improvements have been introduced since the service commenced in May 1993.

I could go on at length about the stunning success of the Nightrider buses, but I shall limit my comment to concluding that the success of the service has been reflected in a spectacular 25 per cent growth in patronage in the second year of operation, with more than 82,000 passengers being carried on the system.

Nightrider has been a significant initiative. It has been well accepted by the youth of Melbourne, and in responding to my colleague's representations I point out that it represents a stunning coup for her as a member of Parliament.

The honourable member for Wantirna raised a concern about what he called a radar scam. It is illegal to own, sell, use or possess a radar detector in Victoria. This matter comes within the portfolio of the Minister for Roads and Ports in the other place. I will take this matter up with him, but in the interim I stress that anyone who buys such a device in this state will be breaking the law.

It is not a matter of the company finding a loophole. As I understand it — and I will confirm it with the Minister for Roads and Ports — a purchaser would be acting illegally by buying the product. It will be worse still if it is used by that purchaser because the police in Victoria have electronic devices to detect usage of such illegal items of equipment.

It would be folly for anyone to consider buying them. It appears to be a loophole and is something I am sure my colleague the Minister for Roads and Ports will be concerned about. I will ensure that these representations are responded to as soon as possible.

The honourable member for Morwell has brought to my attention an item that also falls within the portfolio of the Minister for Roads and Ports. He referred to what he sees as the unsuitability of a person to be licensed to drive taxis. That person is primarily operating in Ballarat. It would be of concern if anyone licensed to drive a taxi is offering anything but the highest standard of service or poses any sort of threat to passengers.

As the Premier's initiative has shown, this government is establishing — and has in large measure established — a world-class public taxi system for Victoria as a result of changes that have been made. I will ensure that the Minister for Roads and Ports in the other place is made aware of the matter and gives it further consideration.

I point out to the house that it appears from what the honourable member for Morwell said that Mr Theodore's suitability to drive taxis was questioned in 1989. That appears in documents in the possession of the honourable member for Morwell. That was in the time of the former Labor government. Nevertheless, regardless of when that gentleman was originally licensed the issue of his having a string of prior convictions has now been raised, and some of them are serious. On that basis the matter should be raised expeditiously with the Minister for Roads and Ports.

The honourable member for Frankston East referred to noise barriers along the Frankston Freeway. Again, that is a matter that falls within the portfolio of my colleague the Minister for Roads and Ports in another place. This government is setting out to rectify the wrongs of the past. What were considered by the former government to be good roads in fact created inconvenience to the community as they have simply locked up traffic in areas in what is known as the South Eastern Car Park, which should be the South Eastern and Mulgrave freeways. We want these roads to be world-class freeways. I will raise the matter with my colleague and ensure that an answer is provided in the shortest possible time.
Mrs TEHAN (Minister for Health) — The honourable member for Bentleigh raised with me a complex matter involving the Monash Medical Centre and concerns recently expressed regarding the demands on the centre, especially the emergency services. Monash Medical Centre is one of the busiest hospitals in the state and is certainly one of the busiest in Melbourne. The number of patients treated has increased. In 1994-95 there was a 15 per cent increase in the number of patients treated. In 1993-94 the centre treated approximately 45,000 patients, and that number increased to 52,000 the following year. The honourable member for Bentleigh rightly indicated that demands have been imposed on this hospital from its very earliest days.

The honourable member has made available to me a document, dated 9 December 1991, entitled 'Emergency department planning document', which was prepared in the latter years of the Labor government. Curiously enough, Mrs Ann Barker, a government member at the time, was on the board of the Monash Medical Centre. The 1991 planning document concerns the emergency department, which is primarily the area the honourable member for Bentleigh has drawn to my attention. It states:

... the emergency department at Moorabbin campus should either be closed or replaced with a different type of unit. The preferred option is to replace it with a facility run directly by the division of surgery and designed to give basic initial treatment to patients referred in for admission to Moorabbin, to review patients with complications of treatments received at Moorabbin, and to provide urgent medical cover to in-patients after hours. Current medical, nursing and ancillary staff of Moorabbin's emergency department should be relocated to Clayton's emergency department.

Since 1991 the need to address the demands placed on the emergency department has been recognised. At the time Ann Barker believed one of the best ways of dealing with the problem was to transfer the emergency department in total to the Clayton campus. That was done in the subsequent year, or around that time. The demand on the service has continued to increase. I share the concerns of the honourable member for Bentleigh.

Ms Garbutt interjected.

Mrs TEHAN — No, it was planned well before this government came to office, as the document I have just quoted makes clear. Board member Ann Barker in 1991 strongly proposed that it be closed.

I suggest that the Monash Medical Centre probably did not proceed because of a fair amount of pressure from Ann Barker at the time; the centre was not prepared to make the necessary planning decisions. One of the reasons why as a matter of practice I do not have members of Parliament on boards of hospitals is the political pressure they exert, as was the case with Ann Barker.

Emergency services are now based at the Clayton campus. I share the concern of the honourable member for Bentleigh and other honourable members from that area about emergency department patient complaints in the first part of this year. Across the system there has been pressure on emergency departments, as there always will be. That pressure oscillates between extreme highs and lows. For that reason in February 1995 the government allocated additional funding to emergency departments, setting up a series of criteria aimed at improving their patient throughput. It is an incentive arrangement: if ambulance bypass figures decline, if waiting times decline and if triage is done properly, hospitals are rewarded. There are incentives and payments across the board for hospitals able to operate their emergency departments according to predetermined criteria accepted by the state hospital system.

The Chief Executive Officer of Monash Medical Centre, Mr Stoelwinder, wrote to me on 14 August, indicating initiatives the hospital had taken to address the concerns raised by the honourable member. Those concerns are reflected in letters I have received. I met with the CEO on 14 August. At that meeting he set out a number of initiatives aimed at improving the care component of the Monash emergency department and, more importantly, reducing the delays manifest in the department.

I called at the emergency department of the Monash Medical Centre approximately 10 days ago and was most impressed with the improvements that have taken place, even in a short period. A new 20-bed ward that services patients from the emergency department only has been opened.

In the past when new beds were opened in wards they were quickly occupied by patients of the specialists who work in those wards, by those who had had elective surgery or by other surgical or medical patients. However, this ward is designated for emergency patients only, which has markedly relieved the congestion in the emergency department.
The chief executive officer introduced me to two most impressive staff members, a doctor and a nurse who have been charged with reviewing the procedures in the emergency department. They have introduced a number of initiatives that have dramatically smoothed the problems that were becoming apparent in the department. I was impressed by the practical focus those two people applied to improving the system. My only regret is that the review and the opening of the ward had not taken place six months earlier. This is a major improvement, as are the other initiatives introduced in the emergency department.

I have noted a reduction in the number of complaints and I am convinced that the emergency department is operating more efficiently, which is pleasing because Monash is one of our major and newest hospitals. It was designed and purpose built as an emergency centre. There is no reason why, with a proper focus, the centre should not run as well as other hospitals in the system despite the pressures and demands placed upon it.

As the honourable member for Bentleigh said, and as I have illustrated, there has been pressure in this area for many years, back to at least 1991. I am pleased that those pressures are being addressed. All the evidence shows a marked improvement in patient numbers, quality of care and the focus on improvements in that department. I commend the management and staff, and I am confident that the situation will continue to improve.

Mr JOHN (Minister for Community Services) — The honourable member for Williamstown raised the important matter of respite care for people with intellectual disabilities in the western suburbs. I share his concern. Respite care is most important for families who have a member with an intellectual disability. I had read about the concerns in the western suburbs following the publication of Mr Toms’s letter in the Age, and as a result I called for a general briefing and urgent action by my department. I assure the honourable member that urgent action has been taken, and I shall communicate further with him when I have further information.

Mr COLEMAN (Minister for Natural Resources) — The honourable member for Bundoora raised with the Minister responsible for Women’s Affairs the problem of the Western Region Centre for Alcohol and Drug Dependence. I will refer the matter to the minister for her direct response to the honourable member for Bundoora.

The honourable member for Pascoe Vale raised the removal of some stream-side vegetation at Molesworth. The history of the matter is that the former Upper Goulburn River Management Authority sought to do some stream straightening work, not some flood mitigation work. It is not flood mitigation work at all. At that point the Goulburn River is subject to some deep meanders, and on the inside of one meander, where the property in question is located, there has been a large deposition of material, which has led to severe erosion outside the bend, which has the potential to create an island in the Goulburn River.

One of the ways of dealing with it is to remove some of the deposited material and allow the stream to take a more natural course. The continual erosion of the banks of the Goulburn River is creating turbidity on the bends, and it is for that reason that the authority has sought to rectify the matter.

In the time between the approval and the undertaking of that work, the Upper Goulburn River Management Authority and the North Central Waterways Management Board were amalgamated to form the Upper Goulburn Waterways Authority. Following representations from the property owner and me the proposal was re-evaluated to ensure the process took account of the vegetation. The self-sown river red gums in the deposited material are of mixed ages. They are said to be a koala habitat, but there are a significant number of red gums in the area that also provide that habitat.

If the work is not done an island will be created in the Goulburn River, which will have the long-term effect of continued sedimentation and increased turbidity. The new authority has sought to review all the approval processes with the intention of ensuring that no-one is disadvantaged. The authority will complete its study in due course, and I will reconsider its recommendations. At its most recent meeting the authority said that no work would proceed until the matter was resolved.

The honourable member for Shepparton raised with me the issue of levee banks and the effect of the laser grading being carried out throughout the Goulburn-Murray and other irrigation areas. Laser grading, which has been done not only as part of the salinity mitigation works but to ensure that we make the best use of irrigation water, is leading to the faster passage of water during periods of high rainfall. One of the effects is that throughout the Goulburn Valley water is finding its way onto land that has not previously been subjected to...
inundation. To ease the situation, property owners have on their own volition erected levee banks around the affected land.

The greater part of the irrigation area of Shepparton is on a flood plain, and there is only a given amount of space on that plain to cater for flood movement. Each levee bank that is erected affects other property owners as the water is diverted. As the honourable member for Shepparton pointed out, the issue has occupied the minds of many people during the winter months. I have said that the Water Act will be reviewed to ensure that the sections dealing with flood plain management are written in terms similar to those in the former Drainage of Land Act, which allowed natural flows to be maintained.

The levee banks are affecting the natural water flow, notwithstanding the fact that laser grading is occurring. In some areas the passage of water is being denied by the erection of levee banks.

A review is currently being carried out which will possibly lead to some minor amendments to the Water Act and which will pick up sections of the Drainage of Land Act. The problem was particularly difficult to cope with during the current winter and I hope before the next winter season we will have a resolution, and that the legislation will have been amended.

Motion agreed to.

House adjourned 5.45 p.m. until Tuesday, 3 October.
Answer to question no. 8
(Question No. 1)
Dr COGHILL asked the Minister for Industry and Employment:
In respect of question on notice no. 8 given in the first session of the 52nd Parliament — (a) when the question was brought to his attention for response; (b) why there was such a delay in providing a response?

Mr GUDE (Minister for Industry and Employment) — The answer is:
(a) Question no. 8 appeared on Notice Paper No. 26 on 25 November 1993.
(b) There is no time limit for answering questions in the Legislative Assembly.

Youth affairs: travel and training
(Question No. 56)
Mr LONEY asked the Minister responsible for Youth Affairs:
Whether the minister will provide full details, including cost, of interstate and overseas travel, and training programs undertaken by himself and officers of each department, agency and authority within his administration since 3 October 1992; if not why?

Mr HEFFERNAN (Minister responsible for Youth Affairs) — The answer is:
The cost and burden on government do not justify a detailed response to this question.
The member is referred, however, to the department's annual reports which contain details of travel and training programs.

Small business: travel and training
(Question No. 57)
Mr LONEY asked the Minister for Small Business:
Whether the minister will provide all details, including cost, of interstate and overseas travel, and training programs undertaken by himself and officers of each department, agency and authority within his administration since 3 October 1992; if not why?

Mr HEFFERNAN (Minister for Small Business) — The answer is:
The cost and burden on government do not justify a detailed response to this question.
The member is referred, however, to the department's annual reports which contain details of travel and training programs.
Police and emergency services: advertising

(Question No. 77)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration, what the details are of all advertising undertaken since 3 October 1992 to date, indicating — (a) date of approval for each contract; (b) cost of each contract; (c) purpose of advertisement; (d) duration of advertisement; (e) where and when each advertisement was published or broadcast; and (f) to whom each contract was awarded?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Corrections: advertising

(Question No. 78)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration, what the details are of all advertising undertaken since 3 October 1992 to date, indicating — (a) date of approval for each contract; (b) cost of each contract; (c) purpose of advertisement; (d) duration of advertisement; (e) where and when each advertisement was published or broadcast; and (f) to whom each contract was awarded?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Gaming: advertising

(Question No. 89)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, what the details are of all advertising undertaken since 3 October 1992 to date, indicating — (a) date of approval for each contract; (b) cost of each contract; (c) purpose of advertisement; (d) duration of advertisement; (e) where and when each advertisement was published or broadcast; and (f) to whom each contract was awarded?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The time and resources required to provide the detailed information sought cannot be justified. However I am prepared to consider a more focused and specific question on this issue, should you so ask.

Police and emergency services: capital works in Dandenong, Cranbourne and Berwick

(Question No. 109)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each of the electorates of Dandenong, Cranbourne and Berwick, respectively since 3 October 1992 to date, what the details are of all capital works conducted, and new programs authorised, including — (a) project funded; (b) expenditure approved; (c) date funding approved; and (d) expected completion dates?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is that four projects were undertaken, as set out below.
Corrections: capital works in Dandenong, Cranbourne and Berwick

(Question No. 110)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each of the electorates of Dandenong, Cranbourne and Berwick, respectively since 3 October 1992 to date, what the details are of all capital works conducted, and new programs authorised, including — (a) project funded; (b) expenditure approved; (c) date funding approved; and (d) expected completion dates?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member’s question is that no capital works have been conducted in the electorates of Dandenong, Cranbourne and Berwick since 3 October 1992 to date.

Gaming: capital works in Dandenong, Cranbourne and Berwick

(Question No. 121)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each of the electorates of Dandenong, Cranbourne and Berwick, respectively since 3 October 1992 to date, what the details are of all capital works conducted, and new programs authorised, including — (a) project funded; (b) expenditure approved; (c) date funding approved; and (d) expected completion dates?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

The Victorian Casino and Gaming Authority or its predecessors, the Victorian Gaming Commission and the Victorian Casino Control Authority, have not funded or approved any capital works projects in the electorates of Dandenong, Cranbourne and Berwick since 3 October 1992.

Police and emergency services: alcohol purchases

(Question No. 141)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase — (a) the date; (b) the value; and (c) the item?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member’s question is set out below.
All the information to answer the honourable member’s question is not readily accessible. However a manual search of available departmental records which specified alcohol purchases, and covering the period 3 October 1992 to 8 December 1994, was carried out for alcohol purchased by the Minister for Police and Emergency Services and the Minister for Corrections. This search disclosed the following identifiable expenditure listed on the attached page.

**ATTACHMENT**

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<tr>
<th>DATE</th>
<th>DETAILS</th>
<th>VALUE: $</th>
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<td>13.10.92</td>
<td>Beer, wine and spirits</td>
<td>137.82</td>
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<td>14.10.92</td>
<td>Guinness</td>
<td>33.63</td>
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<td>Beer</td>
<td>40.00</td>
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<td>19. 3.93</td>
<td>Champagne and beer</td>
<td>107.90</td>
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<td>Alcohol (detail not specified)</td>
<td>72.00</td>
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<tr>
<td>22. 6.93</td>
<td>Guinness and whisky</td>
<td>158.62</td>
</tr>
<tr>
<td>22. 6.93</td>
<td>Alcohol (detail not specified)</td>
<td>34.80</td>
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<tr>
<td>29.10.93</td>
<td>Whisky</td>
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</tr>
<tr>
<td>16. 3.94</td>
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<td>6. 9.94</td>
<td>Wine</td>
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<td>2. 8.94</td>
<td>Beer and wine</td>
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<td>15. 9.94</td>
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<td>18.10.94</td>
<td>Beer</td>
<td>164.91</td>
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<td><strong>TOTAL</strong></td>
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<td><strong>1082.34</strong></td>
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**Corrections: alcohol purchases**

(Question No. 142)

Mr PANDAZOPOULOS asked the Minister for Corrections:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase — (a) the date; (b) the value; and (c) the item?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member’s question is set out below. All the information to answer the honourable member’s question is not readily accessible. However a manual search of available departmental records which specified alcohol purchases, and covering the period 3 October 1992 to 8 December 1994, was carried out for alcohol purchased by the Minister for Police and Emergency Services and the Minister for Corrections. This search disclosed the following identifiable expenditure listed on the attached page.

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<td>Wine</td>
<td>6.00</td>
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QUESTIONS ON NOTICE

Tuesday, 5 September 1995

ASSEMBLY

2. 8.94 Beer and wine 125.44
15. 9.94 Beer and wine 68.88
29. 9.94 Alcohol (detail not specified) 34.45
18.10.94 Beer 164.91

TOTAL 1082.34

Gaming: alcohol purchases

(Question No. 153)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

Since 3 October 1992 to date, what the details are of all alcohol purchased by the minister or his office, indicating, in respect of each purchase — (a) the date; (b) the value; and (c) the item?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

My office has not purchased any alcohol since 3 October 1992.

Small business: entertainment expenses

(Question No. 166)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister’s office; and (b) itemised details of all expenditure in excess of $500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

(a) 1992-93 1993-94 1994-95
Minister’s Office 1203 2766 2474
Department 3407 1945 1490
Small Business Victoria 1316 4501 2731
Liquor Licensing Commission 873 551 109

(b)
(i) 15 September 1994
(ii) $970
(iii) 140 guests
(iv) Launch of First Place location for Small Business Victoria.
(v) Michael Jack Catering.

Save for the above item, the cost and burden on government do not justify a detailed response to this question.

Police and emergency services: entertainment expenses

(Question No. 174)

Mr PANDAZOPOULOS asked Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister’s office; and (b) itemised details of all expenditure in excess of $500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?
Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:
I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Corrections: entertainment expenses

(Question No. 175)
Mr PANDAZOPOULOS asked the Minister for Corrections:
In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister’s office; and (b) itemised details of all expenditure in excess of $500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr McNAMARA (Minister for Corrections) — The answer is:
I am informed that the time and resources required to answer a detailed question of this nature are not available. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

Gaming: entertainment expenses

(Question No. 186)
Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:
In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister’s office; and (b) itemised details of all expenditure in excess of $500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:
The time and resources required to provide the detailed information sought cannot be justified. However I am prepared to consider a more focused and specific question on this issue, should you so ask.

Small business: publications

(Question No. 198)
Mr PANDAZOPOULOS asked the Minister for Small Business:
In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr HEFFERNAN (Minister for Small Business) — The answer is:
The cost and burden on government do not justify a detailed response to this question. The member is referred, however, to the department’s annual reports which contain listings of the publications produced.
Police and emergency services: publications

(Question No. 206)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that a considerable amount of detail on publications is provided in the Department of Justice's annual report.
However, the time and resources required to answer the question in the detail required are not available. The honourable member may wish to narrow his inquiry and I will reconsider my response.

Corrections: publications

(Question No. 207)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that a considerable amount of detail on publications is provided in the Department of Justice's annual report.
However, the time and resources required to answer the question in the detail required are not available. The honourable member may wish to narrow his inquiry and I will reconsider my response.

Arts: publications

(Question No. 218)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all publications produced, indicating in each case — (a) the title; (b) the date of issue; (c) details of distribution, including numbers and cost; (d) the number printed; (e) the cost of production; (f) the purpose of production; (g) who it was printed by; and (h) whether tenders were called?

Mr McNAMARA (Minister for Corrections) — The answer supplied by the Minister for Gaming is:

The time and resources required to collate and provide extensive details of each publication produced within the administration of the Victorian Casino and Gaming Authority cannot be justified and the information requested is unavailable in the format requested. The following information is provided in respect of the publications produced:


ii. All departmental publications are quoted or tendered for according to the prevailing provision of the Financial Management Act 1994, the Financial Management (Amendment) Act 1994 and the Victorian Government Purchasing Board supply policies and guidelines.
Small business: stress-related leave

(Question No. 230)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

For the ministry of small business and youth affairs:

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<td>(a)</td>
<td>29</td>
<td>Nil</td>
<td>6.5</td>
</tr>
<tr>
<td>(b)</td>
<td>$4630</td>
<td>Nil</td>
<td>$1038</td>
</tr>
<tr>
<td>(c)</td>
<td>172</td>
<td>153</td>
<td>125</td>
</tr>
</tbody>
</table>

For Small Business Victoria there has been no stress-related leave taken by any of the staff of 47 employees.

Police and emergency services: stress-related leave

(Question No. 238)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member’s question is set out below. The Occupational Health and Safety Unit in the Department of Justice has aggregated data only on the Department of Justice and the fully funded agencies in the portfolio and this is listed below. It should be noted that the aggregated information covers the department and the agencies for the five portfolios, namely police and emergency services, corrections, Attorney-General, fair trading and women’s affairs.

Aggregated data for the Department of Justice and fully funded agencies

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of days taken</th>
<th>Estimated cost</th>
<th>Total number of staff in section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct 92-Sep 93</td>
<td>1771</td>
<td>290 001.82</td>
<td>Departmental programs 5209 staff</td>
</tr>
<tr>
<td>Oct 93-Sep 94</td>
<td>1975</td>
<td>740 534.56</td>
<td>Departmental programs 4557.5 staff</td>
</tr>
<tr>
<td>Oct 94-Dec 94</td>
<td>281</td>
<td>1 169 757.30*</td>
<td>Departmental programs 4486.5 staff</td>
</tr>
</tbody>
</table>

* The period in question included one ‘serious injury’ claim. Such claims are estimated for costs until the normal retirement age of the claimant and consequently can have estimates that exceed $1m

To provide separate information on the Department of Justice and each fully funded agency would require an extensive manual search of records which is beyond the time and resources available in the department. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

A breakdown of information can be provided for the Country Fire Authority, the Metropolitan Fire Brigades Board and the Victoria Police headquarters and is listed below:

Country Fire Authority

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of days taken</th>
<th>Estimated cost</th>
<th>Total number of staff in section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct 92-Mar 95</td>
<td>0</td>
<td>3300.19</td>
<td>Operations: 440</td>
</tr>
<tr>
<td>Oct 92-Mar 95</td>
<td>0</td>
<td>1142.30</td>
<td>Domestic: 20</td>
</tr>
</tbody>
</table>
QUESTIONS ON NOTICE

Tuesday, 5 September 1995

Metropolitan Fire Brigades Board, Melbourne

Oct 92-Mar 95  24  4960.00 Total staff: 1950

Victoria Police Headquarters Personnel

Oct 92-Mar 95  58 139  8 389 201.00  12 233

(less GIO compensation)

- 4 817 231.00 = 3 571 970.00

Corrections: stress-related leave

(Question No. 239)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member’s question is set out below. The Occupational Health and Safety Unit in the Department of Justice has aggregated data only on the Department of Justice and the fully funded agencies in the portfolio and this is listed below. It should be noted that the aggregated information covers the Department and the agencies for the five portfolios, namely police and emergency services, corrections, Attorney-General, fair trading and women’s affairs.

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<th>Estimated cost</th>
<th>Total number of staff in section</th>
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<td>1975</td>
<td>740,534.56</td>
<td>Departmental programs 4575.5 staff</td>
</tr>
<tr>
<td>Oct 94-Dec 94</td>
<td>281</td>
<td>1 169 757.30*</td>
<td>Departmental programs 4486.5 staff</td>
</tr>
</tbody>
</table>

* The period in question included one ‘serious injury’ claim. Such claims are estimated for costs until the normal retirement age of the claimant and consequently can have estimates that exceed $1m.

To provide separate information on the Department of Justice and each fully funded agency would require an extensive manual search of records which is beyond the time and resources available in the department. However, the honourable member may wish to narrow his inquiry and I will reconsider my response.

A breakdown of information can be provided for the Country Fire Authority, the Metropolitan Fire Brigades Board and the Victoria Police headquarters and is listed below:

Country Fire Authority

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of days taken</th>
<th>Estimated cost $</th>
<th>Total number of staff in section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct 92-Mar 95</td>
<td>0</td>
<td>3300.19</td>
<td>Operations: 440</td>
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<tr>
<td>Oct 92-Mar 95</td>
<td>0</td>
<td>1142.30</td>
<td>Domestic: 20</td>
</tr>
</tbody>
</table>

Metropolitan Fire Brigades Board, Melbourne

Oct 92-Mar 95  24  4960.00 Total staff: 1950

Victoria Police Headquarters Personnel

Oct 92-Mar 95  58 139  8 389 201.00  12 233

(less GIO compensation)

- 4 817 231.00 = 3 571 970.00
QUESTIONS ON NOTICE

Arts: stress-related leave

(Question No. 242)
Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services, for the Minister for the Arts:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer supplied by the Minister for the Arts is:

Information regarding stress-related leave awarded to staff in three of the agencies within my administration is provided on the table below. All other agencies within my administration reported that no stress-related leave was awarded during the specified period.

It should be noted that it is not possible to provide statistics on stress-related leave other than under Workcover as the type of illness is not required to be specified on a doctor’s certificate for sickness leave.

It is impossible to give the total number of staff in any section as staff numbers have fluctuated in the period indicated. An average of staff numbers over this period has been provided.

<table>
<thead>
<tr>
<th>Agency</th>
<th>Number of days leave taken</th>
<th>Number of incidents of stress</th>
<th>Estimated cost</th>
<th>Average number of agency staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Museum of Victoria</td>
<td>30</td>
<td>1</td>
<td>$2,891.55</td>
<td>300</td>
</tr>
<tr>
<td>National Gallery of Victoria</td>
<td>527</td>
<td>3</td>
<td>$49,426.55</td>
<td>210</td>
</tr>
<tr>
<td>Department of Arts, Sport and Tourism — Corporate Resources</td>
<td>2</td>
<td>1</td>
<td>$222.80</td>
<td>62</td>
</tr>
</tbody>
</table>

Gaming: stress-related leave

(Question No. 250)
Mr PANDAZOPOULOS asked Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration for each year from 3 October 1992 to date, respectively, what the details are of all stress related leave, indicating in the case of each section — (a) the number of days taken; (b) the estimated cost; and (c) the total number of staff in the section?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

No stress related leave has been taken by staff of the Victorian Casino and Gaming Authority or its predecessors, the Victorian Gaming Commission and the Victorian Casino Control Authority, since 3 October 1992.

Police and Emergency Services: media research and public opinion polling

(Question No. 271)
Mr PANDAZOPOULOUS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October, 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?
Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member’s question is that four surveys were undertaken, as set out on the attached pages.

**ATTACHMENT**

**POLICE AND EMERGENCY SERVICES**

<table>
<thead>
<tr>
<th>Police and Strategic Development Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Title: Youth Perceptions of Crime</td>
</tr>
<tr>
<td>(b) Date: Commenced October 1994</td>
</tr>
<tr>
<td>(c) Cost: $86 250.00</td>
</tr>
<tr>
<td>(d) Personnel: REARK RESEARCH Pty Ltd</td>
</tr>
<tr>
<td>(e) Tenders: Five tenders assessed</td>
</tr>
<tr>
<td>(f) Recommendations: Analysis still in progress</td>
</tr>
<tr>
<td>(g) Actions taken: To be determined</td>
</tr>
</tbody>
</table>

**Background:** Commissioned by the Interdepartmental Committee on Crime Prevention and Community Safety (chaired by the Chief Commissioner of Police) and funded through the Community Safety and Crime Prevention Grants Program, the survey will assist in formulating the Victorian Youth Crime Prevention Strategy.

<table>
<thead>
<tr>
<th>Police and Strategic Development Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Title: Victorian Crime and Safety Survey</td>
</tr>
<tr>
<td>(b) Date: Commenced 1994</td>
</tr>
<tr>
<td>(c) Cost: $96 800</td>
</tr>
<tr>
<td>(d) Personnel: Australian Bureau of Statistics</td>
</tr>
<tr>
<td>(e) Tenders: Project proposal/funding agreement</td>
</tr>
<tr>
<td>(f) Recommendations: A briefing to the Minister; further analysis in train</td>
</tr>
<tr>
<td>(g) Actions taken: Leaders’ Forum commitment to 1995 Survey</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Victoria State Emergency Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Title: Victoria’s Emergency Management Arrangements Community Awareness Survey</td>
</tr>
<tr>
<td>(b) Date: Commenced 1994</td>
</tr>
<tr>
<td>(c) Cost: Approximately $8000.00</td>
</tr>
<tr>
<td>(d) Personnel: VICSES staff on behalf of State Emergency Management Community Awareness Committee (SEMCAC)</td>
</tr>
<tr>
<td>(e) Tenders: Survey utilised VICSES staff and resources</td>
</tr>
<tr>
<td>(f) Recommendations: Analysis of responses still in progress</td>
</tr>
<tr>
<td>(g) Actions taken: Dependant on results of survey</td>
</tr>
</tbody>
</table>

**Background:** VICSES has recently developed a community awareness survey program which has been circulated to 1100 homes in 10 selected areas in Victoria. The purpose of this survey is to identify shortfalls that exist in community disaster awareness and to develop and document future planning strategies to assist the community to cope with natural disasters.

<table>
<thead>
<tr>
<th>Country Fire Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Title: Community Awareness Study (Melbourne Fringe Eastern Bushland Suburbs)</td>
</tr>
<tr>
<td>(b) Date: Approved: 1 April 1994</td>
</tr>
<tr>
<td>(c) Cost: $11 000.00</td>
</tr>
<tr>
<td>(d) Personnel: Mr W Berryman, Advertising Officer, CFA Ms L Smith, The Open Mind Research Group</td>
</tr>
<tr>
<td>(e) Tenders: No</td>
</tr>
<tr>
<td>(f) Recommendations: (See below)</td>
</tr>
<tr>
<td>(g) Actions taken: (See below)</td>
</tr>
</tbody>
</table>
To increase the awareness of residents in bushfire-prone suburbs to fire risk. (This was carried out in a press and radio campaign in the 1994-95 season. Television, which had been used in earlier campaigns, was not used due to poor ratings in January.)

Dissemination of information should take place at community meetings. (Special efforts have been made in areas of high fire danger to use this process to disseminate information.)

Encourage groups of residents to consider fire issues. (‘Community Fireguard’ projects have been established in some areas covered by the research project.)

Criticism emerged regarding the volume of copy information and content of some advertisements in the media. (These matters will be noted in any future campaign development.)

**Corrections: media research and public opinion polling**

(Question No. 272)

Mr PANDAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member’s question is that no media research or public opinion polling has been undertaken by the Correctional Services Division.

**Gaming: media research and public opinion polling**

(Question No. 283)

Mr PANDAZOPOULOS asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October, 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mrs WADE (Attorney-General) - The answer supplied by the Minister for Gaming is:

(a) Community Gambling Patterns
(b) 11 August 1993; commenced January 1994; completed January 1995
(c) $55,775
(d) AGB McNair
(e) Yes
(f) The research provided information on Community Gambling Patterns. No recommendations were made.
(g) The Minister approved the release of the report by the Victorian Casino and Gaming Authority.

**Police and emergency services: credit cards**

(Question No. 303)

Mr PANDAZOPOULOS asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration, whether he will provide full details of the use of credit cards by himself, ministerial staff and departmental heads since 3 October 1992, indicating in the case of each card holder — (a) the spending limit; (b) the type of authority required for purchase; (c) criteria for issue and usage; (d) total entertainment expenses, including — lunches, dinners and alcohol; and (e) a list of all instances where expenditure exceeded $200 per account, including — (i) the amount; (ii) the number of guests; (iii) the purpose of the function; (iv) the name of the service provider; and (v) the date of service?
Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

The Minister for Police and Emergency Services and the Minister for Corrections was issued with a credit card in July 1994 but had not used it at the time this question was asked on 8 December 1994. The ministerial staff have not been issued with credit cards.

Minister for Police and Emergency Services and Minister for Corrections:

(a) $5000.00
(b) and (c) Government and departmental guidelines, as attached.
(d) No expenditure
(e) No expenditure

The information for the departmental head has been included with this response.

The information covers the position of the Secretary to the Department of Justice for the period from 3 October 1992 until 31 December 1994.

Secretary to the Department of Justice:

(a) $10 000.00
(b) and (c) Government and departmental guidelines, as attached.
(d) $500.20
(e) No expenditure over $200 per account.

Corrections: credit cards

(Question No. 304)

Mr PANAZOPOULOS asked the Minister for Corrections:

In respect of each department, agency and authority within his administration, whether he will provide full details of the use of credit cards by himself, ministerial staff and departmental heads since 3 October 1992, indicating in the case of each card holder — (a) the spending limit; (b) the type of authority required for purchase; (c) criteria for issue and usage; (d) total entertainment expenses, including — lunches, dinners and alcohol; and (e) a list of all instances where expenditure exceeded $200 per account, including — (i) the amount; (ii) the number of guests; (iii) the purpose of the function; (iv) the name of the service provider; and (v) the date of service?

Mr McNAMARA (Minister for Corrections) — The answer is:

The Minister for Police and Emergency Services and the Minister for Corrections was issued with a credit card in July 1994 but had not used it at the time this question was asked on 8 December 1994. The ministerial staff have not been issued with credit cards.

Minister for Police and Emergency Services and Minister for Corrections:

(a) $500.00
(b) and (c) Government and departmental guidelines, as attached.
(d) No expenditure
(e) No expenditure

The information for the departmental head has been included with this response.

The information covers the position of the Secretary to the Department of Justice for the period from 3 October 1992 until 31 December 1994.

Secretary to the Department of Justice:

(a) $10 000.00
(b) and (c) Government and departmental guidelines, as attached.
(d) $500.20
(e) No expenditure over $200 per account.
Premier: ethnic business organisations

(Question No. 338)

Mr LONEY asked the Premier:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr KENNETT (Premier) — The answer is:

My office has received three requests from the Hellenic Australian Chamber of Commerce and Industry (HACCI) for support from myself and my government to its proposed participation at the Helexpo Trade Fair in Greece this year. The HACCI was notified earlier this year that the Victorian government would also participate at the Helexpo Fair and that all available resources would be allocated towards the Victorian exhibition. I would also like the honourable member to be aware that as Premier, I have received numerous invitations from various ethnic business organisations and similar bodies to attend their functions, of which, I attend those that my schedule allows.

Ethnic affairs: ethnic business organisations

(Question No. 339)

Mr LONEY asked the Minister for Ethnic Affairs:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr KENNETT (Minister for Ethnic Affairs) — The answer is:

The Hellenic Australian Chamber of Commerce and Industry (HACCI) did apply for funding under the Victorian Ethnic Affairs Commission's Small Grants Program (1994-95). The application was unsuccessful, as it was of low priority according to the commission's Funding Advisory Committee. According to the records of the Victorian Ethnic Affairs Commission, no other ethnic business organisation has applied for funding under the Small Grants Program since 3 October 1992.

Industry and employment: ethnic business organisations

(Question No. 340)

Mr LONEY asked the Minister for Industry and Employment:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr GUDE (Minister for Industry and Employment) — The answer is:

(a) The department does not maintain a specific register of requests for assistance from ethnic groups and it is therefore not possible to fully answer this question. However, the following instances have been identified where assistance has been provided:

(b) Bendigo Chinese Association Museum Inc.
An application for financial assistance was supported to help finalise building plans for the museum project. A grant of $3868 was given in June 1993.

Consulate General of the People's Republic of China
Ongoing non-financial support has been provided to identify suppliers and assist in general trade matters.

China Jiangsu International Economic & Technical Cooperation Corporation
Non-financial support had been provided for several projects including a Chinese garden project in the Docklands and a homemaker centre project.
Hong Kong/Taiwan
The Hong Kong Business Association invited the department’s General Manager — Asia to address the association on 5 June 1995. The invitation was accepted.

Special Markets
In response to a request by the American Chamber of Commerce in Australia, the department’s General Manager — Industry Sectors and Government Supply (formerly General Manager — Europe and North America), has become a member of the chamber’s International Trade Committee.

Italian Chamber of Commerce and Industry
In September 1993 a request was made for names of Victorian food processing companies to invite to CIBUS’94 International Food Exhibition which was held in Palma, Italy. Details of several Victorian companies were forwarded to the chamber.
In February 1994 a request was made for specialised information on a range of industry sector activities for various regional authorities in Italy. Information provided.
In November 1994 a request was made for brochures, pamphlets and videos for an investment program, ‘Seminar on Australia’ held in Genoa, Italy November 1994.

Italian Trade Commission, Sydney, NSW
In November 1994 a request was made for assistance to identify heat dried food processors. Assistance was provided in that a Victorian company was identified.

Australian/British Chamber of Commerce
In December 1993 financial assistance of $5120 was provided to research and publish the ‘Survey of British Investment in Australia’

Australia-Korea Chamber of Commerce and Industry
In July 1994 the chamber requested Victorian government support for the forming of a sister relationship between Victoria and Pusan, Korea. Response noted the chamber’s interest and that the Department of the Premier and Cabinet and Department of Business and Employment were considering such a relationship in conjunction with the Victorian government’s representative in Seoul. This relationship was ultimately formed in November 1994.

Australian India Chamber of Commerce
In March 1993 A grant of $3500 was provided to the Australian India Chamber of Commerce to participate in the Indo-Australian Golf Expo ’93. Seven Victorian companies each received $500 as part of the promotion in New Delhi, Bangalore and Bombay.
In November 1994 a subsidy of $500 was presented to the National Centre for South Asian Studies to launch a video production entitled ‘The India Connection: Textiles and Fashion’.

Chinese Professional Business Association
On 13 October 1994 the Department of Business and Employment participated in a ‘East meets West’ function involving:
Chinese Professional Business Association
Federation of Chinese Associations
Jasper International Group
The following assistance was provided:
– Contribution of $1500 to ACM (Australian Chamber of Manufactures), the lead agency organiser.
– In my capacity as Minister for Industry and Employment, I fulfilled the role of keynote speaker.

Hellenic Australian Chamber of Commerce and Industry
In 1995 the chamber applied for funding under the Target Innovation Program. The funding application was unsuccessful.

Japanese Consulate
The consulate is regularly provided with information on investment and trade issues in Victoria.

Japan Chamber of Commerce in Melbourne
The department provides the Japan Chamber of Commerce in Melbourne with an ongoing supply of information for its member companies. It works together on the Victorian Government Japan Business Forum. This forum was initiated to enable Japanese executives to discuss business related topics directly with myself.

Japan Society of Victoria
The department’s Japan manager is a member of the business subcommittee and regular contributor to the society.

Australia-Japan Economic Institute
The department is a regular supplier of information to this Japanese government sponsored organisation in Sydney.
Japan External Trade Organisation (JETRO)

This department works very closely with JETRO to strengthen the economic ties between the two countries. The department has cooperated with JETRO on trade fairs, missions, buying specialists and joint marketing programs aimed at placing more Victorian companies into the Japanese market.

Asia Link Circle

This group of young Victorians have a strong interest in Asian markets. The Japan program has assisted them by providing speakers and assistance at some of their functions.

Cherry Tree Planting

A group of Australian and Japanese volunteers needed assistance in raising funds to plant a cherry tree grove. Victorian government participation was coordinated by the Department of Business and Employment.

Turkish Community Group

A request has been received from a Turkish group looking to establish a new business venture. General business advice provided. No financial assistance was involved.

Public transport: legal advice

(Question No. 342)

Mr THOMSON asked the Minister for Public Transport:

What the cost was of the legal advice provided to the Public Transport Corporation by two legal firms referred to by the minister during the adjournment debate on Wednesday, 22 March 1995?

Mr BROWN (Minister for Public Transport) — The answer is:

The cost of legal advice provided to the Public Transport Corporation in relation to the automated ticketing contract cannot be supplied. The contract for legal services with the corporation is in the process of being tendered and disclosure of the legal costs at this time may adversely impact the current tendering process.

Occupational health and safety: enforcement statistics

(Question No. 344)

Mr MICALLEF asked the Minister for Industry Services:

1. Whether the minister will provide details of the number of prohibition and improvement notices processed in each OHSA zone, issued for each of the financial years 1991-92, 1992-93 and 1993-94?

2. Whether the minister will provide details of the number of actions to prosecute that have been taken by the Central Investigation Unit for each of the financial years, 1991-92, 1993-94, indicating — (a) the number of prosecutions finalised; (b) the number of prosecutions that failed; (c) the number of prosecutions outstanding between six months and 12 months, and 12 months and longer; and (d) the number of prosecutions dropped or not proceeded with?

Mr PESCUOTT (Minister for Industry Services) — The answer is:

I advise that the answers to the above questions are set out below:

1. Number of workplace visits, improvement and prohibition notices by zone.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Zone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Workplace Visits</td>
<td>13379</td>
<td>14293</td>
<td>16360</td>
</tr>
<tr>
<td>Audit Visits</td>
<td>0</td>
<td>2</td>
<td>694</td>
</tr>
<tr>
<td>Inspectors Observations</td>
<td>1147</td>
<td>2069</td>
<td>3365</td>
</tr>
<tr>
<td>Prohibition Notices</td>
<td>496</td>
<td>244</td>
<td>318</td>
</tr>
<tr>
<td>Improvement Notices</td>
<td>1394</td>
<td>1146</td>
<td>936</td>
</tr>
<tr>
<td>Workcover Claims</td>
<td>24397</td>
<td>18472</td>
<td>12121</td>
</tr>
</tbody>
</table>

| Eastern Zone           |         |         |         |
| Total Workplace Visits | 15708   | 26359   | 34164   |
| Audit Visits           | 0       | 0       | 203     |
## QUESTIONS ON NOTICE

**Tuesday, 5 September 1995 ASSEMBLY 195**

<table>
<thead>
<tr>
<th>Inspectors Observation</th>
<th>971</th>
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**Western Zone**

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### 2. Prosecution Action Taken

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<td>Outstanding prosecutions* (6 months)</td>
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<tr>
<td>Outstanding prosecutions* (from 6 to 12 months)</td>
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<tr>
<td>Outstanding prosecutions* (more than 12 months)</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Prosecutions not proceeded with or withdrawn</td>
<td>93</td>
<td>14</td>
<td>0</td>
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*The time frame for 'prosecutions' is considered to be from the date of the incident to the date the prosecution is determined in court. During this time, there is a comprehensive investigation and relevant charges are issued in each prosecution. Once the charges are issued by HSO Victoria the relevant court has control from the time that the matter is listed to the final prosecution outcome. In the normal course of events this time frame for all prosecution exceeds 12 months.

1. One case involved charges of manslaughter and was the subject of a conviction in the Supreme Court.
2. In one case the magistrate's decision was appealed to the Supreme Court and referred back to the Magistrates' Court with a direction to convict on the principal charge. In another the magistrate struck out all charges, ruling the inspector had not been validly appointed; the decision was appealed to the Supreme Court and upheld subsequently, gaining a conviction.
3. In nine cases all charges were withdrawn due to a Supreme Court decision that the Dangerous Goods (Transport) Regulations (under which the charges were laid) were ruled invalid. These regulations have since been validated.
4. One case also involved a charge of manslaughter that was subsequently withdrawn by the Director of Public Prosecutions.

### Education: ethnic school grants

*(Question No. 345)*

Mr MICALLEF asked the Minister for Education:

Whether the minister will provide details of the after hours ethnic schools program and the material production grant program, respectively for each of the financial years 1991-92, 1992-93, 1993-94, and 1994-95 to date, indicating — (a) the total number of applications; and (b) a list of organisations funded and the amount allocated to each applicant?
Mr HAYWARD (Minister for Education) — The answer is:

(a) Per capita funding through the after hours ethnic school program is provided on a calendar year basis and not on a financial year basis. The Directorate of School Education has only had responsibility for this funding since the 1992 calendar year. All applicants for funding under this program have been funded in the years 1992 to 1994. Applications for 1995 are still being processed. Grants to ethnic schools for materials development were made available for the first time in 1994. A total of 35 applications were received, of which 34 were funded. The one unsuccessful application was not able to be considered because it was submitted late and after all the funding allocations had been finalised.

(b) Lists of organisations funded under the per capita grant scheme for each year from 1992 to 1994 and for materials development grants for 1994 have been made available to Mr Micallef.

Melbourne University: student progress

(Question No. 349)

Dr COGHILL asked the Minister for Education, for the Minister for Tertiary Education and Training:

Further to his answer to question on notice, no. 335 received on 22 May 1995, whether the answer demonstrates that the University of Melbourne maintains records indicating — (i) the school system of origin of school leaver commencements in the faculties of law and medicine in 1994; and (ii) the successful completion of first year studies in those programs; if so — (a) whether these two records could be used to provide the actual number and percentage of school leaver commencements originating from each school system who successfully completed first year studies; and (b) whether the information has been withheld because it demonstrates relatively lower rates of successful completion of first year studies by school leaver commencements originating from independent schools?

Mr HAYWARD (Minister for Education) — The answer supplied by the Minister for Tertiary Education and Training is:

(a) The university does now hold information on the ‘school system of origin’ on its student records database. The university’s student records database does contain information on the ‘school attended’ for a portion of its students. These are students selected through the Victorian Tertiary Admissions Centre (VTAC) system who were enrolled in Victorian certificate of education studies in the previous year.

(b) As part of its normal management process, the university does monitor the student progression rates by courses year 1 to year 2.

(c) The university does not attempt to correlate data relating to student progression rates with date for ‘school attended’. Given the incomplete nature of this data, it has not appeared a worthwhile exercise; and

(d) Neither the Faculty of Law nor the Faculty of Medicine, Dentistry and Health Sciences had undertaken an analysis of this nature in respect of students with their respective faculties.

Melbourne University: student progress

(Question No. 350)

Dr COGHILL asked the Minister for Education, for the Minister for Tertiary Education and Training:

Whether the University of Melbourne undertook research indicating that amongst school leaver commencements in the Faculty of Veterinary Science, prior to the current intake arrangements, the rate of successful completion of first year studies was relatively lower amongst those originating from independent schools and within that cohort was significantly lower in respect of certain schools; if so, what were the numbers and percentages involved?

Mr HAYWARD (Minister for Education) — The answer supplied by the Minister for Tertiary Education and Training is:

(a) No research was undertaken of the school system of origin of students completing first year of the Bachelor of Veterinary Science course prior to the current intake arrangements for veterinary science.

(b) Informal records were maintained of the school attended by students appearing before the faculty unsatisfactory progress committee. No attempt was made to assess this date against the school attended of the total cohort of students selected into the course in each year.

(c) Since the introduction of the new course structure, statistics have been maintained by the Faculty of Veterinary Science on the school of origin of students selected and of progression rates. There are as follows:
### QUESTIONS ON NOTICE

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<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Government</td>
<td>45</td>
<td>37</td>
<td>40</td>
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<td>Catholic</td>
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<td>31</td>
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<td>27</td>
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<tr>
<td>Progression rate</td>
<td>96%</td>
<td>98%</td>
<td>96%</td>
<td>98%</td>
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</table>

(d) Given the high progression rate and the small intake to the BVSc course, there has appeared to be little value in analysing the school of origin of students in the course.

### Public transport: employee uniforms

(Question No. 351)

Mr THOMSON asked the Minister for Public Transport:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr BROWN (Minister for Public Transport) — The answer is:

**Department of Transport:**

1. A uniform is provided to the Ministerial Transport Officer (MTO) employed in the department on duties relating to the public transport portfolio.
2. Paul Mason Pty Ltd.
3. The provision of uniforms for MTO's were arranged by the Department of the Premier and Cabinet at the time that MTO's were administered by the department. I understand that the supplier was selected on the basis of price, quality and as a Victorian or Australian manufacturer.

4 & 5 I am advised that inquiries were made as to whether outworkers were used in the production of uniforms and assurances were given that this was not the case. Suppliers are required to meet statutory and legal requirements relating to the services being provided. The Victorian Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable Award wages and conditions.

**Public Transport Corporation (PTC):**

The PTC has provided the following information:

1. There are approximately 4552 employees across the PTC entitled to some form of uniform clothing.
2. Working Images Pty Ltd is the sole source of supply of uniform clothing for the PTC.
3. The Public Tendering Process was used to select the successful tenderer — Working Images.
4. The PTC was aware that the uniforms were to be manufactured by Can't Tear 'Em Pty Ltd, the parent company of Working Images Pty Ltd; with the exception of knitwear and socks which are manufactured by Resatex Pty Ltd and John Brown Hosiery Pty Ltd respectively.
5. All suppliers to the PTC are required to meet statutory and legal requirements relating to the services being provided. The Victorian Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable Award wages and conditions.

### Industry and employment: employee uniforms

(Question No. 353)

Mr THOMSON asked the Minister for Industry and Employment:
QUESTIONS ON NOTICE

In respect of each department, agency and authority within his administration:
1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr GUDE (Minister for Industry and Employment) — The answer is:
1. One
2. Paul Mason Pty Ltd  J. Boag Clothing P/L  W.B.J. Knitwear
   648 Nicholson St   104-110 Albert St   158 Burgundy St
   North Fitzroy Brunswick Heidelberg
3. The suppliers were originally selected on the basis of price, quality and as a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether outworkers are used in the production of uniforms and assurances have been given by each that this is not the case.
5. The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any federal awards.

Youth affairs: employee uniforms

(Question No. 355)

Mr THOMSON asked the Minister responsible for Youth Affairs:
In respect of each department, agency and authority within his administration:
1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr HEFFERNAN (Minister responsible for Youth Affairs) — The answer is:
No employees are supplied with uniforms or part uniforms.

Small business: employee uniforms

(Question No. 356)

Mr THOMSON asked the Minister for Small Business:
In respect of each department, agency and authority within his administration:
1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?
Mr HEFFERNAN (Minister for Small Business) — The answer is:

No employees are supplied with uniforms or part uniforms.

Community services: employee uniforms

(Question No. 357)

Mr THOMSON asked the Minister for Community Services:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by
   outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that
   recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that
   exploits outworkers?

Mr JOHN (Minister for Community Services) — The answer is:

1. The time and resources required to collate and provide details of how many individual departmental employees
   are supplied with uniforms cannot be justified as the information is not readily available.
   I am, however, able to advise that departmental expenditure for the eleven month period ending 23 June 1995 totals
   $237 176 for staff clothing and footwear as coded within the department’s chart of accounts. It should be noted
   that this total includes protective clothing which is significant in a department of this size and operation
   however, such clothing is not generally defined as uniform.
   Details also exclude external agencies including public hospitals, ambulance service, etc. for which details are not
   available within the department.
2. The attached listing details suppliers who have provided staff clothing/footwear (including protective clothing
   items).
3. A competitive process is undertaken to determine suppliers in accordance with the Financial Management Act and
   the supply policies and guidelines of the Victorian Government Purchasing Board.
4. I am not aware of any investigations being undertaken by this department or within the Victorian government
   regarding the use of outworkers under conditions of gross exploitation, including child labour. Companies
   manufacturing in Australia are regulated by federal and state legislation and I have been advised there are
   considerable difficulties in enforcing or investigating workplace practices when items are manufactured
   overseas.
5. To date, no consideration has been given to an 'ethical sourcing policy', however, I have been advised that the
   Victorian Government Purchasing Board, expects to develop a comprehensive contracting policy for issue to
   all departments and this provision may be incorporated, together with standard clauses to the effect that
   manufacturers are to comply with award wages and conditions.

ATTACHMENT

<table>
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<tr>
<th>Myer Knox City</th>
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<tr>
<td>Neat n Trim Uniforms</td>
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<td>Target Australia</td>
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<tr>
<td>Reilloc Pty Ltd</td>
<td>Uniform Boutique</td>
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Note: Some uniform/protective items have also been purchased through the use of the government corporate card — however, the time and resources required to detail individual transactions/suppliers is not available.

Premier: employee uniforms

(Question No. 358)

Mr THOMSON asked the Premier:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr KENNETT (Premier) — The answer is:

In respect of each department, agency and authority within my administration the answer is:

1. Uniforms or part uniforms are provided to:
   a. Department of the Premier and Cabinet: Twelve employees (12 ministerial transport officers).
   b. Office of the Governor: Twelve employees (2 drivers, 5 stewards/house attendants and 5 house attendants/stewards).

2. The uniforms and part uniforms are provided by the following companies:
   a. Department of the Premier and Cabinet:
      i. Paul Mason Pty Ltd,
      ii. J. Boag (Clothing) Pty Ltd, and
      iii. W. B. J. Knitwear
   b. Office of the Governor:
      i. Fairmark Pty Ltd,
      ii. Fletcher Jones and Staff Pty Ltd,
      iii. Travellers Apparel Pty Ltd, and
      iv. Free and Easy Uniforms

3. Suppliers were originally selected on the basis of price, quality and Victorian or Australian manufacture. Verbal quotes are periodically obtained.
4. Inquiries have been made of each supplier as to whether outworkers are used in the production of uniforms, and assurances have been given by each that this is not the case.
5. The government takes every step to ensure that it does not, in any way, support any organisation that exploits outworkers. In the event that the department enters into a supply contract for uniforms a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards, would be included.

No employees have been supplied with uniforms within the Offices of the Public Service Commissioner, Auditor-General, VicCare or the Office of the Ombudsman.

Ethnic affairs: employee uniforms

(Question No. 359)

Mr THOMSON asked the Minister for Ethnic Affairs:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by
   outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that
   recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that
   exploits outworkers?

Mr KENNETT (Minister for Ethnic Affairs) — The answer is:
No employees have been supplied with uniforms within the Office of Ethnic Affairs.

Agriculture: employee uniforms

(Question No. 360)

Mr THOMSON asked the Minister for Agriculture:

In respect of each department, agency and authority within his administration:
  1. How many employees are supplied with uniforms or part uniforms?
  2. Which company or companies supply these uniforms or part uniforms?
  3. What process is used to determine which company or companies supply these uniforms?
  4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by
     outworkers under conditions of gross exploitation, including by child labour?
  5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that
     recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that
     exploits outworkers?

Mr W. D. McGRA TH (Minister for Agriculture) — The answer is:

Summary details about uniforms purchased by departments, agencies or authorities within the Agriculture portfolio
are provided.

Note: Within the agriculture portfolio only the Department of Agriculture, Energy and Minerals, the Melbourne
Market Authority and the Victorian Dairy Industry Authority supply uniforms for employees. Information
provided about the Department of Agriculture, Energy and Minerals relates to the agriculture portfolio
component of the department.

Department of Agriculture, Energy and Minerals
  1. Approximately 100 employees are supplied with uniforms, being quarantine inspection services staff,
     market inspection staff and the minister’s chauffeur.
  2. The following companies supplied uniforms or part uniforms: Paul Mason Sires Pty Ltd; Fairmark; Roger
     David; Spicer Sports Wear; Euroa Clothing Company; Bella Knitwear; Tee Dee; and Neat and Trim.
  3. Suppliers are selected on the basis of their ability to supply. Competitive quotations are obtained and
     purchases made in accordance with Victorian Government Purchasing Board, interim supply policy
     1.3.
  4. There has been no conclusive department or Victorian Government Purchasing Board investigation of
     this nature. Companies manufacturing in Australia are regulated by federal and state legislation and there
     are considerable difficulties in enforcing or investigating workplace practices when uniforms are
     manufactured overseas.
  5. The Victorian Government Purchasing Board recommends that all supply contracts contain a clause to the
     effect that manufacturers are to comply with the terms of individual and collective employment
     agreements and any applicable federal awards. The board expects to develop a comprehensive
     contracting policy for issue to all departments in the next few months and provisions about ethical
     sourcing are likely to be incorporated.

Melbourne Market Authority
  1. Fourteen staff are supplied with uniforms or part uniforms.
  2. The following companies supply uniforms or part uniforms: Mike Treloar (uniforms); Solomon Brothers
     (uniforms); Holeproof (socks); Fletcher Jones (uniforms); and All Safe Industries (safety shoes).
  3. Companies are selected to supply uniforms or part uniforms on the basis of written quotations from
     prospective suppliers.
  4. All suppliers are Australian companies. Companies manufacturing in Australia are regulated by state and
     federal legislation.
5. The companies from whom the Authority sources its uniforms are well-known Australian companies. The authority is not aware of where these companies source their specific clothing lines.

Victorian Dairy Industry Authority

1. A total of eighteen quality assurance officers have been supplied with uniforms by the authority.
2. The current uniform supplier is Cushen Clothing Co Pty Ltd, 102 Mahones Road, Thomastown, 3074.
3. Cushen Clothing was selected by the authority on the basis of quality and value for money.
4. No investigation of working conditions of the supplier was undertaken by the authority as Cushen Clothing is a local manufacturer and is bound by federal and state Legislation.
5. The authority has no specific policy in regard to 'ethical sourcing', however, it is guided by the Victorian Government Purchasing Board which recommends that all uniform supply contracts contains a clause that binds manufacturers to comply with state and federal employment laws.

Planning: employee uniforms

(Question No. 364)

Mr THOMSON asked the Minister for Planning:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr MACLELLAN (Minister for Planning) — The answer is:

Plumbers Gasfitters and Drainers Registration Board

1. Twenty-nine employees.
2. TD Noon Sales.
3. The company was selected on the basis of its reputation.
4. No. However, prior to ordering an inspection of the company’s facilities was completed by the board’s executive officer, who understands that the garments are made in the company’s premises in Tullamarine and Albury.
5. No.

Planning Division

1. Seven employees. As a ‘one off’ trial.
2. Hilton Stores.
3. Lowest tenderer.
4. No.
5. No.

Industry services: employee uniforms

(Question No. 366)

Mr THOMSON asked the Minister for Industry Services:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an ‘ethical sourcing policy’, such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?
Mr PESCOIT (Minister for Industry Services) — The answer is:

1. One.
2. Paul Mason Pty Ltd  J. Boag Clothing Pty Ltd  W.B.J. Knitwear
   648 Nicholson St 104-110 Albert St 158 Burgundy St
   North Fitzroy Brunswick Heidelberg
3. The suppliers were selected on the basis of price, quality and being a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether out workers are used in the production of uniforms. Each supplier has assured the outworkers are not used.
5. The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause requiring manufacturers to comply with the terms of individual and collective employment agreements and any federal awards.

Sport, recreation and racing: employee uniforms

(Question No. 367)

Mr THOMSON asked the Minister for Sport, Recreation and Racing:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr REYNOLDS (Minister for Sport, Recreation and Racing) — The answer is:

SRV Camps

1. 20 staff have been issued with uniforms consisting of windcheaters and polo shirts.
2. Dinkum Sweats, 41 North Valley Road, Highett, Victoria.
   (Due to the widespread practice of subcontracting within the textile and clothing industry, it is difficult to ascertain the actual manufacture of some uniforms.)
3. Telephone quotations were obtained.
4. 2 camp managers have visited the manufacturing outlet.
   (Companies manufacturing in Australia are regulated by federal and state legislation. There are considerable difficulties in enforcing or investigating workplace practices when uniforms are manufactured overseas.)
5. No consideration has been given to this to date.

SRV Regional Offices

1. 10 secretaries in regional offices were provided with uniforms approximately 7 years ago. These are now aged stock and are no longer required as uniform.

SRV Corporate Activities

1. 63 staff purchased for use in corporate promotional activities a package of sports clothing bearing the SRV logo on each item.
   Items purchased through the social club included:
   71 packs of tracksuit, T-shirt and shorts;
   6 polo shirts;
   1 pair of resort shorts.
3. The supplier is a Victorian based company was chosen on the recommendation of SRV's marketing consultant, based on price and quality.
4. No investigations have been undertaken.
5. No consideration was given to this.
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Victorian AUSSIE SPORT Campaign
Uniforms for the Victorian AUSSIE SPORT campaign are funded by the Australian Sports Commission and the Victorian Health Promotion Foundation.
1. Each member of staff employed by SRV who has direct involvement in service delivery is provided with a uniform. Total of 16 staff.
2. These uniforms are supplied by Haywood Sports (East Doncaster).
3. At least 3 quotations are obtained and each company is asked to supply sample items in order to assess quality.
4. No investigations have been undertaken.
5. No consideration has been given to this to date.

Koorie Young Persons Sport and Recreation Development Program.
Uniforms for the Koorie Young Persons Sport and Recreation Development Program are funded by ATSIC.
1. Each member of staff employed by SRV who has direct involvement in service delivery is provided with a uniform. Total of 10 staff.
2. These uniforms are supplied by Ross Haywood Sports (Ringwood).
3. 3 quotations are obtained. Both price and quality are taken into account.
4. No investigations have been undertaken.
5. No consideration has been given to this to date.

Volunteer Involvement Program
1. 1 uniform is provided by the Australian Sports Commission.
1-5. [No information.]

Victorian Institute of Sport
1. All coaches (30), some staff (10) and all scholarship athletes (400) are supplied with clothing identifying them as associated with the VIS.
2. The main companies currently used are Kea Australia and Play-a-Round Clothing.
3. Companies are awarded purchase orders following an evaluation based primarily on price, quality, availability and Australian content.
4. An officer has visited sites and has seen that no such exploitation occurs.
5. No formal consideration has been given to this to date.

Health: employee uniforms

(Question No. 370)

Mr THOMSON asked the Minister for Health:

In respect of each department, agency and authority within her administration:
1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an ‘ethical sourcing policy’, such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs TEHAN (Minister for Health) — The answer is:

1. The time and resources required to collate and provide details of how many individual departmental employees are supplied with uniforms cannot be justified as the information is not readily available.
I am however, able to advise that departmental expenditure for the eleven month period ending 23 June 1995 totals $237,176 for staff clothing and footwear as coded within the department’s chart of accounts. It should be noted that this total includes protective clothing which is significant in a department of this size and operation however, such clothing is not generally defined as uniform.
Details also exclude external agencies including public hospitals, ambulance service, etc. for which details are not available within the department.
2. The attached listing details suppliers who have provided staff clothing/footwear (including protective clothing items).
3. A competitive process is undertaken to determine suppliers in accordance with the Financial Management Act and the supply policies and guidelines of the Victorian Government Purchasing Board.

4. I am not aware of any investigations being undertaken by this department or within the Victorian government regarding the use of outworkers under conditions of gross exploitation, including child labour. Companies manufacturing in Australia are regulated by federal and state legislation and I have been advised there are considerable difficulties in enforcing or investigating workplace practices when items are manufactured overseas.

5. To date, no consideration has been given to an ‘ethical sourcing policy’, however, I have been advised that the Victorian Government Purchasing Board, expects to develop a comprehensive contracting policy for issue to all departments and this provision may be incorporated, together with standard clauses to the effect that manufacturers are to comply with award wages and conditions.

ATTACHMENT

| Myer Knox City | S. Morecroft Shoes |
| Neat n Trim Uniforms | Safeman Australia |
| Oliver & Stevens Pty Ltd | Sanross Trading |
| P.B. Shoes | Scottish Pacific Business |
| Panther's Mensland | Sensational Seconds Shoes |
| Pascoe Vale Sportscene | Sim's Sports Store |
| Platypus Outdoors | Solway Clothing |
| Positive Wholesale | Speeds Shoes |
| Primac Associations Pty Ltd | Sports Power Sunbury |
| Protector Safety Pty Ltd | State Supply Service |
| Rarity Shoes | Sussan Corp |
| Rays Disposals Tent City | Target Australia |
| Reilloc Pty Ltd | Uniform Boutique |
| Robinsons Mensland | Willard Clothing |
| Rodney Mark Pty Ltd | Williams the Shoeman |
| Rogues | Wittens Australia |

Note: Some uniform/protective items have also been purchased through the use of the government corporate card — however, the time and resources required to detail individual transactions/suppliers is not available.

Regional development: employee uniforms

(Question No. 377)

Mr THOMSON asked the Minister for Police and Emergency Services, for the Minister for Regional Development:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an ‘ethical sourcing policy’, such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr GUDE (Minister for Regional Development) — The answer is:

1. One
2. Paul Mason Pty Ltd  J. Boag Clothing P/L  W.B.J. Knitwear
648 Nicholson St  104-110 Albert St  158 Burgundy St
   North Fitzroy  Brunswick  Heidelberg
3. The suppliers were originally selected on the basis of price, quality and as a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether outworkers are used in the production of uniforms and assurances have been given by each that this is not the case.
5. The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any federal awards.

Local government: employee uniforms

(Question No. 378)

Mr THOMSON asked the Minister for Planning, for the Minister for Local Government:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr MACLELLAN (Minister for Planning) — The answer supplied by the Minister for Local Government is:

1. One employee - a ministerial transport officer.
2. During the period the ministerial transport officers were administered by the Department of the Premier and Cabinet, the following suppliers were used and it is probable that some uniform components were supplied by one of the following tailors:
   - Paul Mason Pty Ltd
   - Fairmark Pty Ltd
   - 648 Nicholson Street
   - 81 High Street
   - North Fitzroy
   - Preston
3. Quotations were obtained where necessary and in accordance with direction 5.1.2 made under the Financial Management Act 1994 from suppliers with suitable products.
4. No conclusive government-wide investigations have been carried out.
5. As a result of the recent report conducted by the Textile Clothing and Footwear Union of Australia titled 'The Hidden Cost of Fashion' and in my capacity as Minister for Finance, I have requested the Victorian Government Purchasing Board to review its purchasing policies and consider what action can be taken to address the issue of ethical sourcing across the government sector.

Aged care: employee uniforms

(Question No. 380)

Mr THOMSON asked the Minister for Community Services, for the Minister for Aged Care:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr JOHN (Minister for Community Services) — The answer supplied by the Minister for Aged Care is:

1. The time and resources required to collate and provide details of how many individual departmental employees are supplied with uniforms cannot be justified as the information is not readily available.
   I am, however, able to advise that departmental expenditure for the eleven month period ending 23 June 1995 totals $227,176 for staff clothing and footwear as coded within the department's chart of accounts. It should be noted that this total includes protective clothing which is significant in a department of this size and operation however, such clothing is not generally defined as uniform.
Details also exclude external agencies including public hospitals, ambulance service, etc. for which details are not available within the department.

2. The attached listing details suppliers who have provided staff clothing/footwear (including protective clothing items).

3. A competitive process is undertaken to determine suppliers in accordance with the Financial Management Act and the supply policies and guidelines of the Victorian Government Purchasing Board.

4. I am not aware of any investigations being undertaken by this department or within the Victorian government regarding the use of outworkers under conditions of gross exploitation, including child labour. Companies manufacturing in Australia are regulated by federal and state legislation and I have been advised there are considerable difficulties in enforcing or investigating workplace practices when items are manufactured overseas.

5. To date, no consideration has been given to an ‘ethical sourcing policy’. However, I have been advised that the Victorian Government Purchasing Board expects to develop a comprehensive contracting policy for issue to all departments and this provision may be incorporated, together with standard clauses to the effect that manufacturers are to comply with award wages and conditions.

ATTACHMENT

| Able Plastics       | Myer Doncaster |
| Action World        | Myer Eastland  |
| Alexanders Menswear | Myer Melbourne |
| Alsafe Safety Industries | Myer Ballarat |
| Amare Safety       | Myer Bendigo   |
| Anti Cancer Council Shop | Myer Eastland |
| At-Call Safety Wear | Myer Knox City |
| Atkinson Textiles Pty Ltd | Neat n Trim Uniforms |
| Aty-Call Safety Wear | Oliver & Stevens Pty Ltd |
| Beechworth Emporium | P.B. Shoes     |
| Betts & Betts      | Panther’s Mensland |
| Bowater Tissue Ltd  | Pascoe Vale Sportscene |
| Bushs Produce Stores | Platypus Outdoors |
| Can’t Tear Em Pty Ltd | Portsmans |
| Cushen Clothing Company | Positive Wholesale |
| D. Rosenberg Shoes  | Primac Associations Pty Ltd |
| De Nittis Safety International | Protector Safety Pty Ltd |
| Dunlop Footwear     | Rarity Shoes   |
| Dynamic Safety Supplies | Rays Disposals Tent City |
| F.R. Timmins Pty Ltd | Reilloc Pty Ltd |
| Fitzgeralds & Co    | Robinsons Mensland |
| Forges of Footscray | Rodney Mark Pty Ltd |
| Free n Easy Uniforms | Rogers       |
| George Taylor Stores | S. Morecroft Shoes |
| G-Sew               | Safeman Australia |
| Healesville Footwear | Sanross Trading |
| Hiltons Fashion Stores | Scottish Pacific Business |
| J. Blackwood & Son Ltd | Sensational Seconds Shoes |
| J.P. Billings       | Sim’s Sports Store |
| Just Uniforms, Geelong | Solway Clothing |
| K Mart              | Speeds Shoes   |
| Katies Stores       | Sports Power Sunbury |
| Kevin Maddens Menswear | State Supply Service |
| King Gee Clothing   | Sussan Corp    |
| Kriskens Merchants  | Target Australia |
| Lights Central Store | Uniform Boutique |
| M.L. Stevens        | Victorian Hospitals Association |
| Madison Belts       | Willard Clothing |
| McWhisters Mensland | Williams the Shoeman |
QUESTIONS ON NOTICE

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ASSEMBLY

Tuesday, 5 September 1995

Millers Mensland
My Size
Myer Chadstone

Wittners Australia

Note: Some uniform/protective items have also been purchased through the use of the government corporate card — however, the time and resources required to detail individual transactions/suppliers is not available.

Gaming: employee uniforms

(Question No. 381)

Mr THOMSON asked the Attorney-General, for the Minister for Gaming:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Attorney-General) — The answer supplied by the Minister for Gaming is:

(1) There are no employees of the Victorian Casino and Gaming Authority that are supplied with uniforms or part uniforms.
(2) Not applicable.
(3) Not applicable.
(4) Not applicable.
(5) Not applicable.

Arts: employee uniforms

(Question No. 382)

Mr THOMSON asked the Minister for Police and Emergency Services, for the Minister for the Arts:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an ‘ethical sourcing policy’, such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer supplied by the Minister for the Arts is:

Six agencies within my administration supply uniforms or part uniforms to employees. The responses to parts 1 to 5 of the Question are given separately for each agency.

A comprehensive contracting policy containing provisions for ethical sourcing is expected to be issued by the Victorian Government Purchasing Board within the next few months. Such policy, when available, will be circulated to all agencies under my administration.

Geelong Performing Arts Centre

1. 36
2. Neat N' Trim Geelong
   Roger David
   Garment Art
3. Neat N' Trim selected because of its very close proximity to the centre. Roger David stock an appropriate competitively priced suit. Garment Art was located close to the centre and was able to supply competitively priced T-shirts.

4. No investigations have been undertaken regarding the manner in which these uniforms were manufactured. It is assumed that companies manufacturing in Australia are operating in accordance with federal and state legislation.

5. This matter is under consideration by the Geelong Performing Arts Centre Trust.

National Gallery of Victoria

1. 78

2. Scuttle Clothing Pty. Ltd.

3. Uniform suppliers were invited to submit tenders to supply uniforms over a period of three years. The most competitive tender able to meet the requirements was selected.

4. Scuttle Clothing is Australian owned and has stated that all work undertaken outside of their own factory is by registered businesses within Australia and that suppliers are sought firstly from manufacturers in Victoria, then Australia. Scuttle Clothing is a Victorian company, and therefore, is regulated by federal and state legislation.

5. The gallery attempts, where possible, to source Australian made goods in the first instance. Scuttle Clothing Pty. Ltd. is a Victorian company and, therefore, is regulated by federal and state legislation.

Victorian Arts Centre Trust

1. Approximately 200.

2. John Cavill is contracted to supply these uniforms.

3. John Cavill designed the original uniform in consultation with John Truscott during his tenure as artist in residence at the Victorian Arts Centre. John Cavill owns the design of these uniforms.

4. No investigations have been undertaken regarding the manner in which these uniforms were manufactured. John Cavill is an Australian company and, therefore, is regulated by federal and state legislation.

5. At the time the contract with John Cavill was entered into such a policy had not been considered.

Museum of Victoria

1. 60

2. Collections Design Group

   Australian Tie Company
   Fairmark Australia
   Melbourne Tailoring
   Cushion Clothing
   Florsheim Australia
   Neat N' Trim
   Collections Designer Group
   Designer Uniforms
   Rodney Ties
   Myer

3. Selection based on quotes, service and quality, availability of same style and fabric.

4. The museum established that all garments were Australian made and therefore subject to state and federal legislation. No further investigations were undertaken.

5. The museum has a policy of using Australian made goods where possible and understands that manufacture will be regulated by federal and state legislation.

State Library of Victoria

1. Approximately 39

2. Cushen Clothing Pty. Ltd.

3. Quotes were obtained from uniform suppliers, successful tenderer was selected on basis of lowest cost.

4. Cushen are Australian distributors of Yakka Clothing, an Australian garment company whose products are manufactured in Australia. However, Cushen's purchasing manager has indicated that one item of uniform supplied to security officers is made in Asia.

5. This matter is under consideration by the State Library of Victoria.

Information Victoria

1. T-shirts and windcheaters are supplied to staff for wear during promotions and are returned after the event.

2. Qualitops Pty. Ltd.
3. Qualitops Pty. Ltd. were selected on the basis that they were a local manufacturer and were able to supply the required garments at a reasonable price.
4. Qualitops is a Victorian company, and therefore, is regulated by federal and state legislation.
5. Information Victoria has a policy of using Victorian and Australian made goods where possible and understands that manufacture will be regulated by federal and state legislation.

Tertiary education and training: employee uniforms

(Question No. 383)

Mr THOMSON asked the Minister for Education, for the Minister for Tertiary Education and Training:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr HAYWARD (Minister for Education) — The answer supplied by the Minister for Tertiary Education and Training is:

1. One employee is supplied with a uniform or part uniform, that being the ministerial transport officer (MTO).
2. The companies which supply the uniform to the MTO include:
   - Paul Mason Pty Ltd
   - J. Boag (Clothing) Pty Ltd
   - W.B.J. Knitwear
3. The above suppliers were originally selected on the basis of price, quality and as a Victorian or Australian manufacturer.
4. Inquiries have been made of each supplier on whether outworkers are used in the production of uniforms and assurances have been given by each that this is not the case.
5. Ethical sourcing policy:
   - The Victorian Government Purchasing Board does recommend that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards.
   - The board expects to develop a comprehensive contracting policy for issue to all departments in the next few months and provisions regarding ethical sourcing are likely to be incorporated.

Vicroads: recycled concrete

(Question No. 384)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

1. What the outcome was of investigations by VicRoads to identify road making applications where use of recycled concrete is suitable?
2. Whether VicRoads has taken action to increase its own use of recycled concrete inputs for construction purposes; if so, what action has been taken?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

1. The Roads Corporation (VicRoads) commenced investigations in 1989 to assess the suitability of recycled concrete for road making, referred to by VicRoads as a class 3 sub-base material. As a result of these investigations and a close consultation with the supplier, a specification was developed which immediately led to the supply of significant quantities of the product to municipal works in the metropolitan area.
Following further investigations in 1993, approximately 230,000 tonnes of crushed concrete was placed in road pavements between 1993 and mid-1994. This includes approximately 110,000 tonnes which was used on the Western Ring Road as a cement stabilised crushed concrete sub-base for deep strength asphalt pavements.

2. VicRoads has always encouraged the conservation of high quality road making materials wherever practicable by not specifying such materials in locations where they are not warranted. In addition, VicRoads has developed an environment strategy which includes an undertaking to work with the construction industry to maximise the safe, cost-effective use of ‘environmentally friendly’ materials, including recycled materials, in road pavements, surfacing and road furniture.

The difficulty with most ‘non-standard’ recycled materials is managing the variability of these materials and being able to reliably predict their future in-service performance.

The problem has been approached by VicRoads developing specifications for non-standard materials to meet similar requirements to standard materials so that long term performance is not compromised. This has allowed the use of recycled crushed concrete for both bound and unbound pavement sub-base.

The continued development of performance based specifications will encourage the use of non-standard materials, which may have quite different physical properties to those of standard materials, once systems are developed to predict their in-service performance.

VicRoads has also developed its environment strategy which contains an action statement which states that ‘VicRoads will work with the construction industry to maximise the safe, cost-effective use of ‘environmentally friendly’ materials, including recycled materials, in road pavements, surfacing and road furniture’.

The honourable member will also be interested to know that VicRoads has joined with the Australian Earthmovers & Contractors Association (Victorian Branch) as the Road Industry of Victoria (RIV). The RIV has developed an industrial waste reduction agreement with the Environment Protection Authority. Under this agreement the RIV will take appropriate steps to minimise wastes created by its activities; recover recycle or re-use those wastes and reduce litter.

The environment strategy and the industrial waste reduction agreement would cover the use of many recycled products including recycled crushed concrete.

Education: foreign language programs

(Question No. 385)

Dr COGHELL asked the Minister for Education:

What foreign languages are taught in Victorian government schools with the use of television programs, indicating for each language — (a) the number of students and the number of classes at each year level; (b) the number of schools; (c) the number of classes at each year level in which — (i) a teacher fully qualified to teach the language; and (ii) no teacher with training to teach the language, is present in the classroom throughout the school year during interactive television broadcasts; (d) the number of classes at each year level which are provided with facilities for direct, immediate interactive communications with the teachers whose tuition is broadcast through interactive television programs; (e) the number of students with whom each teacher has facilities to communicate in the course of each program; and (f) the name and address of each agency or corporation providing program contents?

Mr HAYWARD (Minister for Education) — The answer is:

In 1995, Chinese, French, German, Indonesian, Italian and Japanese are being delivered through the Interactive Satellite Learning Network to students in Years 3 to 6 through the Primary Access to Languages via Satellite (PALS) project.

(a) Language/Year Level Victorian Government School Students

<table>
<thead>
<tr>
<th>Language</th>
<th>Year</th>
<th>Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese</td>
<td>3/4</td>
<td>651</td>
</tr>
<tr>
<td>Chinese</td>
<td>5/6</td>
<td>659</td>
</tr>
<tr>
<td>French</td>
<td>3/4</td>
<td>1,957</td>
</tr>
<tr>
<td>French</td>
<td>5/6</td>
<td>2,342</td>
</tr>
<tr>
<td>German</td>
<td>3/4</td>
<td>2,145</td>
</tr>
<tr>
<td>German</td>
<td>5/6</td>
<td>1,948</td>
</tr>
<tr>
<td>Indonesian</td>
<td>3/4</td>
<td>9,918</td>
</tr>
<tr>
<td>Indonesian</td>
<td>5/6</td>
<td>15,032</td>
</tr>
<tr>
<td>Italian</td>
<td>3/4</td>
<td>5,216</td>
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<td>8,636</td>
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<tr>
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<td>6,673</td>
</tr>
<tr>
<td>Japanese</td>
<td>5/6</td>
<td>9,836</td>
</tr>
</tbody>
</table>
Data on the number of classes at each year level are not available.

(b) Language Number of Victorian Government Schools

<table>
<thead>
<tr>
<th>Language</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese</td>
<td>13</td>
</tr>
<tr>
<td>French</td>
<td>51</td>
</tr>
<tr>
<td>German</td>
<td>62</td>
</tr>
<tr>
<td>Indonesian</td>
<td>280</td>
</tr>
<tr>
<td>Italian</td>
<td>147</td>
</tr>
<tr>
<td>Japanese</td>
<td>200</td>
</tr>
</tbody>
</table>

c) (i) and (ii) PALS support materials are designed to enable classroom teachers without LOTE qualifications to support their students with the program. However, many qualified LOTE teachers are also using the PALS broadcasts and/or support materials to extend their LOTE programs. Data on teacher qualifications are not presently available.

d) and (e) All Victorian schools receiving broadcasts live have the facilities to interact by telephone with the teacher/presenter(s) in the studio during broadcasts and by facsimile. Schools are able to telephone the studio on a toll free 1800 number. Facilities are available for up to 5 students to interact with the presenter(s) at any one time. Because of the large numbers of schools and students participating in PALS programs, several schools are generally rostered for interaction for each broadcast. Opportunities are also provided from time to time for any school that wishes to telephone the studio to interact with the teacher/presenter(s). On average 3-6 schools and 6-12 students per broadcast interact with the presenter(s).

(f) LOTE and ESL Section
Quality Programs Division
Directorate of School Education
GPO Box 4367
Melbourne, Victoria 3001

OTEN Media Unit
Department of School Education
831 George Street
Haymarket, New South Wales 2000

Vicroads: B-double vehicles

(Question No. 386)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

Whether the minister has approved any applications for b-double trucks on Victorian roads; if so, what are the details of those applications?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The Minister for Roads and Ports has not approved any application for B-double trucks on Victorian roads.

The Roads Corporation (VicRoads) has authority to approve applications for the operation of B-double vehicles on Victorian roads in accordance with the provisions of the Road Safety Act and regulations and established guidelines. VicRoads has issued a general permit for B-double vehicles to operate as from 1 February 1995 on suitable Victorian highways and freeways in Victoria. A permit was also issued by VicRoads approving the use of specified declared main roads and some selected local roads by B-doubles as from 1 July 1995. B-double vehicles travel on these roads as-of-right and no individual permit is required.

A general permit for all the abovementioned roads was published in the Victorian Government Gazette (559) of 26 June 1995.

Vicroads: B-double vehicles

(Question No. 387)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

Vicroads: B-double vehicles
QUESTIONS ON NOTICE
Tuesday, 5 September 1995

Whether the minister has received any application seeking approval for b-double trucks to travel on the Tullamarine freeway; if so — (a) what action the Minister has taken concerning that application; (b) what assessment of safety, noise and other relevant factors was carried out before any such application was approved or rejected; and (c) where would such trucks travel once they got to the end of the freeway?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The Minister for Roads and Ports has not received any applications for B-double trucks to travel on the Tullamarine Freeway.

The Roads Corporation (VicRoads) has authority to approve applications for the operation of B-double vehicles on Victorian roads in accordance with the provisions of the Road Safety Act and regulations and established guidelines.

VicRoads has issued a general permit for B-double vehicles to operate as from 1 February 1995 on suitable Victorian highways and freeways in Victoria. This permit includes the Tullamarine Freeway.

A general permit was also issued by VicRoads approving the use of specified declared main roads and some selected local roads by B-doubles as from 1 July 1995.

B-double vehicles travel on these roads as-of-right and no individual permit is required.

The current description of applicable roads was published in the Victorian Government Gazette (S59) of 26 June 1995.

Education: newspaper supplements

(Question No. 396)

Mr PANDAZOPOULOS asked the Minister for Education:

1. What the cost to date is of the Department of Education supplement printed regularly in the Herald Sun, since 3 October 1992?
2. What the cost to date is of the Department of School Education supplements in all suburban and country newspapers?

Mr HAYWARD (Minister for Education) — The answer is:

This expenditure relates to the Directorate of School Education:

1. $193 452.67
2. $184 279.76

City Link: advertising

(Question No. 397)

Mr PANDAZOPOULOS asked the Minister for Public Transport, for the Minister for Roads and Ports:

In relation to expenditure incurred to date by the City Link Authority:

1. What the cost was of advertisements placed in daily and suburban newspapers?
2. What the number was and cost of any promotional leaflets issued by the authority?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The specific information sought by the honourable member in relation to expenditure by the Melbourne City Link Authority for the period to 2 June 1995 is as follows:

1. The authority has advised that the cost of placing the ‘Life will certainly improve ...’ advertisements in metropolitan daily and local suburban newspapers was $193 193.80.
2. Two colour brochures were produced. In both cases 5000 copies were produced and printed at a total cost of $37 173.00.

Vicroads: registration renewals

(Question No. 398)

Mr PANDAZOPOULOS asked the Minister for Public Transport, for the Minister for Roads and Ports:

In relation to an adjournment item raised in the Legislative Council on 23 May 1995 concerning the issuing by VicRoads of registration renewals:
1. What the cost was to VicRoads of the 13 000 duplicated motor registration renewals sent out to customers?
2. What the name was of the private operator contracted to conduct the mailout?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

The following information is provided in respect of the issue relating to the duplication of motor registration renewals: The Roads Corporation (VicRoads) advised that in March 1994, a technical problem with the computer generated vehicle registration database resulted in the duplication of a mailing list of registration renewals. The program error was rectified and action undertaken to safeguard the registration system against this type of problem. In answer to the honourable member's specific questions:

1. The impact of the isolated incident was an additional cost of $29 012 and an increased number of telephone inquiries to VicRoads and to the Transport Accident Commission.
2. The private contractor was not held responsible for the problem. Accordingly it would be considered unfair and derogatory to identify the contractor within the context of this incident.
Roads and Ports: entertainment expenses

(Question No. 177)

Mr PANDAZOPOULOS asked the Minister for Public Transport, for the Minister for Roads and Ports:

In respect of each department, agency and authority within his administration since 3 October 1992 to date, what the details are of all entertainment expenses incurred, indicating — (a) total costs incurred by each section, including the minister’s office; and (b) itemised details of all expenditure in excess of $500, including — (i) date incurred; (ii) cost; (iii) number of guests; (iv) purpose, and (v) name of service provider?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

Department of Transport:

The Department of Transport has provided the following total entertainment expenditure in respect of the roads and ports portfolio which has been recorded for fringe benefits tax purposes. The department’s records do not enable the easy identification of the specific detailed information being sought.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(After 3 Oct)</td>
<td>$510</td>
<td>$1856</td>
<td>$219</td>
</tr>
<tr>
<td>(To 8.12.94)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Specific purchases of beverages which may include alcohol have not been included as this was the subject of another specific question on notice (No. 144) by the honourable member.

Roads Corporation:

The financial information extracted by VicRoads indicate total costs incurred for entertainment of $35 745 in 1993-94 and $41 867 in 1992-93. Details of instances such as date incurred, cost, number of guests, purpose and name of service provider are not available. To obtain such information would involve the use of considerable cost and resources which cannot be justified. Should the honourable member identify any specific area of interest every effort will be made to provide relevant information.

Marine Board of Victoria:

The following information has been provided in respect of the Marine Board and the State Boating Council. The information has been recorded for fringe benefits Tax purposes. The records do not enable the easy identification of the specific details being sought and to extract the information would be an unnecessary cost and burden on resources.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(To 8.12.94)</td>
<td>$1815</td>
<td>$2213</td>
<td>$1103</td>
</tr>
</tbody>
</table>
Port of Melbourne Authority:

The authority’s financial records are kept on computer for the current year and the preceding year. Records prior to that time are stored in archive. While the Authority has provided the following information in respect of the total entertainment expenditure for 1993-94 and 1994-95 (to 27 January 1995), the task of identifying detailed information in respect of previous years and specific expenditure over $500 would be an undue cost and burden on the authority’s resources.

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993-4</td>
<td>$21,712.75</td>
</tr>
<tr>
<td>1994-95</td>
<td>$30,500.60</td>
</tr>
</tbody>
</table>

In the main, such expenditure was incurred for trade and development functions such as shippers function, chairman’s christmas cocktail function, reception held in honour of Melbourne Osaka sister ports relationship and a number of smaller board functions. Should the honourable member identify any specific area of interest every effort will be made to provide relevant information.

Port of Geelong Authority:

The authority advises that the total expenditure incurred by the authority on entertainment since 3 October 1992 is $17,017.55. This information has been retained for fringe benefits tax purposes only and to identify the specific details being sought would be an unnecessary cost and burden on resources.

Port of Portland Authority:

The Port of Portland Authority’s records are not retained in a form which allows easy identification of the detailed information being sought. To compile the information would involve considerable cost and resources which cannot be justified. Should the honourable member wish to identify a more specific area of interest the Authority will endeavour to provide relevant information.

Electricity distributors: consumption figures

(Question No. 334)

Dr COGHILL asked the Minister for Energy and Minerals:

In respect of accounts issued by each electricity distributor, whether the figures shown as meter readings of electricity consumption are the actual quantities recorded on electricity meters in all cases; if not — (a) what criteria or factors determine when meter readings do not form the basis of the figures; (b) what proportions and categories of accounts are involved; (c) what the basis is of the figures included in such accounts; (d) what was the proportion of accounts in which the figures are higher than those calculated on the basis of recorded consumption in the previous comparable periods; (e) what was the total consumption recorded on accounts issued in the most recent billing period, the estimate of the actual consumption having regard to losses of electricity normally occurring in the distribution system, and the comparable figures for the previous financial year; (f) whether any electricity distributor has received any direction, guideline or other communication affecting this matter, indicating the details and source(s); and (g) whether consumption figures in accounts have been inflated to make any authority more attractive and/or higher value to prospective purchasers?

Mr S. J. PLOWMAN (Minister for Energy and Minerals) — The answer is:

(a) It is the practice of all distribution businesses to obtain actual meter readings and render accounts based on those readings. In the event that actual meter registrations cannot be obtained, accounts are rendered on the basis of estimated registrations, or, on occasions registrations as advised by the customer. The circumstances for estimated accounts are set out in section 3.1 (d) of the 'Supply and Sale Code' (published in the Government Gazette 3 October 1994) which states:

(d) Bills may be based upon estimated data where:

(i) physical access to the meter is denied, whether as a result of the actions of the franchise customer, third parties, or because of safety reasons;

(ii) circumstances such as weather conditions, industrial disputation, etc prevent meter readings being obtained on particular occasions; and

(iii) erroneous recordings are made by the metering equipment (including time switches) whether arising from failure of such equipment (intermittent or otherwise) interference by unauthorised persons, physical damage or otherwise.
In the circumstances described in (iii) the amount properly payable, unless otherwise agreed, will be determined by reference to prior billing history and by meter reading subsequently taken by DistCo. Accounts will be adjusted where necessary.

Notwithstanding anything contained in this clause, meters shall be read at least once in any 12 month period.

(h) The franchise customer will at all times make available to DistCo's officers or agents, together with their equipment, a safe convenient and unhindered access to DistCo equipment on the franchise customer's premises for any purposes associated with the supply, metering or billing of electricity, the inspection and/or testing of the electrical installation, or the removal of trees, structures or vehicles as referred to above provided that official identification is produced by such officers or agents on request.

(b) Division into categories of estimated accounts would involve the deployment of considerable resources and cannot be justified. The DB's have however provided information from various billing periods indicating the proportion of accounts rendered and read including those estimated.

Eastern Energy: During the ten month period 1 July 1994 to 30 April 1995, a total of 1 664 760 accounts were rendered to customers within Eastern Energy's supply area. Of this total 25 460 estimated accounts were rendered, representing 1.5 per cent of all accounts rendered.

Powercor: For the twelve months ended December 1994, 3 200 000 meters were read. A total of 45 650 estimated readings were taken, representing 1.4 per cent of total readings.

United Energy: For the period March 1995 to May 1995, 550 000 accounts were rendered. 13 000 of these were estimated, representing 2.35 per cent of accounts.

Citipower: During April 1995, 97 011 meters were read of which 3457 were estimated, representing 3.5 per cent of readings.

Solaris Power: During the period 1 May 1995 to 31 July 1995, 236 092 accounts were rendered of which 5397 were estimated, representing 2.3 per cent of accounts.

(c) In the preparation of an estimated account for a particular installation or premises where the customer is unchanged, the automated 'customer information system' relies primarily on levels of electricity consumption previously recorded at such installations or premises for the equivalent of the preceding years.

If the customer was not in occupation for the corresponding period of the previous year, the immediate past bill is used combined with a seasonal variation factor.

If the customer has no billing history (ie: the bill being estimated is the first bill rendered to the customer), an average of the consumption of all customers on the same tariff, for the particular local geographic district is billed.

Any inaccuracy in an estimated account, whether it is an undercharge or an overcharge, is automatically corrected when the next actual meter reading is obtained.

(d) As explained in the answer to (c) above, the basis of estimation varies depending upon the circumstances of each customer in relation to occupancy of the premises and the billing history. Neither the SEC, ESV nor the DB's have maintained records which would provide the comparison sought.

(e) The consumption of electricity at a particular premises or location is measured by a meter or meters installed at same. Customers are therefore only billed for electricity actually consumed at their premises. However losses of electricity do occur in the distribution system and are recovered in tariff charges and constitute a very small component.

In terms of actual consumption recorded the DB's have provided the following information: (It should be noted that there is no uniform billing period as meters are read on a continuous day to day basis. As a result new billing periods start every day)

<table>
<thead>
<tr>
<th>DISTRIBUTION BUSINESS</th>
<th>PERIOD</th>
<th>CONSUMPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eastern Energy</td>
<td>1 July 1993 to 31 March 1994</td>
<td>3405 GWh</td>
</tr>
<tr>
<td>Solaris Power</td>
<td>1 July 1993 to 31 March 1994</td>
<td>2413 GWh</td>
</tr>
<tr>
<td>Solaris Power</td>
<td>1 July 1994 to 31 March 1995</td>
<td>2600 GWh</td>
</tr>
<tr>
<td>United Energy</td>
<td>1 July 1993 to 31 March 1994</td>
<td>4395 GWh</td>
</tr>
<tr>
<td>United Energy</td>
<td>1 July 1994 to 31 March 1995</td>
<td>4012 GWh</td>
</tr>
<tr>
<td>Powercor</td>
<td>1 July 1994 to 31 March 1995</td>
<td>5464 GWh</td>
</tr>
<tr>
<td>Citipower</td>
<td>April 1994</td>
<td>301 GWh</td>
</tr>
<tr>
<td>Citipower</td>
<td>April 1995</td>
<td>304 GWh</td>
</tr>
</tbody>
</table>
QUESTIONS ON NOTICE

ASSEMBLY

Wednesday, 6 September 1995

(f) No.
(g) No.

Dr COGHILL asked the Premier:

What is the name of each treaty, convention and other international agreement under consideration by the commonwealth government on which Victoria has been consulted since October 1992, indicating in each case — (a) the Victorian government agencies and other bodies requested to provide comment; (b) the date and manner in which the matter was raised with each house of the Parliament of Victoria; and (c) the date on which the response of Victoria was forwarded to the commonwealth?

Mr KENNEDY (Premier) — The answer is:

I am informed that the procedures for commonwealth consultation with the states on international treaties are currently being considered by the two bodies: the Standing Committee on Treaties and the Senate Legal and Constitutional References Committee inquiry into the external affairs power of the commonwealth. The Standing Committee on Treaties will report back to the next COAG meeting, while the Senate inquiry is expected to report in late September.

The states and territories recognise that there is a pressing need to reform Australia’s treaty making process. Under the 1992 principles and procedures for commonwealth-state consultation on treaties, information about treaty discussions is meant to be forwarded to the premiers'/chief ministers’ departments on a regular basis through the Department of the Prime Minister and Cabinet. This has not occurred; commonwealth officers frequently liaise directly with their counterparts in state line agencies without informing the central agency. Accordingly, no state is currently in a position to provide the name of every international arrangement on which it has been consulted.

States and territories are seeking to be formally consulted about every treaty in which they have an interest. The states propose that the forum in which consultation occurs will depend on the significance of the treaty. Strategic treaties will be considered by a treaties council composed of the Premiers, Chief Ministers, and the Prime Minister, while a Ministerial Council nominated by the Standing Committee on Treaties will consider treaties which are of less strategic importance. The states and territories are also proposing that a Standing Committee on Treaties should prepare an annual report on the treaty consultation process and present it to premiers and chief ministers who may table it in states’ and territories’ Parliaments.

The states and territories propose that every treaty should be subject to the approval of the commonwealth Parliament before it is ratified. The approval procedure, which would be similar to the procedure for the approval of subordinate legislation, would resolve many of the current problems with accountability, consultation and information.

Australia-Sweden health agreement

Dr COGHILL asked the Premier:

In respect of the bilateral treaty between Australia and Sweden being an exchange of letters constituting an agreement to amend article 1(1) of the Agreement on Medical Treatment for Temporary Visitors of 14 February 1989, whether it was referred to the Victorian government for comment; if so — (a) when and to whom it was addressed; (b) to whom it was referred for comment or advice by the Victorian government; (c) when a response was sent; and (d) what comment or advice was provided in the response?

Mr KENNEDY (Premier) — The answer is:

I am informed that a federal government cabinet decision in 1985 authorised the Minister for Health to negotiate health agreements with other countries. A reciprocal health care agreement with Sweden was signed on 14 February 1989 and came into effect on 1 May 1989. Although the Victorian government was not consulted, the commonwealth Minister for Health, Dr Neal Blewett, notified the Victorian Minister for Health, the Hon. C. Hogg, MLC, by letter on 14 February 1989. No reply was sent.

The agreement was amended by exchange of letters on 27 January 1995 — effective 1 February 1995 — to exclude Swedish students from cover under the treaty. The Victorian government was not consulted about the amendment.
Mr THOMSON asked the Minister for Natural Resources:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

Information in relation to the supply of uniforms is contained in the attached table. The definition of uniforms has been interpreted to exclude protective clothing, corporate wardrobes and clothing purchased with allowances.

Due to the widespread practice of sub-contracting within the textile and clothing industry, it is not always possible to ascertain the actual manufacturer of some uniforms. Companies manufacturing in Australia are regulated by federal and state legislation but there are considerable difficulties in enforcing or investigating workplace practices when uniforms are manufactured overseas.

The Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards. I understand that the board expects to develop a comprehensive contracting policy for issues to all departments and provisions regarding ethical sourcing are likely to be incorporated.

ATTACHMENT

**SUPPLY OF UNIFORMS IN THE NATURAL RESOURCES PORTFOLIO**

<table>
<thead>
<tr>
<th>Department of Conservation &amp; Natural Resources (CNR)</th>
<th>Tender process is in accordance with Victorian Government Purchasing Board guidelines</th>
<th>Yes. CNR specifies that contractors shall not subcontract work without CNR’s written approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministerial Transport Officers</td>
<td>Purchased on individual basis</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Alpine Resorts Commission</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Melbourne Water (MW)</td>
<td>Purchases with value exceeding $20,000 publicly advertised. Where amount exceeds $50,000, a formal contract is established.</td>
<td>No. MW not aware of any contravention of state or federal legislation. Wherever possible, MW encourages local manufacturers.</td>
</tr>
<tr>
<td>City West Water*</td>
<td>Not applicable</td>
<td>Not applicable</td>
</tr>
<tr>
<td>South East Water</td>
<td>Public tender process</td>
<td>No</td>
</tr>
</tbody>
</table>

*Note: Information on City West Water is not available in the attached table.*
**QUESTIONS ON NOTICE**

**YARRA VALLEY WATER**
- 40 Customer Services Officers and approx. 100 field staff
- Working Images (Customer Services uniforms)
- Can't Tear 'Em (outdoor uniforms)
- Tendering process
- No

**VICTORIAN INSTITUTE OF MARINE SCIENCES**
- Nil
- Not applicable
- Not applicable
- Not applicable
- No

**VICTORIAN PLANTATIONS CORPORATION**
- Approximately 100
- King Gee Clothing Company
- Top Level Pty Ltd
- Bella Knitwear Pty Ltd
- W L Gore & Associates
- Competitive quotes, joint arrangements with CNR & product evaluations.
- No - covered by industrial laws and awards as appropriate
- No

* City West Water has investigations underway for the supply of uniforms to some staff, and will take the issues raised into consideration during that process.

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**Police and emergency services: employee uniforms**

(Question No. 361)

Mr **THOMSON** asked the Minister for Police and Emergency Services:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr **MCNAMARA** (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member's question is attached.

*(Attachment referred to in answer has been supplied to honourable member and a copy tabled in the Parliamentary Library.)*

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**Corrections: employee uniforms**

(Question No. 362)

Mr **THOMSON** asked the Minister for Corrections:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Corrections) — The answer is:

I am informed that the information available in response to the honourable member's question is attached.

ATTACHMENT

<table>
<thead>
<tr>
<th>Correctional Services Division</th>
<th>1353 custodial staff</th>
</tr>
</thead>
</table>

1. A range of suppliers are contracted to supply uniform items. This list is an indication of the types of companies involved. This is not complete.

2. Tenders are called in line with Treasury regulations or in instances of minor items, three quotations are obtained to seek the most economical and satisfactory supplier.

3. Each supplier is checked out prior to purchase. This issue has arisen and we have argued successfully to employ companies who employ on-site staffing despite the fact that the cost is slightly higher.

4. This has not been a priority as we are able to investigate suppliers prior to engaging their services.

5. Minor

- Baxter & Co.
- Florshem Aust.
- Holeproof
- Textile House
- Fairmark
- Free'n Easy Uniforms
- T D Noone Sales
- King Gee Clothing Co.
- Minor
- M Reiner & Co.
- P Blashki & Sons
- Feld's Knitwear
- Mountcastle Pty. Ltd.
- Messer & Opie
- Adsport International La rose Leathergoods

Tourism: employee uniforms

(Question No. 363)

Mr THOMSON asked the Minister for Tourism:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr McNAMARA (Minister for Tourism) — The answer is:

Tourism Victoria staff are not issued with uniforms.

In addition, the Australian Grand Prix Corporation has provided the following information relevant to this question:

1. 22 staff;
2. the Jamieson Fashion Group Pty Ltd;
3. public expressions of interest followed by tender to seven companies;
4. no; and
5. no.
Finance: employee uniforms

(Question No. 368)

Mr THOMSON asked the Treasurer, for the Minister for Finance:

In respect of each department, agency and authority within his administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

1. (a) 3 Parking officers
   (b) 23 Caretaking staff

(a) Parking Officers

   Berensen Tailors Pty Ltd
   333 Flinders Lane
   Melbourne

   Cushen Clothing Co Pty Ltd
   102 Mahoneys Road
   Thomastown

   Top Hatters
   259 Collins Street
   Melbourne

   Solomon Brothers
   466 Spencer Street
   West Melbourne

   Fairmark Pty Ltd
   81 High Street
   Preston

(b) Caretaking Staff (Outsourced on 16 June 1995)

   King Gee Clothing Co
   7 Stanley Street
   Collingwood

3. Quotations were obtained where necessary and in accordance with direction 5.1.2 made under the Financial Management Act 1994 from suppliers with suitable products.
4. No conclusive government wide investigations have been carried out.
5. As a result of the recent report conducted by the Textile Clothing & Footwear Union of Australia titled "The Hidden cost of Fashion", I have requested the Victorian Government Purchasing Board to review its purchasing policies and consider what action can be taken to address the issue of "ethical sourcing" across the government sector.
QUESTIONS ON NOTICE

Wednesday, 6 September 1995

ATTACHMENT

Question 1

Question 2

Question 3

Question 4

Question 5

Judges
(Supreme Court)
25
Blashki and Sons
Burwood Road, Hawthorn
25

There are only 2 'legal tailors' in Victoria - Ravensdale and Blashki and based upon considerations such as quality, price, measuring times and delivery time, the aforementioned firm was chosen.

These robes are manufactured in Australia and their manufacture is therefore regulated by federal and state legislation concerning wages and conditions. It is expected that high quality tailors conduct their business with the highest integrity.

No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions.

Tipstaves
(Supreme Court)
25
D. Ceravolo, North Balwyn
J. Boag and Co., Brunswick
Australian Tie Company
Collingwood

3 quotes were obtained based upon quality, price and delivery time, in line with government regulations.

These uniforms are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.

No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions.

Judges
(County Court)
52
Blashki and Sons
Burwood Road, Hawthorn
Ede and Ravenscroft, London

There are only 2 'legal tailors' in Victoria - Ravensdale and Blashki, and based upon considerations such as quality, price, measuring times and delivery time, the aforementioned firm was chosen.

These robes are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.

No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.

Associates
(County Court)
51
Blashki and Sons
Burwood Road, Hawthorn

2 quotes were obtained based upon quality, price and delivery time, as the uniform is not standard — small tailors cannot cope with annual purchases while large tailors find the run too small for uniform-type tailoring.

These uniforms are manufactured in Australia and are therefore regulated by federal and state legislation in regards to wages and conditions; and it is expected of high quality tailors to conduct their business with the highest integrity.

No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.

Mr THOMSON asked the Attorney-General:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
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5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Attorney-General) — The answer is:

I am informed that the information available in response to the honourable member’s question is attached.

It should be noted that although judges are not ‘employees’ I have included information relating to them as the purchases are made by staff of my department and paid for from departmental funds.

Furthermore, I have not included information regarding non-compulsory corporate uniforms, such as those worn by some Magistrate Court staff, because they were not considered to be ‘uniforms’ for the purpose of this question.

Mr THOMSON asked the Attorney-General:

In respect of each department, agency and authority within her administration:

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<tr>
<th>Question 1</th>
<th>Question 2</th>
<th>Question 3</th>
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</tr>
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<td>2 quotes were obtained based upon quality, price and delivery time, as the uniform is not standard — small tailors cannot cope with annual purchases while large tailors find the run too small for uniform-type tailoring.</td>
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<td>No, however the Victorian Government Purchasing Board recommends that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with award wages and conditions, and attempts are made to use local tailors, materials and retailers as much as possible.</td>
</tr>
</tbody>
</table>
QUESTIONS ON NOTICE

ASSEMBLY

Wednesday, 6 September 1995

Tipstaves (County Court) 49
D. Ceravolo, North
Balwyn
J. Boag and Co., Brunswick
Australian Tie Company, Collingwood
Yarra Falls provides

2 quotes were obtained based
upon quality, price and delivery
time, as the uniform is not
standard — small tailors cannot
cope with annual purchases
while large tailors find the run
too small for uniform-type
tailoring.

These uniforms are manufactured
in Australia and are therefore
regulated by federal and state
legislation in regards to wages
and conditions; and it is expected
of high quality tailors to conduct
their business with the highest
integrity.

No, however, the Victorian Government
Purchasing Board recommends that
all uniform supply contracts contain
a clause to the effect that manufacturers
are to comply with award wages and
conditions, and attempts are made to
use local tailors, materials and retailers
as much as possible.

Messengers (County Court) 2
Australian Tie Company, Collingwood

3 quotes were obtained based
upon quality, price and delivery
time, in line with government
regulations, as the uniform
is not standard.

These uniforms are manufactured
in Australia and are therefore
regulated by federal and state
legislation in regards to wages
and conditions; and it is expected
of high quality tailors to conduct
their business with the highest
integrity.

No, however the Victorian Government
Purchasing Board recommends that
all uniform supply contracts contain
a clause to the effect that manufacturers
are to comply with award wages and
conditions, and attempts are made to
use local tailors, materials and retailers
as much as possible.

Car Park Attendant (County Court) 1
Berensen Tailors
Cushen Clothing
Fairmark Shirts
Australian Tie Company, Collingwood

Quotes were obtained as per
the Financial Management
Act.

The majority of these uniform
components are manufactured
in Australia and are therefore
regulated by federal and state
legislation in regards to wages
and conditions. There are
considerable difficulties in
investigating and enforcing
workplace practices for those
components that are
manufactured overseas.

No, however the Victorian Government
Purchasing Board recommends that
all uniform supply contracts contain
a clause to the effect that manufacturers
are to comply with award wages and
conditions, and attempts are made to
use local tailors, materials and retailers
as much as possible. The board
expects to develop a comprehensive
contracting policy for issue to all
departments in the next few months
and provisions such as ‘ethical sourcing’
are likely to be incorporated.

Sheriffs Officers 170
M. Reiner and Co.
Stacks of Slax
Joseph Daboulah
Bella Knitwear
Australian Defence Industries
Australian Tie Company
Mountcastle
Paul Mason of
Sires
Hellweg and Nichol.

Questions on notice
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Tipstaves
(County Court) 49
D. Ceravolo, North
Balwyn
J. Boag and Co., Brunswick
Australian Tie Company, Collingwood
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Fair trading: employee uniforms

(Question No. 372)

Mr THOMSON asked the Minister for Fair Trading:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by
   outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an ‘ethical sourcing policy’, such as that
   recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that
   exploits outworkers?

Mrs WADE (Minister for Fair Trading) — The answer is:

I am informed that staff members of the Office of Fair Trading do not wear uniforms.

Women’s affairs: employee uniforms

(Question No. 373)

Mr THOMSON asked the Minister responsible for Women’s Affairs:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?

5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mrs WADE (Minister responsible for Women's Affairs) — The answer is:

I am informed that staff members of the Office of Women's Affairs do not wear uniforms.

Roads and ports: employee uniforms

(Question No. 374)

Mr THOMSON asked the Minister for Public Transport, for the Minister for Roads and Ports:

In respect of each department, agency and authority within her administration:

1. How many employees are supplied with uniforms or part uniforms?
2. Which company or companies supply these uniforms or part uniforms?
3. What process is used to determine which company or companies supply these uniforms?
4. Whether any investigations have been undertaken to ensure that the uniforms are not produced by outworkers under conditions of gross exploitation, including by child labour?
5. Whether consideration has been given to the introduction of an 'ethical sourcing policy', such as that recently adopted by UK retailer, Marks & Spencer which does not purchase from any company that exploits outworkers?

Mr BROWN (Minister for Public Transport) — The answer supplied by the Minister for Roads and Ports is:

Department of Transport:

The following information is provided in respect of uniforms provided to employees of the department whose duties are related to the roads and ports portfolio:

The Ministerial Transport Officer (MTO) is provided with a uniform. When requested the Department of Transport provides new or replacement garments from Paul Mason Pty Ltd.

The supplier is required to meet legal requirements relating to the services being provided including compliance with the terms of individual and collective employment agreements and any applicable federal awards.

In respect of the Victorian Taxi Directorate (VTD):

1. Thirty employees of the VTD are issued with uniforms.
2. Jamieson Fashion Group Pty Ltd, trading as Coronet Fashion
3. Quotes were obtained from three potential suppliers.
4. The directorate entered into the agreement on the understanding that uniform suppliers comply with all relevant legislation, including the terms of individual and collective employment agreements and any applicable federal awards.

Roads Corporation (VicRoads):

1. There are approximately 500 VicRoads employees supplied with uniforms or part uniforms.
2. The following companies hold contracts to supply uniforms or part uniforms to VicRoads:
   Fletcher Jones & Staff Pty Ltd — corporate uniform knitwear items.
   Australian Defence Industries Ltd — corporate uniform items other than knitwear.
3. All uniforms are supplied to VicRoads under formal contracts following public tender. Assessment of tenders is based primarily on the best value for money and follows published government purchasing guidelines.
4. Inquiries are made as part of the tender assessment process to ensure that the potential contractor does not propose to produce uniform garments under the types of conditions described in the honourable member's question. All of the contractors listed above have provided satisfactory assurances that all garments will be manufactured by workers employed in conformance with all relevant legislation, including the terms of individual and collective employment agreements and any federal awards to which the contractor is bound.

Marine Board of Victoria:

Uniforms are not provided to employees.
Port of Melbourne Authority:

1. 192 employees of the PMA are supplied with uniforms.
2. There are three main suppliers — Cushen Clothing, Can't Tear'Em and King Gee Clothing.
3. Suppliers are invited to submit a tender for the supply of specified items of clothing and itemised prices are fixed for an agreed period of time, generally six months. Selection of the supplier is based on price, delivery time and quality.
4 & 5 The authority follows the Victorian Government Purchasing Board’s recommendation that all uniform supply manufacturers are to comply with the terms and conditions of individual and collective employment agreements and any federal awards.

Port of Geelong Authority:

The authority does not provide any employees with uniforms or part uniforms.

Port of Portland Authority:

1. The authority provides uniforms to its thirty four employees.
2. Fletcher Jones Ltd
3. The successful supplier was selected after assessment of a number of potential suppliers and consultation with staff.
4 & 5 Preference was requested for an Australian manufacturer. The supplier is required to comply with the Victorian Purchasing Board recommendation that all uniform supply contracts contain a clause to the effect that manufacturers are to comply with the terms of individual and collective employment agreements and any applicable federal awards.

Firearms: definition

(Question No. 389)

Dr COGHILL asked Minister for Police and Emergency Services:

In respect of the device described as a ‘zip gun’ produced outside the Camberwell Civic Centre on 30 July 1994:

1. Whether the device was examined to determine whether it appeared to be a firearm within the definition provided in the Firearms Act 1958; if so, with what result?
2. Whether the minister received advice indicating that the device was, or was not, a firearm within the definition provided in the Firearms Act 1958, if so, indicating — (i) the source; (ii) the date; and (iii) the nature of that advice?
3. What was the date on which the device was first examined by the Victoria Police, indicating — (i) the circumstances in which it came into their possession; (ii) from whom it was obtained; (iii) the date on which it next passed out of the possession of the Victoria Police; and (iv) the name of the person to whom it was passed on that occasion?
4. Whether the device again came into the possession of the Victoria Police; if so, indicating — (i) the source, (ii) the date; and (iii) the subsequent disposition of it?
5. Whether any decision was made not to test before a court the application of the definition of firearm in the act to the device; if so — (i) when; (ii) by whom; and (iii) why?

Mr McNAMARA (Minister for Police and Emergency Services) — The answer is:

I am informed that the information available in response to the honourable member’s question is set out below.

1. The device was examined by a firearm examiner who concluded the contrivance could not be reasonably mistaken by a person to be a genuine pistol. It was not capable of discharging any shot, bullet or other missile.
2. The minister was advised that there was no breach of the firearms legislation arising from the incident outside the Camberwell Gun Show on 30 July 1994. This advice was supplied to the minister through a letter to the Deputy Director, Police, Emergency Services and Corrections Directorate, Department of Justice from the Registrar of Firearms on 28 November 1994.
3. (i) The device was provided to the police during an interview at the Altona North CIB offices on 31 August 1994.
   (ii) The device was obtained from Mr Leslie Jack Twentyman.
   (iii) The device has not passed out of police possession since it was obtained.
   (iv) Refer to (iii) above.
4. The device has not passed out of police possession since it was obtained.
5. (i) October 1994
   (ii) The decision was made by senior police in 'J' District (Altona North)
(iii) The Victoria Police Force regards the current definition of ‘firearm’ in the Firearms Act as appropriate. It was not considered necessary to test the application of the definition to the object in question. The ‘zip gun’ did not fall within this definition and could be described as nothing but a child’s crude toy.

Conservation and natural resources: departmental housing

(Question No. 392)
Mr LEIGHTON asked the Minister for Natural Resources:

Whether he is aware of a threat made by the Department of Conservation and Natural Resources, in response to a request by the State Public Services Federation to open up the process of deciding the future of Government Employee Housing Authority properties, that the department would remove all GEHA properties; if so will the minister ensure that this threat will not be carried out?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

I am advised that in all the relevant communications with the State Public Services Federation, no such threat was ever made or implied by the department. Furthermore the department has recently confirmed the retention of some 90 houses for departmental employees. This clearly demonstrates that the allegation is without foundation.

Conservation and natural resources: remote living allowances

(Question No. 393)
Mr LEIGHTON asked the Minister for Natural Resources:

In respect of remote living allowances received by officers within the Department of Conservation and Natural Resources:

1. What further locations are under consideration by the department for the payment of remote living allowances?
2. Whether the allowances attach to the office or the officer?
3. What are the details of officers within the department in receipt of remote living allowances; indicating — (a) the locations; (b) the quantum received by each officer; (c) the criteria for receiving the allowance; (d) the formula for calculating the allowance; (e) the number and percentage of officers in each region in receipt of the allowance?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

1. A revised arrangement for the payment of remote living allowances was put in place on 1 January 1995. This increased the number of locations where an employee may be entitled to a remote living allowance from 11 to 40. There are no other locations being considered by the department.
2. The allowance is payable to employees working at nominated locations who apply for the allowance and who are assessed as satisfying eligibility criteria.

Government Employee Housing Authority: demolished or removed properties

(Question No. 394)
Mr LEIGHTON asked the Treasurer, for the Minister for Finance:

In relation to Government Employee Housing Authority properties that have been demolished or removed or listed for demolition or removal, what are the addresses of such properties, indicating in each case whether they have been demolished or removed, or listed for demolition or removal?

Mr STOCKDALE (Treasurer) — The answer supplied by the Minister for Finance is:

There are 39 Government Employee Housing Authority properties currently listed for demolition or removal. The addresses of these properties are listed on Schedule A. Forty-four (44) properties have been demolished or removed during the previous twelve months. Addresses of those properties are listed on Schedule B.
QUESTIONS ON NOTICE

Schedule A
Properties currently listed for demolition or removal:

- Depot, Murray Valley Highway, Lake Boga
- Zumsteins Recreational Area, Zumsteins c/- Post Office, Toolamba
- 2 Mallee Research Station, Walpeup
- 6 Mallee Research Station, Walpeup
- Lot 1 Pound Bend Road, Warrandyte
- Lot 2 Pound Bend Road, Warrandyte
- Lot 3 Pound Bend Road, Warrandyte
- 'Stan Brae', 14 Boys Road, Wonga Park
- 44 Perra Street, Ferntree Gully
- 2 Serendip Wildlife Reserve, Lara
- You Yangs Forest Park, Lara
- Creswick Nursery, Creswick
- State Nursery, Macedon
- South Australian Border, Taplan Gate
- Residence 2, Snobs Creek Hatchery, Snobs Creek
- Residence 5, Snobs Creek Hatchery, Snobs Creek
- Residence 6 Snobs Creek Hatchery, Snobs Creek
- Residence 7, Snobs Creek Hatchery, Snobs Creek
- Residence 8, Snobs Creek Hatchery, Snobs Creek
- Residence 9, Snobs Creek Hatchery, Snobs Creek
- 592 Ramu Avenue, Tremont
- Via Morwell National Park, Churchill
- 4 Mt. Napier Road, Hamilton
- 4 Potato Research Station, Toolangi
- Carmel Avenue, Mount Waverley
- The School Residence, Merrigum Road, Lancaster
- Koorlong Avenue, Irymple
- 267 Brunswick Road, Jewell
- Paradise Beach
- Churchill Park Drive, Rowville
- School Residence, Newstead
- 30 Railway Avenue, Laverton
- 32 Railway Avenue, Laverton
- 34 Railway Avenue, Laverton
- 12 Early Street, Gisborne
- 1 Railway Place, Charlton
- 5 Railway Place, Charlton
- 403 Station Street, Lalor

Schedule B
Properties demolished or removed:

- Clarke's Road, Kiata
- Wyperfield National Park, Wyperfield
- 10 Railway Avenue, Pakenham
- 12 Railway Avenue, Pakenham
- 14 Railway Avenue, Pakenham
- Wright Street, Elphinstone
- 22 Trent Street, Burwood
- 11 High Street, Dimboola
- Diamond Street, Eltham
QUESTIONS ON NOTICE
Wednesday, 6 September 1995

Mr PANDAZOPOULOS asked the Minister for Natural Resources:

In relation to catchment and land protection boards:

1. What the 1994-95 budget was for each board?
2. What was the amount and type of payments made to each board member?

Mr COLEMAN (Minister for Natural Resources) — The answer is:

The table below gives the budget of each regional catchment and land protection board in 1994-95, and the total amount paid in sitting fees and travelling expenses to members of the boards in that financial year.

To maintain the confidentiality of the personal affairs of board members, the amount of fees and expenses paid to each member is unable to be given.
### QUESTIONS ON NOTICE

#### ASSEMBLY

Wednesday, 6 September 1995

<table>
<thead>
<tr>
<th>Regional Catchment &amp; Land Protection Board</th>
<th>Budget 1994-95</th>
<th>Total sitting fees paid to members 1994-95</th>
<th>Total travelling expenses paid to members 1994-95</th>
</tr>
</thead>
<tbody>
<tr>
<td>Port Phillip</td>
<td>$40,000</td>
<td>$7,695</td>
<td>$2,576</td>
</tr>
<tr>
<td>Glenelg</td>
<td>$40,000</td>
<td>$12,100</td>
<td>$2,642</td>
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<tr>
<td>East Gippsland</td>
<td>$40,000</td>
<td>$12,020</td>
<td>$3,805</td>
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<td>Corangamite</td>
<td>$40,000</td>
<td>$4,410</td>
<td>$1,982</td>
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<tr>
<td>Mallee</td>
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<td>$12,820</td>
<td>$4,323</td>
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<td>North Central</td>
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<td>$3,576</td>
</tr>
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<td>Goulburn</td>
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<td>Wimmera</td>
<td>$40,000</td>
<td>$9,625</td>
<td>$4,111</td>
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<tr>
<td>West Gippsland</td>
<td>$40,000</td>
<td>$2,115</td>
<td>$3,395</td>
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</table>
Small business: media research and public opinion polling

(Question No. 263)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

No activities have been undertaken by agencies under my administration since 3 October 1992 that could be construed as media research or public opinion polls. However two surveys are under way within the Office of Small Business to —

(a) identify key issues to improve the performance of the small business sector; and

(b) identify compliance costs faced by small business.

Community services: media research and public opinion polling

(Question No. 268)

Mr PANDAZOPOULOS asked the Minister for Community Services:

In respect of each department, agency and authority within his administration, what the details are of all media research and public opinion polling conducted since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mr JOHN (Minister for Community Services) — The answer is:

No media research or public opinion polling relating to the community services portfolio was conducted since 3 October 1992.

Health: media research and public opinion polling

(Question No. 269)

Mr PANDAZOPOULOS asked the Minister for Health:

In respect of each department, agency and authority within her administration, what the details are of all media research and public opinion polling conducted since 3 October 1992, including — (a) the title of each poll or item of research; (b) the date approved and duration of contract; (c) cost; (d) the personnel conducting the project; (e) whether it was put to tender; (f) recommendations made; and (g) any actions taken by department or minister?

Mrs TEHAN (Minister for Health) — The answer is:

(a) Victorian Attitude Monitoring Study.
QUESTIONS ON NOTICE

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(b)-(e) The State Tender Board approved on 15 January 1993, a three year tracking project by A.M.R Quantum for the Department of the Premier and Cabinet. In conjunction with that project the Department of Health and Community Services made a one off payment of $67 000 in December 1994.

(f)-(g) Not applicable.

Small business: credit cards

(Question No. 295)

Mr PANDAZOPOULOS asked the Minister for Small Business:

In respect of each department, agency and authority within his administration, whether he will provide full details of the use of credit cards by himself, ministerial staff and departmental heads since 3 October 1992, indicating in the case of each card holder — (a) the spending limit; (b) the type of authority required for purchase; (c) criteria for issue and usage; (d) total entertainment expenses, including — lunches, dinners and alcohol; and (e) a list of all instances where expenditure exceeded $200 per account, including — (i) the amount; (ii) the number of guests; (iii) the purpose of the function; (iv) the name of the service provider; and (v) the date of service?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

The Department of Business and Employment issues credit cards to ministers and ministerial staff primarily for use on overseas travel. They are used to pay for accommodation and other expenses associated with the travel. In the time frame requested the Minister and one adviser travelled overseas once on matters directly related to the portfolios of small business and youth affairs.

In relation to part (a) of the question the credit limits are varied as occasion dictates to a maximum of $20 000. In relation to parts (b) and (c) of the question, the cards are issued and used in accordance with the Department of Finance guidelines.

The cost and burden on government do not justify a detailed response to parts (d) and (e) of the question. The department, however, advises that there has been no use of credit cards by the departmental heads and that the following amounts were spent by specific card-holders between 3 October 1992 and 8 December 1994:

Hon. Vin Heffernan $8936.75
Brian Loughnane  $9635.80

Small business: ethnic business organisations

(Question No. 341)

Mr LONEY asked the Minister for Small Business:

Whether the minister has received any requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies since 3 October 1992, if so — (a) how many requests have been received, indicating in each case whether the request was supported or rejected, giving the reasons in each case; and (b) whether he will provide the details of support given to any such organisation?

Mr HEFFERNAN (Minister for Small Business) — The answer is:

No requests for support, financial or other, from ethnic business organisations, chambers of commerce or similar bodies have been recorded since 3 October 1992. 

Whilst Small Business Victoria maintains a close working relationship with the majority of ethnic business organisations, the services provided are to individual businesses rather than business organisations and are not recorded on the basis of ethnicity.