

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

1 March 2001

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By authority of the Victorian Government Printer

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

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Thursday, 1 March 2001

The **SPEAKER** (Hon. Alex Andrianopoulos) took the chair at 9.36 a.m. and read the prayer.

NOTICES OF MOTION**Drugs: debate**

Mr BRACKS (Premier) — I desire to give notice that tomorrow I will move:

That this house invites members of the Legislative Council to join members of the Legislative Assembly in session following question time on the next day of sitting to hear an address by Mr Comrie and other experts in the drug field outline their proposals for a drug education and prevention program to protect Victoria's future generations from the drug scourge and to discuss proposals for a bipartisan program to deliver a better, safer drug education prevention and diversion strategy.

Mr Napthine — On a point of order, Mr Speaker, I seek your advice on whether the Premier would prefer to move his motion by leave, which the opposition would grant, so the motion could be dealt with today, before Parliament rises for two weeks, so planning could commence for a joint sitting.

This morning the opposition put the proposal to the Premier's office that the opposition could move a motion by leave. It is interesting that the Premier has now come into this place with his notice of motion.

Mr BRACKS — On the point of order, Mr Speaker, as I told the Leader of the Opposition before coming into the house this morning, I have given a private undertaking to Mr Comrie that discussions would be held before any joint sitting of the two houses. An outcome may include a joint parliamentary committee to deal with the issue. That is an appropriate course of action, given the nature of the proposal. Obviously the matter could not be debated today, but I have foreshadowed that it will be discussed at the next sitting of the house.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order. I am prepared to rule on the point of order without hearing any further debate on it. I was lenient with the Leader of the Opposition in speaking to his point of order, as I was with the Premier, but it is now appropriate for me to rule.

I do not uphold the point of order raised by the Leader of the Opposition. I called for notices of motion and a

notice was given. Motions by leave will be called at a later stage.

Are there any further notices?

Further notice of motion given.

PETITIONS

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

Water: farm dams

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

The humble petition of the Victorian Farmers Federation Wodonga District Pastoral Council and the undersigned citizens of Victoria sheweth that we reject the recommendations contained in the Draft Farm Dams (Irrigation) Review Committee as they have ignored the submissions made by north-east farmers to the review, cancel our existing private rights to water, have no community support and will have undesirable social implications throughout the region. Additionally we support the Victorian Farmers Federation rejection of the recommendations.

Your petitioners therefore pray that the members of the Legislative Assembly will support our wish for an equitable and just outcome that does not further erode our statutory and traditional rights to water.

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

By Mr PLOWMAN (Benambra) (994 signatures)

Deakin University

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 showeth that the planned expansion of the Melbourne campus (previously known as Burwood campus) of the Deakin University will have a detrimental effect on this community as a whole. The size and positioning of the proposed development will impact substantially on the existing green belt and buffer zone of an environmentally sensitive area. It will also cause the destruction and loss of a community sporting facility and open space.

Your humble petitioners therefore pray that the state government immediately call on the council of Deakin University to abandon plans to construct any building upon the land known as the Northern Oval, Bennettswood Reserve.

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

By Mr STENSHOLT (Burwood) (487 signatures)

Safety Beach: speed limits

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 we the residents and visitors of Dromana Parade and Marine Drive, Safety Beach, have grave concerns about the speed limits and safety in the above streets. The area is full of children of all ages who have to constantly cross the roads in order to get back to their caravans and homes, and to the local milk bars. The current speed limit on Marine Drive is 70 kilometres per hour, and on Dromana Parade 60 kilometres per hour. (There are four caravan parks opposite the beach on Marine Drive many of whose occupants are of overseas origin). There have been two bad accidents on Dromana Parade in the last week, 18 January 2001, one of which is believed to have been fatal. The caravan parks have gates on to both roads.

There are no footpaths on either road meaning that mothers with infants and small children, the aged and the disabled have no option but to walk on the roadways.

Your petitioners therefore pray that the speed limits be reduced where possible and the limits enforced, and that some sort of walking track suitable for all members of the public be provided on one side of each road.

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

By Mr DIXON (Dromana) (296 signatures)

Laid on table.

Ordered that petition presented by honourable member for Benambra be considered next day on motion of Mr PLOWMAN (Benambra).

PAPERS

Laid on table by Clerk:

Calder Regional Waste Management Group — Financial Statement for the year 1999–2000, together with an explanation for the delay in tabling

Desert Fringe Regional Waste Management Group — Report for the year 1999–2000, together with an explanation for the delay in tabling

Grampians Regional Waste Management Group — Report for the year 1999–2000, together with an explanation for the delay in tabling

Mildura Regional Waste Management Group — Report for the year 1999–2000, together with an explanation for the delay in tabling

South Western Regional Waste Management Group — Report for the year 1999–2000, together with an explanation for the delay in tabling

Western Regional Waste Management Group — Report for the year 1999–2000, together with an explanation for the delay in tabling.

DRUGS: DEBATE

Dr NAPHTHINE (Leader of the Opposition) — I desire to move, by leave:

That this house invites the Legislative Council to join it in a joint sitting to hear an address by Mr Neil Comrie, the current Chief Commissioner of Police, outlining his proposals for a drug education and prevention program to protect Victoria's future generations from the drug scourge and to discuss proposals for a bipartisan program to deliver a better, safer drug education, prevention and diversion strategy.

Leave refused.

BUSINESS OF THE HOUSE

Adjournment

Mr BATCHELOR (Minister for Transport) — I move:

That the house, at its rising, adjourn until Tuesday, 20 March.

Motion agreed to.

MEMBERS STATEMENTS

Drugs: debate

Dr NAPHTHINE (Leader of the Opposition) — I wish to advise the house of the unsavoury activities that took place this morning with respect to the notice of motion given by the Premier.

Mr Neil Comrie, the Chief Commissioner of Police, has called for bipartisanship to deal with the emerging and significant drug issue in our community. I find it disgraceful and disappointing that when the opposition, seeking to take a bipartisan approach, this morning moved a motion by leave that leave should be refused, particularly in view of the fact that the opposition advised the Premier and his office prior to Parliament sitting that it intended to move the motion by leave and sought the government's bipartisan support on the issue. The Premier has sought to play politics with it. Indeed, he came in here with a notice of motion clearly based on the wording drafted by the Liberal Party.

I challenge government members to read the wording of the Premier's motion and say that it is not a copy, that it is not plagiarism of the opposition's motion. This is the worst form of — —

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

Stawell Gift

Mr DELAHUNTY (Wimmera) — Last month we heard much about a suggestion of moving the 125th Stawell Gift to Melbourne. You cannot move tradition! It would be like holding the Murray River marathon on the Yarra River or staging the Melbourne Cup in Sydney. Everyone would be outraged, as they were at the suggestion regarding the gift, which is Australia's most famous footrace. Every athlete wants to be able to say that he is a Stawell Gift winner.

The government has made a big song and dance about establishing a Victorian major events company, but it has not yet produced one new major event for country Victoria. While we thank the government for its promise of \$40 000 to assist in promoting the gift, we call on it to fund the infrastructure improvements necessary to sustain the event at Stawell for another 100 years.

The Stawell Athletic Club and the Northern Grampians Shire Council have been partners in staging the gift and are working to make improvements at Central Park. Central Park is in need of an upgrade of the surface, the change rooms — particularly for women — toilets, power and water. The club also wants to build the hall of fame into a major tourist attraction in its own right as a way of value adding to the region and creating cash flow.

The government should do everything in its power to make sure this event stays in Stawell, because the gift is an icon event for the Wimmera district and for Victoria. It must stay in Stawell.

Drugs: debate

Mr HULLS (Attorney-General) — People are dying as a result of the drug scourge in this state — —

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Caulfield!

Mr HULLS — And the Chief Commissioner of Police has urged people to attack the drug problem in a bipartisan way.

The motion moved by the government attempts to do that, and not only to invite Neil Comrie to address this Parliament but to extend the invitation to other people as well. Unless there is bipartisan support on the drug problem, we will get nowhere. The Leader of the Opposition has today undermined that bipartisan support. He may well be under internal party pressure

himself, but he should not use the drugs debate as a political stunt.

Honourable members interjecting.

Mr HULLS — The fact is that we have an obligation to the people of Victoria to act in a bipartisan way, and the Leader of the Opposition should be absolutely ashamed of himself!

Honourable members interjecting.

The SPEAKER — Order!

Mr HULLS — He is using this as a political stunt.

Honourable members interjecting.

The SPEAKER — Order! Stop the clock!

I have stopped the clock because I cannot allow the debate to continue with that level of interjection.

Mr HULLS — It is a sad day in the drugs debate, because the Leader of the Opposition has decided there will be no bipartisan support. He has pulled a grubby political stunt because he is under internal pressure.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order. The honourable member's time has expired.

Honourable members interjecting.

The SPEAKER — Order! I ask the Attorney-General and the honourable member for Mordialloc to cease interjecting in that manner across the table. Order! The honourable member for Tullamarine!

Small business: government policy

Ms ASHER (Brighton) — I wish to talk about policy rather than politics. I refer in particular to the Premier's misrepresentation of the Yellow Pages *Small Business Index* in this house twice this week. The Premier has not read the fine print. This is something that occurs quite frequently.

Firstly, the Premier should look at what small business thinks of his government. Government support by small business is a net negative 10 per cent, which is a very low level of support from small business. Indeed, 18 per cent of small businesses think the Victorian government's policies are against them.

Secondly, the Premier needs to have a look at the real concerns of small business. He claims small business is

concerned about the GST. According to this survey only 3 per cent of small businesses are concerned about the GST. The main concern is the lack of work and sales. The second major concern is state government regulations. Fourteen per cent of small businesses are concerned about state government regulations, with the Victorian government being the worst offender. Seventeen per cent of Victorian small businesses see state government regulations as their no. 2 problem. The Premier should read the fine print, take note of what small business is saying and stop his assault on small business.

Small business is far more concerned about consumer confidence, rising overheads and competing businesses than it is about the GST.

Borghild Nelson

Mrs MADDIGAN (Essendon) — On behalf of members of the Legislative Assembly, I express our sadness today at the death of Borghild Nelson.

Borghild worked for Hansard for 10 years from 1975 to 1986. She returned at the request of the Editor of Debates as a casual reporter in 1997. At that time the department was experiencing a staffing crisis, and Borghild's willingness to return assisted the department enormously.

During Borghild's time on the permanent staff she travelled with many committees and established friendships with many members and staff. The Assistant Clerk has in his office a photo of members of the then Natural Resources and Environment Committee on the top of Uluru, with Borghild featuring prominently.

Borghild was a highly valued member of our staff who made a substantial contribution to the Parliament over 15 years. She was a wonderful friend to members of the Hansard staff as well as members of Parliament.

Borghild was diagnosed with cancer in September last year and died on 7 February this year while still a member of the parliamentary staff.

We express our sympathy to Robert, her husband of 23 years, and to her extended family and friends.

Bill Roberts

Mr SAVAGE (Mildura) — I place on public record the life and times of Bill Roberts, one of Hopetoun's finest citizens, who died 10 days ago. Bill, who had been a friend of mine since I became a member of Parliament, was a great citizen of the Hopetoun

community who gave me some significant and timely advice during the time I knew him.

Bill was a staunch supporter of the Country Party and the National Party for many years. He served in local government in the Shire of Karkaroc from 1972 until 1984 and was the shire president in 1980 and 1981. He was also a member of the Hinterland Committee. After serving in local government, Bill served for many years on the Grampians water committee. He was a member of the Rotary club of Hopetoun from 1966 and was president from 1977 to 1978.

He was made a Paul Harris Fellow in 1988. Bill was a president and life member of the Hopetoun Football Club and president and committee member of the Hopetoun Bowling Club. He was also a member of the cemetery trust and the historical society.

Bill was the one-man welcoming committee for business people and others who moved to Hopetoun; he welcomed them personally. He was a wonderful man who was committed to his community. He was a selfless fellow who successfully raised a fine family. Unfortunately his wife died many years ago.

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

Katharine Davey

Mr McINTOSH (Kew) — The local community of Kew, in which I live, was recently rocked by the passing of Katharine Davey. At the time of her death she was only eight years of age. The community was rocked by her death not just because of her age but because her death touched the community in a variety of ways.

Her mother, Paula, had been a councillor of the City of Boroondara and represented my ward, Studley Park. She was also the quintessential volunteer. Together with Katharine and her other children she was involved with the local school. She has been a president of the preschool committee of management and is also involved with a variety of other clubs, including the local tennis club. Katharine's father, Allan, has a PhD, is an executive of the Australian Wool Secretariat and is also involved in the local community.

Katharine's life touched many of us in a variety of ways. My son and the Davey's son, Nicholas, are the same age and play together often. We all note this tragedy. It has reinforced in our minds that the lives of young children are so precious and that our own existence on this earth is tenuous. We must all work to make it a better place.

Tourism: Seymour electorate

Mr HARDMAN (Seymour) — I wish to advise the house of the great entertainment and tourist attractions that exist around the Seymour electorate. The Minister for Major Projects and Tourism came to my electorate only a week or so ago, and we visited the Beveridge Maze and Bird World, which was a great experience. We also went to Trackside Kilmore, where joint horse and harness race meetings take place, which is a first for Victoria.

From there we travelled to the state motorcycle racing complex at Broadford. The government has provided the World Motor Grand Prix with \$130 000 over three years. It hosts a major, world-class event in rural Victoria, a first of its kind. It takes place at Easter. Among other things we sat on the cycles and then travelled to Heathcote, where we opened a wine centre at the Emu Inn, which is owned by Fred and Leslye Theiss. We also visited other great tourist attractions and businesses in the town, including The Bank and the Central Victorian Yabby Farm.

I recommend all members of Parliament to tell people to visit the Seymour electorate. I have touched on only the tip of the iceberg — there is also the Trawool Valley, the Yarra Valley and many other attractions, such as the Tank Museum at Puckapunyal. I urge everyone to come to the Seymour electorate — it is a great place for tourism and entertainment.

Ray Alexander

Mr LUPTON (Knox) — Last Saturday I had the privilege and honour of dedicating a garden at the local RSL to Mr Ray William Alexander. The garden is unique because it has been dedicated to Mr Alexander while he is still alive. Often people are not recognised until after they pass on.

Ray Alexander enlisted in the Australian AIF on 28 March 1940 and sailed overseas less than two months later. He served in the 2/31 Battalion AIF and Engineers. He served in England, the Middle East and New Guinea, including the Kokoda track. He has continued to be a member of the Boronia RSL since 1951. He was president of the RSL club from 1972 to 1977 and a senior vice-president from 1984 to 1996.

He was awarded life membership of the RSL, inducted into the Yarra Valley Legacy group in March 1976 and held the position of president. He was also a Legatee. Anybody involved in the RSL would know the magnificent job legatees do for people who have lost loved ones as a result of the war.

Raymond Alexander has been committed to the Boronia RSL and been extensively involved in fundraising and generally providing for the widows of the various former members of the RSL. To think that the club saw fit to recognise him at this time has been an honour to him.

Volunteers: Gisborne electorate

Ms DUNCAN (Gisborne) — I wish to pay tribute to the thousands of volunteer workers in the electorate of Gisborne in this International Year of Volunteers. Almost everybody in country towns are involved in some form of volunteerism, such as the State Emergency Service, the Country Fire Authority, historical societies that preserve our heritage, the hundreds of sporting clubs that nurture our children and provide them with great experiences, the carers who work in our hospitals and people who work in our schools.

I also pay tribute to those in the electorate of Gisborne who won Australia Day awards.

The SPEAKER — Order! The time set down for members statements has expired.

STATE TAXATION ACTS (FURTHER MISCELLANEOUS AMENDMENTS) BILL

Second reading

Debate resumed from 14 November 2000; motion of **Mr BRUMBY** (Treasurer).

The SPEAKER — Order! As the required statement of intention has been made pursuant to section 85(5)(c) of the Constitution Act 1975, I am of the opinion that the second reading of this bill requires to be passed by an absolute majority of the house.

Ms ASHER (Brighton) — Although the opposition has a number of reservations about the State Taxation Acts (Further Miscellaneous Amendments) Bill, it does not oppose it. The bill clarifies the legal situation for the major players. It amends the refund processes and payroll tax procedures, and it clarifies the circumstances that the State Revenue Office (SRO), taxpayer groups and peak organisations believed existed. The legislation restores that belief — although I must say it uses a series of blunt instruments to confirm that.

The major changes, which are contentious, relate to the Taxation Administration Act. Access to the courts is blocked retrospectively in relation to certain matters.

The bill applies retrospectivity dating back to the second-reading speech of 14 November last year. Such proposals are normally contentious. I recall on many occasions under the previous government when section 85 statements were introduced there was a barrage of criticism from the Labor Party, although I note of late that the view of this government is that section 85s can be used as routine measures. The government has been open in its rationale by saying that the legislation is to protect state revenue and therefore it will use section 85 to do so.

A mechanism in the bill will backdate application of certain provisions to the date on which the Treasurer delivered his second-reading speech. These issues could have been handled much quicker in the last sessional period; often the use of backdating to the second-reading speech date is criticised by parliamentary purists. I am not saying the opposition opposes that, but these work practices were criticised severely by Labor when in opposition and now, when the Treasurer is faced with a sizeable problem, these mechanisms are readily used.

The bill relates to refunds for hypothetical and actual overpaid payroll tax. With regard to refunds, the State Revenue Office and certain taxpayers, accountancy groups and taxpayer organisations believed there was a three-year limit on refunds — in other words, if a business thought it had overpaid payroll tax it could go back three years but it could not go back to 1971, for example, the date payroll tax commenced.

A number of legislative instruments were used in 1992 and 1993 when the opposition was in government to enshrine in legislation that particular three-year limitation. I note with some interest that when the legislation was introduced by the Liberal and National parties the principle of the legislation had previously been endorsed by the Labor Party. A press release issued in August 1992 by former Treasurer — I use the word loosely — Tony Sheehan, prior to the Labor government losing office indicated that the government would introduce legislation that would backdate refunds across all forms of taxation for the three-year period.

It is quite evident to me that in 1992 both parties wished to institute the three-year backdating mechanism and that nothing has changed since then. The Liberal Party does not oppose the bill.

The State Revenue Office needs certainty and finality — as indeed do all revenue collection agencies. The commonwealth jurisdiction has a number of very blunt instruments that ensure finality, so I understand

the point advanced to the government by the SRO that it needs certainty and finality in tax administration.

The trigger for the change was the famous litigation that took place between Drake Personnel Ltd and the SRO. That case related to something quite different emanating from the previous government's term of office, and was principally about agency tax, and so on. I will not go over that again because it has been discussed at length already in this place. However, during the Drake hearing an anomaly was exposed, and it is because of that anomaly that the government has had to act by producing the legislation before us.

At the moment there are two processes for refunds, and two distinct consequences of the determination in the Drake case. If the commissioner agrees with a business and a refund is due, that business can — within the three-year limit I spoke of previously, obviously — have a refund. However, where the commissioner disagrees with the business lodging a claim for overpaid tax and an appeal is instituted there now exists an unlimited right to appeal. Indeed, the possibility exists that businesses might go right back to 1971, when payroll tax was introduced. It is clear from debates of the time that the states were absolutely delighted to get a revenue stream from payroll tax and regarded it as a growth tax. Hasn't the debate moved on since then! We think differently now about what is an appropriate growth tax and what is not.

There was a fear in government and in the bureaucracy that as a consequence of that case employers might realise they had the opportunity of a windfall gain and lodge appeals — perhaps as far back as 1971. The second-reading speech advises that the state was exposed to the extent of perhaps \$30 million. In some circumstances, hypothetically the windfall gain could go to employers, who in agency cases may not even pass it on to the other employer who paid the payroll tax. Such anomalies were exposed by the Drake case, and I understand from advice received from the State Revenue Office that similar anomalies have been exposed in other states. For example, New South Wales has closed the gap in much the same way that Victoria now proposes to close it with this legislation.

The key elements of the bill are threefold. Firstly, it institutes certainty in a wide range of areas, particularly in the definition of overpaid tax and in terms of processes and procedures.

Secondly, clause 11 amends the Taxation Administration Act to align the two refund mechanisms — those generated by a taxpayer's objection to an assessment where it is actually allowed

in whole or in part, and those generated following a taxpayer's review or appeal. That provision is probably the key rectifying feature of the bill.

The third major feature of the bill is the setting of a three-year limit, which everyone thought was in place already. It was the general policy put forward by both the previous coalition government and a previous Labor government, as expressed in 1992 in a press release by former Treasurer Tony Sheehan.

The mechanism used by the government in this legislation is the toughest possible. As I mentioned earlier it uses a section 85 mechanism to limit the jurisdiction of the Supreme Court. It blocks access to the courts and institutes an effective date of commencement of 14 November 2000, the date of the second-reading speech. In addition, it retrospectively validates past decisions of the commissioner. The bill is therefore the bluntest of instruments and the toughest possible way of handling a problem retrospectively.

The proviso to it is that the government exempts three cases that are specifically mentioned in the bill. If businesses have lodged their cases before a court the government does not seek to overrule them in any way. Such exemptions are specifically inserted into the law to provide for cases such as the Drake case, the Select Appointments case and the Medihealth 2000 case. That is obviously the proper course of action to take.

Given the adoption of those toughest possible mechanisms by the government to preserve state revenue and handle the issue of retrospectivity, one would reasonably expect the Scrutiny of Acts and Regulations Committee to comment on the matter, as indeed it has. I refer to *Alert Digest* No. 1 of 2001, which sets out the Scrutiny of Acts and Regulations Committee's examination of the State Taxation Acts (Further Miscellaneous Amendments) Bill. On page 16 the committee states:

The committee notes that this provision has retroactive effect, in that claims that may have been brought before the commencement of the act are statute barred from 14 November 2000, being the date of the minister's second-reading speech in the Legislative Assembly. The committee notes that proceedings commenced prior to 14 November 2000 in the Supreme Court are exempted from the operation of the act.

The committee notes that the retroactive application of the legislation in this instance is designed to protect the state revenue from unintended windfall gains that may otherwise occur as a result of legislative deficiencies that came to light in the course of recent legal proceedings. The committee notes that the practice of including such legislative provisions may be acceptable in circumstances where an amending act

has the object of removing any legal doubt as to the original intent of the legislation.

The Liberal Party broadly agrees with the committee's view that the bill removes legal doubt. It does not impose a new system, but confirms what everyone thought was the system. It removes legal doubt as to the original intention of the legislation.

I shall plagiarise openly the findings of the Scrutiny of Acts and Regulations Committee — —

Mr Ryan interjected.

Ms ASHER — The Leader of the National Party reminds me that it has already happened once this morning, but in this instance I have acknowledged what I am about to do. I am most influenced by the response of the Victorian Employers Chamber of Commerce and Industry to this bill. If there was something untoward in what the government was proposing, one would expect the employer organisation to object to it. I have received a letter dated 23 February from Nicole Feely, the chief executive officer of VECCI, in which she states:

The amendments appear to be mechanical measures that do not alter the original policy thrust of each act ... As such we do not have any major concerns with the bill.

The Liberal Party has taken particular note of that view. However, I place on record some concerns expressed to me by the Housing Industry Association. I call on the government to consult with the HIA to explain the rationale of the highly sensitive issue of retrospectivity. Although the Liberal Party does not oppose the mechanism, obviously I direct attention to some elements for which the former coalition was criticised when in government.

I place on record the concerns of the HIA and urge the government to explain to the association why it needs to use such a blunt instrument to achieve its policy end. In a letter dated 26 February, signed by Antonio Mazzone, the HIA makes the following points:

The second-reading speech does not adequately explain why those persons who challenge or disagree with and successfully object or appeal a decision of the commissioner should not be entitled to a full refund of all tax overpaid compared with the three-year limit where the commissioner agreed with a claim. Whilst the protection of the revenue is important, it should not override the legal interests of all genuine claimants.

Although I have explained the Liberal Party's position on this matter, the government would do well to talk with stakeholders such as the HIA and explain why it has taken that action. The government should be concerned that the HIA has written the letter because

the association is clearly of the view that the possible legal interests of genuine claimants have been overwritten by the bill. It is incumbent on the government to explain why the existing court cases have been quarantined, if I may use that expression, and why it has done what is set out in the bill.

Part 6, which deals with the amendments to the Taxation Administration Act, appears to be reasonable. Clause 13 provides that the service of documents may be made by electronic means. I know the honourable member for Doncaster strongly supports the modernisation of the processing of documents within government. Further provisions make clear the process of serving documents, and clarify when various documents have been deemed to have been served. The provision refers to posting, delivery in person and facsimile.

I direct honourable members to proposed section 125A(2) in clause 14:

If a facsimile or other electronic transmission is received after 4.00 p.m. on any day, it must be taken to have been received on the next business day.

That provision is drawn from the Duties Act. I am advised by the State Revenue Office that it is a standard definition. One day I paid my credit card after 4.00 p.m. and was charged an additional month's interest. I fought that claim and, as one would expect, I won in that particular instance. However, I did receive an official notification by letter from my bank that if one paid a bill after 4.00 p.m. on any given day, the payment was regarded as having been paid on the next day of business.

That government and business practice or procedure is not widely known in the community. I seek an assurance from the minister that the enforcement of that provision against employers paying payroll tax and other taxes imposed under the Taxation Administration Act will not be brutal and that employers will be educated or notified of the practice. I am sure many businesspeople, particularly small businesspeople, would not be aware of the 4.00 p.m. rule. I urge the minister to ensure that information is included in the education campaign to be conducted on the new duties legislation.

The bill also makes a number of amendments to the First Home Owner Grant Act. Members will recall that the first home owner grant is a \$7000 grant provided by the commonwealth government and administered by the states as part of the national taxation reform package agreed to by all state premiers, Labor and Liberal, and the commonwealth. Victoria instituted its

first home owner grant legislation early in the process and a number of deficiencies have now emerged which the amendments seek to rectify.

The most interesting one is that the bill extends the eligibility for the \$7000 first home owner grant to New Zealanders. My first question was why. The answer to the question was that the commonwealth has requested it, stemming from the Trans-Tasman Mutual Recognition Treaty. As an explanation I guess that will do, although I note that at the moment different criteria are being applied to New Zealanders. The original intention of the commonwealth and state agreement was for the first home owner grant scheme to be extended to permanent residents and, of course, New Zealand citizens are able to enter Australia on a special category visa, which is covered under section 32 of the Migration Act 1958, and that extends eligibility.

The bill also prevents various types of double dipping into this lucrative and popular first home owner grant scheme. For example, if someone had bought a property after the commencement day but did not apply for the grant a loophole allowed that they could apply for a grant for a second residence. Again, I do not have a problem with the government trying to look at issues such as double dipping.

However, I will say that on the matter of enforcement by the State Revenue Office the opposition has received some complaints from people who have been given \$7000 grants and been asked to repay them. At a later date I would like to discuss with the Treasurer — now is not the most appropriate time to go into detail — the apparently draconian handling of the \$7000 grants, particularly the instances that have been drawn to the attention of the opposition where grants have been given and requests have been made for them to be returned. I place on record the opposition's early concerns regarding a number of cases. The Treasurer will receive requests for clemency — that is, ex gratia payments — relating to this issue.

The third series of amendments in the bill relates to the Land Tax Act. Uncertainty has been created by the decision in the Drake case before the courts and in this instance by the Victorian Civil and Administrative Tribunal (VCAT) in a case relating to the Australian Ballet Centre car park. The person who heard the case made it clear to the government that he thought the wording of the Land Tax Act was inadequate. I guess there is only one action to take when someone hearing a court case tells you your wording is inadequate and that is to alter the legislation. That is being done by the bill.

Again, the purpose is to clarify the land tax exemption for charities. For many years the community has had an understanding that charities are exempt from land tax, but if land is used by a charity for commercial purposes the portion of the land that is used for a commercial purpose does not receive the land tax exemption. That is certainly the understanding of existing charities. I note that in the budget papers the government has sought to cost the exemption to the taxpayer. The opposition has consulted with Anglicare and with representatives of the Roman Catholic Church and they appear to be relaxed about this provision. It is a clarification of what everyone thought had been instituted simply because of a warning from VCAT to the government to clarify the wording. That is reasonable.

However, the government is looking at a number of unreasonable issues relating to land tax, the first being its state business tax review, by which it seeks to fund about \$1 billion worth of commercial stamp duty cuts by imposing about \$1 billion worth of additional land tax. The people being asked to pay the land tax are small business owners, and this proposal is unacceptable to the opposition. The government proposal is to remove the threshold of \$85 000 for land tax and to institute a flat rate of land tax of 2.89 per cent. The government's own state business tax report admits that this will double the number of land taxpayers over many years.

The report acknowledges that this was a request from the banks and from organisations such as Coles Myer, and that this new land tax regime will benefit landowners with portfolios valued at over \$3.8 million. The government's own report acknowledges that builders and property developers will gain at the expense of small business. Should it come before the house, the new land tax scheme will probably be one of the most iniquitous schemes that Parliament will ever debate. A flat rate of land tax with no threshold will mean that every single small business in the state of Victoria will pay land tax.

I note the *Age* editorial this morning opposing it, and I am particularly pleased to see that the *Age* newspaper has looked at this issue. It is probably one of the strongest assaults on small business I have seen in my time in politics. Again, it is extraordinary that this would come from a party that claims to represent the small business person.

I will repeat those proposed changes: the abolition of the threshold; a flat rate of land tax; double the number of new taxpayers; and a considerable increase in the

amount of land tax that existing payers of land tax will have to pay.

Under that proposal a large bank situated in Collins Street will pay the same rate of land tax as a little business in a suburb or in regional Victoria. Also under the proposal a large investor in property in the city will pay the same rate of land tax as a little investor — for example, a retired person with a small property investment. It is a despicable proposal in relation to which the opposition will hold the government to account.

I will give the house a numeric example to demonstrate that it is not just the number of new taxpayers paying land tax that will be increased. For example, under the proposal the land tax payable by a small business operating on property with a land value of \$200 000 will increase from \$200 to \$5780.

Mr Stensholt — On a point of order, Mr Acting Speaker, the bill does not address the topic the Deputy Leader of the Opposition is talking about. I ask that she confine herself to the bill.

Mr Ryan — On the point of order, Mr Acting Speaker, the bill specifically relates to state taxation acts, and into the bargain it is a bill that makes miscellaneous amendments and contemplates discussion relating to a series of pieces of legislation pertaining to the taxation base of the state. The Deputy Leader of the Opposition is precisely on point in pursuing matters as she is. Therefore I ask you to rule against the point of order.

Mr Smith — On the point of order, Mr Acting Speaker, the honourable member for Burwood is a very new member and does not understand the forms of the house, so it is understandable that he raises such a silly point of order. I suggest you overrule his point of order.

The ACTING SPEAKER (Mr Lupton) — Order! I thank the honourable member for Glen Waverley for his guidance. I find there is no point of order.

Ms ASHER — It is no wonder the honourable member for Burwood is feeling very sensitive about the issue. His Treasurer's proposal is a major assault on small business. I was waiting to see how long it would take those guys over there to stand up and raise that point of order!

The proposal will make the small players, the small businesses and the small investors pay the same rate of land tax as big business in town. Should such a bill come before the house it will be one of the most

iniquitous attacks on small business and small investors the Parliament has seen.

I repeat the example of the effect the disgraceful proposal put forward by the Labor Party will have. Small businesses or small investors with a \$200 000 property in land value are currently paying \$200 in land tax. Under Labor's proposal they will pay \$5780 in land tax. What sort of impost is that?

Small business is already getting the message that the Labor government is anti-small business, and the land tax proposal is but one more example of that, on top of the Workcover changes and the so-called Fair Employment Bill that small business has already seen.

It is outrageous that there will be no threshold. According to the proposal the government intends to remove the \$85 000 threshold, which will mean that any business operator or investor with property who previously did not pay land tax will have to pay it and that those who previously paid land tax at a low rate will pay at a higher rate. The tax will not be offset by stamp duty concessions, because they are one-off concessions and land tax is an annual impost on small business and small investors. The government should hang its head in shame that it is prepared to even consider such an impost.

As I said previously, the government's own report indicates that the beneficiaries of the proposed land tax changes will be investors and businesses with property portfolios of over \$3.8 million. Don't you like the modern Labor Party? It is so desperate to prove its credentials to big business it is considering a proposal the beneficiaries of which will be people with property portfolios worth over \$3.8 million, and it does not mind what it does to small business on its way down.

Opposition members interjecting.

Ms ASHER — The proposal is one of the most dramatic assaults on small business the Parliament has seen.

I turn now to payroll tax and the bill's clarification of the exemption of wages to apprentices. Given various legal findings in other areas, including the Drake case and the Victorian Civil and Administrative Tribunal's finding, the State Revenue Office is understandably nervous about the issue of loopholes in legislation. The SRO has instigated tightening of the Pay-roll Tax Act in response to those legal findings.

The amendment basically clarifies existing policy by ensuring that the wording is legally tight. While the wages of apprentices are exempt from payroll tax, there

has been a possibility that people could argue that apprentices are exempt from all provisions of the Pay-roll Tax Act. For example, there has been a fear that people may seek to avoid counting apprentices in their headcounts under the grouping provisions. The bill clarifies the law to ensure that such avoidance does not occur.

Payroll tax is another interesting area for the government. It has said it is prepared to consider a \$100 million business tax cut on 1 July this year, possibly followed by another \$100 million — —

Mr Helper — On the bill.

Ms ASHER — I am on the bill. That will be followed by another \$100 million tax cut on 1 July 2003, provided there is a surplus of \$100 million and economic growth.

I note the modest proposal to cut payroll tax contained in the state review of business taxes. That report recommends a cut in the current rate of payroll tax from 5.75 per cent down to 5.3 per cent. It does not advocate any change to the threshold, which will still be \$515 000. It is interesting that the report favours a threshold for payroll tax but not for land tax. It has two very distinct applications of thresholds.

This is a very modest proposal for a payroll tax cut, it is costed at \$213 million. Members should bear in mind that this modest proposal does not equate with what the government said it would do on 1 July this year. The government said it would make a \$100 million business tax cut, and this very modest payroll tax cut is costed at \$213 million. I call on the government to consider whether it should increase the amount set aside for tax cuts.

The government is very willing to increase expenditure. It is a typical Labor government; we have had something like \$900 million in extra expenditure in the government's first budget. It is very willing to expend money, but a tax cut is a completely different issue. The government is happy to spend \$900 million extra in one year. It costed its promises at about \$400 million in the budget and found another \$200 million and then post-budget it has had to fund its deals with the public sector, with the nurses and the teachers.

The government has no worries about spending \$900 million, but when people, whether they be individuals or businesses, want something back from the government it says it might give them a lousy \$100 million if it still has a surplus and good economic growth. This shows the Labor government's priorities: it is a very high-spending, high-taxing government that

is reluctant to hand anything back. Even this modest payroll tax cut is double what the government is prepared to give back to business. I urge the government to ensure that it provides a decent tax cut to business in this budget.

The bill also amends the Stamps Act in some minor ways. It changes the definition of a private unit trust scheme to align it with the commonwealth definition.

The bill also introduces some changes to motor vehicle duty. Honourable members would be aware that the Duties Act will take effect from 1 July. The bill amends the Stamps Act in relation to provisions affecting motor vehicle traders along the lines of what will come in under the Duties Act on 1 July. At the moment purchasers of used cars can either pay duty direct or pay it to the used car dealers, who remit the money to Vicroads monthly. Obviously the government and the SRO want to track the remittance, which is a reasonable and responsible thing to do. However, the Duties Act will institute a fairly severe penalty regime with 20 per cent interest. The Duties Act and the clause in this bill, which is intended to operate from now until the implementation of the Duties Act on 1 July, institute a \$25 fine for a late nil return.

The Victorian Automobile Chamber of Commerce (VACC) is not happy with the government on this issue, notwithstanding the fact that the clause is directly replicated in the Duties Act, which this house passed some time ago. David Russell, the general manager of corporate and public affairs with the VACC, has kindly written to me regarding his concerns on the issue. In his facsimile to me of 28 February 2001 he states:

VACC would recommend that the penalty for late reporting be relaxed, with the need for a return reporting nil activity being abolished. The provision for a \$25 penalty for a late return, particularly if it is a nil return, is simply ridiculous.

I urge the government to meet the VACC to discuss this change, notwithstanding the fact that it was not picked up in the Duties Bill debate, and I accept that point. The VACC wants to discuss these changes with the government, particularly the nil return. We will all have views on the 20 per cent interest, and I am not particularly focused on that. I understand the government's need to ensure that the return is a nil return, but I hope that it will not clobber small businesses as well — given its track record — over a failure to provide a nil return.

I seek an assurance from the Treasurer that this provision will not be used as a hammer to attack small business and that he will embark on a sensible discussion with the VACC on this matter and issue

some sensible instructions to his bureaucrats about its implementation. I hope no-one is clobbered and fined for a late nil return prior to any of these discussions being held. I urge that that occur.

Stamp duties are a very topical issue, and the government has proposed more than \$1 billion in cuts to stamp duties in the commercial area. Obviously the business community feels that is terrific, but the sting in the tail is the manner in which it is to be funded. As I indicated earlier, the cut is being funded by \$1 billion in extra land tax to be levied principally on small business. That is unacceptable to small business, the Liberal Party and I would imagine most small players who, after all, have provided the employment increases Victoria has seen in recent times.

I urge some of the new boys on the block and a couple of the old fellows — there are no other women in the chamber, so the boys on the block is appropriate — to speak to their Treasurer and tell him how small business in their electorates will feel about being hit with land tax for the first time. Members opposite should tell the Treasurer what they think about it.

I hope that at the cabinet table the Minister for Agriculture will tell the Treasurer what agricultural small businesses will think about paying land tax for the first time to fund stamp duty cuts. I urge involvement from government backbenchers; the opposition hears that bills and reports are not fully explained to them. That style of management ensures backbenchers do not make too much noise, however, I urge them to become involved.

I urge the honourable member for Ripon not to become an oncer. Even if he does not go in the redistribution he may go over the land tax issue! It is in his personal interest to become involved. The honourable member for Burwood should also convey a strong view to the Treasurer about state taxation.

I am delighted to have participated in the debate this morning. As I said, although the opposition has reservations about the blunt instrument used by the government, and has masses of reservations about the government's treatment of small business, it does not oppose the bill.

Mr RYAN (Leader of the National Party) — The National Party does not oppose the legislation.

Mr Hamilton — There must be something wrong with it!

Mr RYAN — The Minister for Agriculture says there must be something wrong with it: I am in his

hands on that! Nevertheless, the National Party does not oppose the bill.

I will address my comments to two basic aspects of the bill: firstly, the minor housekeeping amendments — although nothing in this place is minor — relating to subsidiary aspects of the legislation; and secondly, the critical remedy to the hole discovered in the state revenue base. I will return to that later.

The first of the housekeeping changes relates to the Taxation Administration Act and provides for the electronic service of documents. In this day and age that is appropriate and brings into the 21st century many of the processes occurring in private enterprise — small business in particular — as well as the general operation of government. The amendment is sensible and is supported by the National Party.

Secondly, the bill amends the First Home Owner Grant Act. During 2000 all states passed legislation recognising the standardisation of the effects of the GST on the first home owner grant scheme. Incorporated in that act was the use of a common definition of Australian citizen or permanent resident taken from the commonwealth Migration Act. New Zealanders are entitled to special visas; many who are permanent residents do not qualify for the first home owner grant. The bill remedies an unintended consequence required to be remedied by all jurisdictions.

To qualify for the first home owner grant — the post-GST scheme — an applicant must have had no interest in a residential property prior to 1 July 2000. Since the implementation of the amendments several anomalous circumstances have been discovered regarding the commencement date where an applicant may have qualified for a grant on a second home when a grant application for a first home had been unsuccessful. During briefings the National Party was advised that a potential cost of the order of \$15 million and \$20 million over seven years would have applied in Victoria had the issue not been addressed. The National Party supports that further amendment.

The third housekeeping amendment, which relates to the Land Tax Act, confirms the long-established taxing practice that the owner of land used by a charity is exempt from the payment of land tax to the extent the land is used for charitable purposes. Furthermore, all land not used for charitable purposes is to be assessed as a single unit to avoid the aggregation effect. That clarification is supported by the National Party.

A further housekeeping amendment relates to the Pay-roll Tax Act. The wages of apprentices and specified trainees are exempt from payroll tax. However, the way the act is currently expressed raises the question of an exemption applying under other provisions of the act, particularly those relating to employer groupings, which may be critical to the payroll tax threshold. Again, it is a question of clarification to ensure the proper application of the intended purpose of the Pay-roll Tax Act.

The issue of payroll tax is much discussed in the *Review of State Business Taxes*. After the government's initial blush of euphoria about the work undertaken by the committee and the innovative suggestions contained in the report, since it hit the deck 48 hours ago a growing sense of unease has developed among government members that it may be wise to distance themselves from certain aspects of the report.

Mr Stensholt interjected.

Mr RYAN — It has arisen in a couple of quarters. It has been interesting to see it happen.

Mr Hamilton interjected.

Mr RYAN — It is interesting that although government members are happy to sit silently, take it all in and get ready to make their no doubt learned contributions to the debate, once I started discussing the report they tweaked up a bit and have got a little sensitive. One would not wonder why. There are a couple of interesting aspects to this. The first is that when the Deputy Leader of the Opposition was on her feet the honourable member for Ripon posed the rhetorical question of what her proposals would be for cuts in payroll tax.

Mr Hamilton interjected.

Mr RYAN — No, that is not how the rules work. The honourable member for Ripon is a new member and has to understand that if he interjects he risks his arm. He interjected, and his interjection, no doubt having been picked up by those very capable people at Hansard who assist us, I am afraid to say is now in print and cannot be altered — unless he wants to be even more adventurous in the way he goes about trying to fix it. Unfortunately he is leaving the chamber. In fairness, I think he has ducked out to take a call; it might have been from the Premier's office. What he said by way of interjection ought properly stand.

Of course, the answer is simple. The government's proposition on payroll tax cuts is that, subject to an absolute raft of qualifications, there will be a

\$400 million cut in payroll tax over the course of three years. That is the basic plan: \$100 million, \$100 million, and then \$200 million in the final year — and when I do the calculations it suddenly dawns on me that that will probably be the election year! In the interim the government's revenue base, not only from payroll tax but also from taxes at large, is increasing at an absolutely exponential rate. The answer to the question posed rhetorically by the honourable member for Ripon, before he tried to repair it, is that the government's cuts in payroll tax ought to have the net effect that would have applied had they been applied at the date they were announced. That is the answer.

If the government is serious about providing a \$400 million equivalent benefit cut in payroll tax to the people of Victoria it must take into account that to get that net effect it must also provide a cut of the amount it has received in increased benefit in the interim — between the date of announcement and the date of application. That is the simple answer. On the calculations that might mean that instead of a cut of \$400 million it would become \$600 million, \$700 million, or whatever might have been the increase in the interim.

If the government is serious about the policy of providing the benefit to the extent of the \$400 million, as is suggested, it needs to make the appropriate allowances for the incremental benefits it has obtained in the interim; otherwise the \$400 million is just another mirage, just another one of those things it talks about, when at the time of delivery the net benefit derived will have shrunk considerably. The honourable member for Ripon has just returned to the chamber, unfortunately after my having gone through that explanation. I would be happy to go through it again, but as I am sure that the last thing he does at night before closing his peepers is read *Hansard*, I suggest he get it out, have a good read and learn how to fix the problem.

While I am on the subject of payroll tax and government taxes at large — a popular topic when you occupy the Treasury benches — I refer to the latest discussion generated by the *Review of State Business Taxes* report, which contains an absolutely full-on, full-frontal, blunt-instrument belting for small business over the proposed application of land tax.

I intend to deal with the issue only briefly, because as always I am intent on dealing with the bill before the house. However, Mr Acting Speaker, it is an adjunctive issue and in accordance with your current ruling it is pertinent for it to be discussed here.

The government talks about the previous government having increased the base of payers of land tax by decreasing the threshold, but whatever might have been done then was nothing compared to what is contemplated by the report. The bottom line is that under the subheading 'Number of taxpayers' at page 62 — I will not read it all — the report says that currently around 131 000 Victorian taxpayers are paying land tax.

Mr Helper interjected.

Mr RYAN — I accept that. The honourable member for Ripon can be safe with this interjection and need go no further, because I accept that the number of payers of land tax increased to 131 000 from whatever it was prior to the previous government's lowering of the threshold. We are in furious agreement, so I can save him another interjection. However, I would be interested to hear an interjection on the next aspect I will refer to, if he cares to make one. The report contemplates that the number of people paying land tax will increase from approximately 131 000 now to 377 000.

Mr Helper — The report contemplates.

Mr RYAN — Straightaway the honourable member for Ripon says — and I am sure Hansard has picked it up — as I have quite rightly indicated, 'the report contemplates'. It is just another one of those little less-than-subtle shifts by the government. Having got the document and embraced it warmly, as the fallout from it begins to emerge — a bit like a mushroom cloud — the government is now thinking, 'Hang on, maybe we have not quite got this right'. Honourable members should realise that the compounding feature in this is that government members simply do not understand how small business operates.

I should not say 'none of them', because that is a generalist term — I will see what the honourable member for Ripon says by way of interjection — but the majority of government members have never been involved in the operation of a small business, and they do not understand the implications.

I raise the point in the context of small businesses in country locations. The changes would have a devastating effect on their operation. I will be interested to note the way the government approaches the issue, because people, particularly those in country Victoria, will be watching to see how the government responds.

Mr Helper interjected.

Mr RYAN — I understand the perspective of the Victorian Farmers Federation, but I also understand, as the government does not, that if you are going to run the state you must run it from a holistic perspective, and there will always be people who will argue one way or the other. I respect and understand the arguments put by the VFF, but I am considering the broader aspect of what is proposed. Thinking that one can go from 131 000 people paying land tax to 377 000 people paying land tax, a perspective that is specifically designed to give the benefit to the big end of town, is simply not on, unless you are a Labor government. Government members are the only ones who will give serious consideration to the proposal, so I will wait to see how they fare.

I turn to the housekeeping amendments that relate to the Stamps Act. Under the Stamps Act 58 used car dealers — the group of folk so integral to the operation of communities — who lodge monthly stamp duty returns late will be subjected to 20 per cent penalty interest. It is said there is an anomaly that in circumstances where they lodge a nil return they will now be fined \$25. A proposal in the bill will give effect to that fine. The same provision is contained in the Duties Bill, which will supplant the Stamps Act from 1 July this year. There are some four months to go, and it is intended that the bill will fill the gap for four months.

Victorian Automobile Chamber of Commerce representatives have expressed concern, and no doubt they will seek an opportunity to speak with the government. I hope the government sees fit to speak to them about the issue. One argument that should be borne in mind, with due respect to the VACC, is that the discipline of at least having to lodge a return may help to prevent people from perhaps getting into deeper water by failing to lodge a return in months when it is not a nil return. It is a good idea that the return must be lodged. The question is whether the \$25 fine should apply.

I turn to the second aspect of the bill, which relates to the critical changes sought to the Taxation Administration Act. Amendments are sought to the objections, appeals and refund provision. They are designed to, firstly, protect the state revenue base against open-ended retrospective claims for refunds and, secondly, avoid inequitable variations in refund rights of claimants.

By way of background, the recent emergence of contract labour organisations has resulted in litigation on the question of payroll tax and workers' compensation. The leading case involved Drake

Personnel. Cases have turned on definitions of 'employees' and 'independent contractors', and there has been a great deal of litigation on the issue. Once upon a time when I was in the legal profession that concept was of much more interest than it is today, but it all ended up in the Court Of Appeal. In the recent Drake Personnel dispute the commissioner was successful in an action brought against the organisation. Drake Personnel has sought leave to appeal to the High Court.

Coincidentally, the proceeding uncovered a structural anomaly. Pursuant to the 1993 amendment introduced by the former government, where a taxpayer argues that a tax has been overpaid and the commissioner agrees and provides a refund, that refund is limited to three years tax. However, if a taxpayer argues that a tax has been overpaid and the commissioner does not agree and the taxpayer wins on appeal, the refund entitled is arguably unlimited. It may go back to 1971 when payroll tax was introduced. Obviously there would be significant consequences for Victoria if that were to happen.

That proposition raises several difficult issues. There is potential risk to the revenue base — it has been estimated at approximately \$30 million. There is the administrative cost of reopening the cases that have already been decided — and heaven knows how many there are and how much work would have to be done to properly examine the issue. There is also the exclusion of people already granted a refund by the commissioner from any further entitlements. It would be unfair if open-ended claims were successfully brought by others but another category of taxpayers could not participate.

There is the further complication of how remedial legislation can be introduced without highlighting the opportunity it is designed to overcome, which is what would happen immediately someone issued proceedings. Then of course there would be a raft of proceedings, just as happened when limitations were imposed on the ability to take common-law actions, which was a classic. Understandably there was a last-minute rush to bring proceedings so people would have an entitlement. What about the rights of those who already have an action under way?

Finally, if old claims are successfully brought, who will ensure original claimants get the rewards? It is a pertinent consideration. In another realm similar fall-out is currently being seen with the government's current sewerage scheme program. A payment of \$800 is the maximum amount the beneficiary of the scheme will have to contribute for the installation of sewerage.

The government has also directed the authorities to refund the difference between the \$800 and those amounts that have actually been paid by people who have had their sewerage systems installed over the past couple of years.

Mr Helper — You would overturn that?

Mr RYAN — The honourable member for Ripon is doing well with his interjections and asks me if I would overturn that.

It is interesting to note that precisely the point I highlighted as a prospective problem with the bill can be seen in the application of the scheme. For example, there are people who live in places such as Port Albert in South Gippsland who paid \$3000-plus for the introduction of the sewerage scheme and who have since sold their houses. They now find that the government is refunding the purchaser of their house the difference between what they paid — say, \$3000 — and the \$800 under the scheme: a net figure of \$2200. The people who bought their house are receiving a complete windfall gain of \$2200. The authority is pulling its hair out trying to administer the thing while the government says, ‘Good luck and get on your way’. That highlights the care that needs to be taken.

The intention of the bill is to restrict any successful claim for overpaid tax to a period of three years, thereby endorsing the 1993 amendment. It specifically excludes all taxpayers who have served legal proceedings on the commissioner, and that will thereby save or preserve the rights of the Drake group in its current application to the High Court. The bill also preserves the position of the other two cases that are pertinent — that is, the Select Appointments Pty Ltd and the Medihealth 2000 Pty Ltd proceedings referred to in clause 16(11), which contains the transitional provisions of the legislation.

The bill provides a practical solution to a problem that had to be fixed. The application date of the provision will be from 14 November, when it was introduced into this place, and in the scheme of things, although it does amount to a pretty blunt instrument, it is necessary in all the circumstances.

I pause to reflect that the section 85 provisions are again being used. I hate to think how often when the former government used section 85 provisions for precisely the purposes now at hand there was marked barking and squealing about it from the then opposition. Those whom I would colloquially term the ‘chattering classes’ — the guardians of the high moral ground who enable us to go about our daily business and to live our

lives properly — were out there in droves squealing about the section 85 provisions. I have not heard anything from them since about 20 September 1998, which is quite a remarkable coincidence.

Mr Hamilton interjected.

Mr RYAN — Was it 1999? It just seems longer. It is not only for me that it seems longer; it seems longer for the rest of Victoria.

Mr Hamilton interjected.

Mr RYAN — It was a black day, as the Minister for Agriculture says. I have got over the crying and I am back into the smiling stage now. I am heading for the laughing stage!

Overall the bill contains some housekeeping amendments, to which I have referred. They are straightforward and should take effect. The bill also introduces the three-year limitation period with regard to the refunds, which is logical and defensible. It was introduced under the previous government and needs now to be protected because of current developments. There is then the hole in the revenue base, which is clearly an unintended consequence. We are agreeing to remedial legislation, because it is the right thing to do.

Mr HELPER (Ripon) — I am pleased to support the State Taxation Acts (Further Miscellaneous Amendments) Bill. I welcome the support for the bill from the National and Liberal parties, although the Liberal Party’s expression of support through the shadow Treasurer was somewhat off the bill and lacking in grace.

The bill seeks to amend the eligibility criteria of the First Home Owner Grant Act. As previous speakers have said, that is a technical amendment that serves some worthwhile purposes against which there is no reasonable argument.

Further, the bill makes minor technical amendments to the Pay-roll Tax Act 1971 to clarify the operation of exemptions provided to wages paid to apprentices. Another purpose of the bill is to amend the Stamps Act to clarify the operation of penalty provisions for the payment of duty by registered used car dealers. The bill also adds the definition of private unit trust scheme to the Stamps Act. That is a technical area in which I would not in any way claim expertise. In addition the bill amends the objections, appeals and refund provisions of the Taxation Administration Act.

The bill is about protecting the state taxation revenue base, which any responsible government would do.

From time to time bills that draw together a number of different strands of amendments to a variety of acts become necessary. The legislation has been introduced by the government in a timely fashion to protect the state revenue base against any unwanted consequences of omissions or oversights in previous legislative drafting.

The shadow Treasurer and the Leader of the National Party dwelt considerably on the government's business tax review report which was released the other day.

It strikes me that the opposition, if I can lump all the opposition parties into one bucket, appears incapable of understanding that a process of policy development involving the floating of a range of ideas for consideration and feedback by and consultation with the community is the most appropriate way of formulating policy and the most likely way of producing good policy.

The government knew that once the report was released the opposition parties would run around the countryside scaremongering as far as possible, and gee whiz they have lived true to their form, from the shadow Treasurer through to the Leader of the National Party and no doubt every individual in between. They have been sucked into a loop of whingeing and whining to produce a scare campaign in the community. Rather than the consultative approach adopted by the government, the opposition parties stand condemned for their whingeing, whining and scaremongering.

While I congratulate the opposition on its support of the bill, I condemn it for its criticism of the consultation process for tax reform that has been clearly demonstrated in the chamber today. I commend the bill to the house.

Mr STENSHOLT (Burwood) — I support the State Taxation Acts (Further Miscellaneous Amendments) Bill. It is a bread-and-butter bill containing minor but necessary amendments. It is basic legislation. It aims to ensure consistency, close loopholes and give proper balance and fairness to the application of taxation provisions.

The debate has contained some eloquent contributions, together with some advice to the government and its backbenchers to get briefed on taxation and find out what it is all about. Let me assure the Deputy Leader of the Opposition that appropriate briefing is given and all government members are well aware of what is happening in the taxation area. It contrasts sharply with what one reads in the newspapers about the severe doubts opposition members have about whether the

Deputy Leader of the Opposition is fully across her portfolio!

Taxation is a necessity, as seen in the old saying about the inevitability of death and taxes.

The bill clarifies that New Zealand citizens on special category visas are eligible for the first home owner grants. This provision is backdated to 1 July 2000 when the scheme came into force. It provides fairness and preserves the uniformity of the scheme. Other jurisdictions will act in a similar way in line with the close economic relationship that Australia has with New Zealand and the obligations that flow both ways across the Tasman Sea between the countries.

Clause 4 closes potential loopholes in the act. Clause 5 ensures proper taxation arrangements relating to charitable institutions. They will be exempt from land tax insofar as land is used for charitable purposes but tax will be applied to those portions of land that are used for commercial purposes. It will apply in part as well as in whole in respect to the land. It is another fair and reasonable provision, another bread-and-butter cleaning-up issue in the bill.

Part 4 contains a minor amendment to payroll tax provisions that clarifies the extent of an application of an exemption to avoid it being applied more widely than intended. Once again it is a sensible approach.

Part 6 deals with the Taxation Administration Act mainly in response to a recent Court of Appeal judgment. It highlights the need for government to be responsive to judgments and apply necessary measures to protect the taxation base. Within this part clauses 13 and 14 modernise the way documents are served to include electronic service. Clause 14 more clearly defines the service of documents and when such service is deemed to be effective.

Those are the main provisions of the bill. I commend it to the house.

Mr RICHARDSON (Forest Hill) — The bill is an important piece of legislation. At first blush to someone who is not familiar with the way in which government works, it might seem to be unusual to have to correct a multitude of minor mistakes that have appeared. But in reality, taxation and indeed anything to do with the administration of funds in government is not only a complicated process but an ever-changing one if only because — —

Mr Hamilton — Convolutel!

Mr RICHARDSON — Not convoluted.

Convoluted is the speech-making methodology of certain ministers, particularly those on the other side.

Mr Hamilton — In the previous government I take it!

Mr RICHARDSON — That legislation, which was appropriate for a particular period, will with the carriage of time and the changing of a multitude of apparently unrelated circumstances eventually become inappropriate to deal with matters that arise at a later stage.

An evolutionary process is going on, particularly in areas such as Treasury and the gathering of taxation, the application of various provisions of stamps acts, and the operation of funding schemes which are designed to meet a set of circumstances at a particular time. But as time goes on, circumstances change. There is therefore a need to change the way in which the legislation deals with those changing circumstances, hence the regular appearance in this place of bills which amend often a multitude of acts but only in minor ways. Whether the amendments are minor or major is not particularly significant. But it is important that governments remain continually on the alert for the need to make those particular changes from time to time. That is essentially what is presented to the house today.

The bill is very properly described as a ‘further miscellaneous amendments’ bill because it is a collection of miscellaneous changes and corrections to existing legislation to meet today’s needs in a way which will be relevant and which will deliver fairness and equity.

Part 2 of the bill deals with the First Home Owner Grant Act 2000. It removes anomalies in the current eligibility criteria. In explanation, New Zealand citizens who are resident in Australia are made retrospectively eligible to apply for the grant, from the date the scheme commenced on 1 July 2000.

Part 3 deals with the Land Tax Act 1958. It clarifies the application of the exemption under that act which applies when the land is used for a charitable purpose. The amendments provide that the exemption will be applied on a pro rata basis so that any portion of the land used for a charitable purpose will attract the exemption.

Part 4 deals with the Pay-roll Tax Act 1971 and clarifies the operation of the provisions in that act which provide an exemption from payroll tax for wages paid to apprentices.

Part 5 deals with the Stamps Act 1958 and includes two technical amendments to that act. In detail, the penalty which may be imposed on a registered used car dealer who fails to lodge, or lodges late, a return in relation to making payments of stamp duty on the transfer of the registration of a motor vehicle is clarified. A new definition of ‘private unit trust scheme’ is inserted into the act.

Part 6 deals with the Taxation Administration Act 1997 and includes a number of amendments to that act. Amendments to the objections, appeals and refund provisions ensure that any refund payable to a taxpayer successful on an objection or appeal will be limited to three years. The amendments also clarify what constitutes a decision of the commissioner for these purposes, and limit refunds to amounts of tax actually overpaid. A number of other technical amendments are made to provisions dealing with the service of documents to ensure that they are consistent with contemporary business practice.

Therefore the provisions of the bill might appear to an outside observer to be a hotchpotch, or a grab bag of bits and pieces, and there might even be a suggestion that they are correcting mistakes that were made in the past. That is not the case. The legislation addresses the needs of today and changes legislation which was applicable yesterday; and we can be sure that tomorrow there will be, as the wheel continues to turn, a need for another bill of this kind which will bring the relevant acts of Parliament up to date to meet the needs of the particular time.

Mr LANGUILLER (Sunshine) — I support the State Taxation Acts (Further Miscellaneous Amendments) Bill. The bill contains and provides for the amendment of the objections, appeals and refund provisions of the Taxation Administration Act 1997. Other provisions will clarify the charitable purposes exemptions in the Land Tax Act 1958 and the exemption in the Pay-roll Tax Act 1971 relating to the payment of wages to apprentices. Further amendments are made to the eligibility criteria in the First Home Owners Grant Act 2000 and certain technical amendments are made to the Stamps Act 1958.

I refer principally to part 2 of the bill which amends the First Home Owners Grant Act 2000. It will amend two provisions of that act and remove anomalies relating to eligibility criteria.

New Zealand citizens who are resident in Australia will retrospectively be made eligible for the grant. This amendment to the bill will not attract additional costs or create potential blow-outs, as claimed by opposition

members, because it is totally covered and fully funded by the commonwealth. I reiterate: it will not cost Victorian taxpayers any additional funding. The background to this arrangement between the state and the federal governments intends, primarily, to compensate residents and Australian citizens for the pain and suffering caused by the goods and services tax.

The intergovernmental agreement required all states and territories to assist eligible first home buyers through the funding and administration of a new uniform first home owners grant scheme to offset the impact of the GST on home purchases. While the federal government continued to claim Australians would not be detrimentally affected by the introduction of the GST, I suggest this is, if anything, a concession to the fact that it has had an impact on the many people honourable members represent in this place, and that impact has been more severe on some than others.

Consequently, the \$7000 grant is to be given as a one-off to first home owners and people or families who have not previously owned homes. Although I support the bill and, together with all honourable members, welcome the grants that have been offered to families requiring the assistance of \$7000 in addition to the existing exemption on stamp duty for first home owners, I have reservations which I have indicated previously to the Treasurer and to other parliamentary colleagues.

My reservation about the nature and model of the agreement, which is totally the responsibility of the federal government, relates to the fact that it is a model based on equality. I share the view held by many of my constituents who have expressed concern that a fairer model would be one based on equity. I have been asked to write to the federal Leader of the Opposition, Kim Beazley, and suggest that a Labor government should consider introducing it.

The background of the arrangement related to the intention to compensate people for the damage caused by the introduction of GST. The GST does not affect everyone on equal footing because we are not on a level playing field. Schemes of this kind would go a long way, but probably they would go further by assisting members of the community who need more assistance than others. It is not fair to give a member of Parliament, who earns around \$100 000 but who may not own a home, \$7000 towards the purchase of his or her first home and likewise grant the same amount of money to the average person in my electorate of Sunshine whose income is around \$20 000. After the next federal election I look forward to a Labor

government under Kim Beazley and the potential modifications to schemes of this nature which will bring about equity. I wish the bill a speedy passage.

Mr LUPTON (Knox) — I was fortunate to be in the chamber when I heard the excellent contributions of the Deputy Leader of the Opposition and the Leader of the National Party on the State Taxation Acts (Further Miscellaneous Amendments) Bill. Both honourable members went through the bill in great detail. However, the honourable member for Forest Hill summed it all up when he said that while the bill addresses the needs of today it will probably require revision in 12 months' time.

The bill follows a court decision that jeopardises the government's power to collect revenue. The Scrutiny of Acts and Regulations Committee's *Alert Digest* No. 1 states:

The committee notes that this provision has retroactive effect, in that claims that may have been brought before the commencement of the act are statute barred from 14 November 2000, being the date of the minister's second-reading speech in the Legislative Assembly. The committee notes that certproceedings commenced prior to 14 November 2000 in the Supreme Court are exempted from the operation of the act.

The committee notes that the retroactive application of the legislation in this instance is designed to protect the state revenue from unintended windfall gains that may otherwise occur as a result of legislative deficiencies that came to light in the course of recent legal proceedings. The committee notes that the practice of including such legislative provisions may be acceptable in circumstances where an amending act has the object of removing any legal doubt as to the original intent of the legislation.

The reason for limiting the jurisdiction of the Supreme Court is that it is necessary to prevent large windfall gains on payroll tax in respect of longstanding matters, the extent of which are estimated to be approximately \$30 million.

I can appreciate why the government might take this action. Paraphrasing the second-reading speech, it says the proposed amendments are necessary to protect the revenue on the grounds of equity. They demonstrate the government's commitment to responsible fiscal management and its preparedness to make a strategic approach to the maintenance of revenue laws. However, yesterday, I believe it was, there was delivered to my desk the government's latest effort on state taxation. If ever there was an effort to review state taxation and hit over the head the people in Victoria who had never previously incurred the wrath of government taxation on land, this is it. It is a beauty!

The Lord alone knows why the Treasurer initiated a review — perhaps so that we could all look at the report — but he is now proposing inequitable taxation laws on properties and various other things that have never been taxed previously. I suppose that is what honourable members opposite consider to be the government's efforts in trying to ensure Victoria has fair and equitable tax laws.

One of the concerns I have relates to the First Home Owner Grant Act. Part 2 of the bill amends two sections of the act to remove anomalies in the current eligibility criteria. New Zealand citizens who are residents in Australia are retrospectively eligible to apply for grants from the date the scheme commenced — 1 July 2000. So far as I am aware nobody has addressed my concern about what will be the situation following the federal government's decision on restricting social security payments for New Zealand citizens who live in Australia. Will it flow on to this or will there be a need to amend the act when the federal government finally signs off on the papers?

As the honourable member for Forest Hill said, the bill purely and simply brings Victoria into the 21st century. Its provisions deal with what applies in today's society, although it will probably have to be amended in the future. However, in light of the review of state business taxes, which will be a millstone around many people's necks, I express real concern about the suggestion that the bill demonstrates the government's commitment to responsible fiscal management.

Mr SEITZ (Keilor) — I support the bill. The amendments are sensible, particularly the extension of the application of the First Home Owner Grant Act to New Zealanders residing here. Australia has a tradition of agreements with New Zealand on a number of issues. It is proper and fitting that eligibility be extended because it is a revenue neutral process for the state and is covered by agreements the states signed off on as part of the introduction of the GST. I hope it will also encourage activity in the building industry, particularly the construction of villa units.

Australia has reciprocal understandings with New Zealand and Australians have cordial relationships with New Zealand people who reside in this country. If we continue to foster those relationships, I hope that one day they will join us as a state of Australia. However, that is wishful thinking — and I see some of my colleagues are not very enthused about it. Having visited New Zealand and been an ambassador on a goodwill mission there in January, I will continue on that track in the future.

Returning to the bill, part 2 is important. A similar first home owners scheme existed previously and an issue arose of its being only for a first home. People in various circumstances who had previously owned property — they had been divorced, had possibly remarried, and bought a new property — tried to claim. I am pleased it is clearly spelt out in the bill that any person who has held a relevant interest in a property previously is ineligible. If such people are able to access grants it creates the problem that people say applications have not been checked properly and people are abusing the system. That is always possible when funds are made available through grants schemes by the government. There is always somebody trying to work a way around them to avail themselves of a benefit, whether they are legitimately entitled to it or not. Australia is a fair society, but the community expects that people will respect government decisions and will apply for and accept only grants they are legitimately entitled to, and will not abuse the system. That is important.

On the question of land tax and charitable organisations, in the modern world charitable organisations, particularly religious organisations, have now gone the American way and are actually big businesses. No longer do you have just a simple church on a property, or an orphanage or a creche or a nursing home, but all of those things are now run as large businesses and churches are used only for worship. It is important to be able to distinguish between those entities and to pool all assets and property together to simplify the assessment for the payment of land tax.

Moving in the direction that is being taken is a realisation that Victoria is a modern society. That was demonstrated when compulsory competitive tendering was introduced and the government found that most charitable and religious organisations tendered for the business. They were the first to put in tenders to take over businesses that were normally conducted by the government through the public service. On that basis those organisations should pay land tax. As I said, it is the American way — religious and quasi-religious organisations are actually multinational businesses. The Australian public is not aware who owns some of these big multinational companies operating in this country, particularly the food chains.

That is important. I also welcome the clarification of whether the employment of apprentices, particularly those subsidised on government schemes, will incur payroll tax. Employers who made representations to me said they are receiving the government subsidy for employing apprentices but they want to know why they

also need to include the payments as part of their payroll tax returns.

The changes are welcome because they will simplify the taxation system, and I hope they will encourage more family businesses to open or expand and more apprentices to be employed. Most employment in Victoria is in small business and many apprentices are able to learn and develop their trades working in small businesses. I welcome the proposed amendments.

The issue of stamp duty is also important, particularly in relation to second-hand car sales. Many car dealers need to lodge monthly returns, but until now the fines for late lodgment have not been severe enough. In the past, if car dealers were three or six months late in lodging their returns they were required to pay only interest; there was no penalty to motivate them to make monthly payments. The imposition of larger fines for late lodgment is a step forward. I wish the bill a speedy passage through the house.

Mr SMITH (Glen Waverley) — During the debate today the house has witnessed how sensitive government backbenchers are about this issue, and it is no wonder given that the lead speaker for the opposition, the Deputy Leader of the Opposition, stressed how the amendments to the current payroll tax provisions will provide no relief at all. The government needs to give an assurance that appropriate reductions will be made to payroll tax to help business.

The government does not recognise the issues. Having heard the speeches of government members I have come to the conclusion that they do not understand that the changes will mean an impost will be placed on small business, particularly in relation to payroll tax. Big business will be able to cope, but the hundreds of thousands of small businesses in Victoria will suffer. The government should be using the opportunity of introducing a bill of this type, a normal machinery bill, to introduce a positive policy initiative for the community so that small business, which is now suffering in many ways, knows it will get some relief.

The opposition also wants a complete denial from the government of the stories that have been running hot in the newspapers and on the television about land tax, because business is scared stiff. The government released the paper, and it should suffer as a result. The government does not understand that the matter is sensitive. This issue is analogous to issues concerning interest rates, defence and the secrets of the country — they are so sensitive that prime ministers and ministers for defence and foreign affairs do not discuss them because they know discussing them would have an

adverse effect on interest rates and the security of the country.

Mr Lenders interjected.

Mr SMITH — I was anticipating that comment by the honourable member for Dandenong North. By initiating the land tax debate and suggesting that a land tax will be imposed on the community the government has opened up a Pandora's box. The issue emerged only two days ago, but small business people are already contacting the opposition in droves because they do not want to have an impost placed on them.

Payroll tax relief is needed. The government hints that it will provide some relief, but it does not come up with it. Some minor form of relief may result at the next budget, but it will not be enough to help small business in the areas where they are hurting most.

Mr Lenders interjected.

Mr SMITH — It is obvious from the inane interjections of government members that they do not understand. The honourable member for Dandenong North does not understand what small business is about. He is a pleasant, decent fellow, but his inane interjections make the house realise he is still going through a learning curve.

The State Taxation Acts (Further Miscellaneous Amendments) Bill, a mechanical piece of legislation, contains initiatives that are required, but they also stir up many policy issues. The house is debating the issues, but small business wants positive answers and relief from the imposts placed on them by the government. I endorse the views of the Deputy Leader of the Opposition; her erudite speech outlined the sort of relief required, and the government should be making noises about that instead of making inane interjections and propositions that do not provide any relief for the small business sector of Victoria. We need to get small business rocketing back to what it was two years ago so everyone can share in Victoria's wealth.

Mr LENDERS (Dandenong North) — The honourable member for Forest Hill challenged me to talk about small business, which I shall do in my precise and succinct remarks on the State Taxation Acts (Further Miscellaneous Amendments) Bill. The legislation deals with a number of acts that have been covered by the Treasurer in the second-reading speech as a consequence of litigation between the Commissioner of State Revenue and the Drake group of companies as well as the government's response to administrative decisions.

The bill also deals with amendments to five acts. That was the context in which the honourable member for Glen Waverley made his comments on the Harvey review. I turn to taxation generally, payroll tax and small business. As a former small businessman I employed 14 people and paid my payroll tax. What is interesting is that those who do not pay payroll tax will also submit equally legitimate claims for tax relief in other areas.

As a businessman with a payroll of \$600 000 and employing 14 people I found the payroll tax relief that was provided under the previous government was illusory because with a redefinition of payroll tax to include superannuation the so-called cuts to the base rate meant an increase to those who were paying more than the superannuation guarantee levy in payroll tax, an issue about which business has always been concerned. I give the previous government full marks for trying to reduce the burden of payroll tax, but it expanded the definition in an underhand way so that many small businesses paid more payroll tax despite a series of cuts.

The legislation deals with administrative matters to various acts. They go to the essence of why the government in the last budget set up the Harvey review into business taxation to seek advice from business on an appropriate mix of how best to apply the tax cuts promised by the government in its budget statement last year.

The result of the government's consultative approach, something from which the opposition could have learnt, is that a burden is to be taken off business and a quantum set. The Harvey committee, which consulted widely, was a representative committee that included members from the Victorian Employers Chamber of Commerce and Industry (VECCI), to which the Liberal Party normally looks for some degree of leadership.

As a result of wide consultation the Harvey committee made a number of recommendations. I find it extraordinary that the opposition wants the Parliament to be meaningful and urges the government to consult on appropriate tax measures, but when the Harvey report on business taxation review was tabled, the first thing the opposition did was seize on one item and go hell for leather on stirring up the populist cause. If it came from the likes of One Nation or others who had very simple views on life, you would take it in your stride. I am disappointed that the Liberal Party has not spoken to some of its constituency, including VECCI, on whether it should pause and reflect on the Harvey report recommendations before making up its mind to immediately ditch an entire package.

At the end of the day the government will deliberate on the recommendations. The opposition is not speaking with one voice. Tax changes and reform will continue. In the spirit of dialogue and meaningful discussion I hope we can have a debate on some of these issues before a party room decision is made to stir up people.

This good legislation deals with a series of administrative issues that highlight that all the state business taxes are constantly on the agenda and that community discussion should take place. The business community should engage the government on these matters. That has taken place and now the government is deciding how best to advance the process. The Treasurer will respond. I wish the bill a speedy passage.

Mr COOPER (Mornington) — The first point I make is not a criticism but is expressed in an atmosphere of surprise because I have noted, as many have, the recent agreement between the Prime Minister of Australia and the Prime Minister of New Zealand on winding back on the ground of cost the social welfare payments to New Zealanders living in Australia.

Now we are extending the first home owner grant (FHOG) to New Zealanders, on the request of the federal government, due to the trans-Tasman agreement. It is a surprise to find that while we are winding back benefits to New Zealanders who are not Australian citizens in one way, we are expanding benefits to them in another.

I note with a degree of humour that the Scrutiny of Acts and Regulations Committee has commented in *Alert Digest* No. 1 on first home owner grant provisions that:

The committee notes the retrospective operation of this provision to 1 July 2000. In this instance the committee accepts the provision is beneficial to persons applying under the scheme.

One can only say, 'You bet!' Applicants will certainly notice because the bill extends the FHOG to a group of people who did not qualify before and who will now get the benefit. I place on the record my surprise that the request was made by the commonwealth government, although I recognise that it was made to comply with the trans-Tasman mutual recognition treaty and that the Victorian government had therefore to oblige. That is fair enough.

The bill provides for changes, no doubt necessary ones, to both land tax and payroll tax. The honourable member for Dandenong North said he felt the opposition was being unfair when it criticised the government over the Harvey report when, as he put it, the Harvey report is the Harvey report and not a

government report. That would be a reasonable point to make if the government had not acquired ownership of the report within hours of its release. The honourable member for Dandenong North will have noted, no doubt to his silent embarrassment and concern, that of the 11 recommendations put forward by the Harvey committee for public comment the Treasurer rejected two immediately — within milliseconds! He rejected recommendations 5 and 7.

Once a Treasurer rejects 2 of 11 recommendations of a report most reasonable people will infer that the other 9 are in. During question time yesterday the government was challenged to say what would happen to the other nine and what it would do about the concerns being expressed in the small business community about the land tax proposals.

Mr Lenders interjected.

Mr COOPER — The honourable member for Dandenong North, whom I listened to in silence, said opposition members have jumped onto a populist bandwagon, and he tried to equate their actions with those of the One Nation party — talk about a long bow! I suggest the honourable member, despite employing every defensive and attacking move he can think of, has a tenuous argument at best.

I advise the honourable member for Dandenong North that I have already consulted with my small business community. I have spent many hours on the phone talking to small business property owners about what the land tax proposal would do to them. One small retail shop in Mornington that does not currently pay land tax will, under the recommendations not ruled out by the government, be up for \$1165 each year, year after year, in land tax. Forever and a day 2.9 per cent of the site value of that land will be paid in land tax.

Another retail business that is just under the threshold and that currently pays no land tax will, under the government's proposal, pay a land tax bill of \$2413 every year. Yet the government says it is the friend of small business. How can a government be the friend of small business when, without saying whether it will make meaningful payroll tax reductions, announces anyway that it will give with one hand and take with the other. The government is saying to small businesses that if they are eligible for payroll tax it will remove some of that burden — and then dump the whole damn lot of small businesses into the land tax net. That is what the Harvey report does.

No government member can say the report is not a government report because the Treasurer has, on behalf

of every government member in this place, taken ownership of the report by rejecting 2 of its 11 recommendations and not ruling out the other 9. Those nine recommendations are now out there in the community causing alarm and apprehension.

The small business community, which has already been belted around the ears by the Minister for Workcover with his disgraceful so-called reforms to Workcover, and which is extremely apprehensive about the implications of the so-called Fair Employment Bill, is now faced with the trifecta because the land tax proposals will dump virtually every small business in the state into the tax net.

The bill, insofar as it provides some relief for a small number of people, is welcome and will not be opposed by the opposition. The government, however, is on notice. Thousands of small business proprietors in the state now see a large question mark hanging over the idea that the government is on their side. Already they do not believe it.

The next budget will tell whether the government supports the business community and employment throughout the state. On behalf of all the small business proprietors in my electorate I put the government on notice that I and the small business proprietors will not stand by silently watching this government crucifying them and removing employees from their businesses and in some cases sending businesses to the wall. My community will be outraged if that occurs. I intend to continue the consultations on the government's report produced by the Harvey committee so that my community is aware of the government's intentions regarding the small business community throughout my electorate.

Mr ROWE (Cranbourne) — The State Taxation Acts (Further Miscellaneous Amendments) Bill amends the Taxation Administration Act, the Land Tax Act, the Pay-roll Tax Act, the First Home Owner Grant Act and the Stamps Act. I join with the honourable member for Mornington in expressing surprise at the extension of the First Home Owner Grant scheme to New Zealand nationals who come to live in Australia. On the one hand the commonwealth government is cutting back on welfare payments to New Zealand nationals and on the other hand this government is shelling out \$7000 to New Zealand nationals. One can only wonder!

I do not oppose the amendments to the Stamps Act, but in relation to stamp duty the Treasurer and the Premier are hypocritical and are taxing a tax in applying stamp duty after the application of the GST. The government has the power, as I have said previously in this place, to

amend the Stamps Act to take into account the effect of the GST rather than taking a windfall gain. It demonstrates that the government is not serious about taxation reform. The government refers to \$100 million in benefits going back to small business, but it has reaped an additional benefit of \$148 million in stamp duties, so it is \$48 million in front without even taking into account the increase in payroll tax that it reaps every year.

Mr Lenders interjected.

Mr ROWE — The honourable member for Dandenong North says the additional money is going to schools in my electorate. The government has reduced the funding per square metre it is applying to school buildings in my community to the point that many buildings are reverting back to the condition they were in 40 years ago. Courtenay Gardens Primary School will not receive the \$40 000 it requires to bring its buildings up to the standard they were at six years ago when it was a new school. The government is not spending money on education infrastructure but on wages for teachers and nurses. It is not building new hospitals or improving health networks.

Hospitals throughout Victoria have just acknowledged major blow-outs in their budgets because of the government's lack of financial control. Stamp duty needs reform. The level of stamp duty in Victoria is one of the highest throughout Australia. I urge the government to give back the \$148 million it has reaped as a windfall gain. I urge the government to look at the method it has used in applying stamp duty after the imposition of the GST.

I have raised the issue before in this place. I alerted the Treasurer's advisers to the fact that New South Wales has a mechanism to ensure windfall gains will be returned to the community. That is not happening in Victoria. The government said it would happen, but it has not happened. The government is hypocritical in criticising the federal government in its application of the GST. It is taxing a tax, which is something it said it would not do and which other Labor states are not doing.

Although I support the majority of the provisions in this bill, I have taken the opportunity of raising some anomalies regarding stamp duty. I urge the Treasurer not to impose additional land taxes on small businesses and to address the anomalies in the application of stamp duties.

Mr BRUMBY (Treasurer) — In closing the debate I thank all honourable members who have contributed to

what has been a positive and constructive debate. Wide-ranging issues have been raised. I particularly acknowledge the excellent contribution of the honourable member for Dandenong North, the Parliamentary Secretary for Treasury and Finance, and thank him for his oversight and management of the debate. I thank the honourable member for Brighton, the Leader of the National Party and the honourable members for Keilor, Knox, Sunshine, Mornington, Dromana, Cranbourne, Gippsland South, Ripon, Forest Hill, Burwood and some members of the National Party whom I have not listed for their contributions.

I note that the opposition parties do not oppose the bill, so it will carry through the upper house, providing certainty for the state taxation system and ensuring the many amendments contained in the bill will be put into law at the first available opportunity.

Although the legislation is not complex it is detailed. It addresses some interesting issues, such as the Drake amendments and the First Home Buyers Scheme. Some of the minor items include land tax for charities. The bill is not complex, but it is certainly detailed, and I am delighted that it will pass through both houses.

I will address some of the issues raised in the debate. Firstly, stamp duty: the honourable member for Cranbourne raised again the issue of stamp duty on GST-inclusive prices. He has raised it before in the Parliament and with me personally. I remind the house that the decision taken by the Victorian government in the wake of the GST to impose stamp duty on the GST-inclusive price is identical to the decision taken by every other government in every other jurisdiction in Australia. There are a number of reasons for that. The principal reason is that if stamp duty were levied on the GST-exclusive price it would cost Victorian revenue between \$100 million and \$200 million per annum.

To put that in perspective, \$100 million is the value of the business tax cuts that will be provided from 1 July 2001. Twice that amount, \$200 million, would employ thousands of teachers or nurses or provide other tax cuts to Victorian households or businesses. It is a large amount of money. Had the Bracks government decided to impose the duty on the GST-exclusive price undoubtedly there would have been that cost to revenue. Victoria has done what every state in Australia has done — impose duty on the GST-inclusive price.

The second reason is policy consistency. Matters are raised by the opposition and letters are sent, particularly by opposition members, and they say —

Opposition members interjecting.

Mr BRUMBY — Because they are not stupid! I get letters from opposition members that say, ‘Why don’t you put the stamp duty on the GST-exclusive price?’. I have said that would cost about \$200 million per annum — —

Opposition members interjecting.

Mr BRUMBY — It would lift the total cost of the opposition promises to date to about \$4.6 billion.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Doncaster should not be interjecting across the table.

Mr BRUMBY — As I have said, that would lift the cost of the opposition promises to date to in excess of \$4 billion. I continue to get letters that say, ‘Why don’t you impose the stamp duty on the GST-exclusive price?’. As I said, that would cost the revenue up to \$200 million.

However, the reason is not just consistency among states. It is longstanding policy. When Victoria had a wholesale sales tax it was embedded in the price of products, and in exactly the same way the GST today is embedded in the price of products. People say the wholesale tax did not apply directly to an insurance policy, but that is nonsense, because everything that was purchased by an insurance company to put together the business — the furniture, the computers, the cars — all of those items incurred a wholesale sales tax. Further, most of the items that were insured — for example, jewellery, televisions, videos — had a wholesales sales tax. The view that tax did not exist in the past is nonsense. There was a tax, the wholesale sales tax, and it was embedded in the price of insurance. It has been removed and replaced by the GST. The policy position of the government is identical with the situation then — that is, the stamp duty applies to the GST-inclusive price.

The other matter I raise concerns comments about the government’s commitment to cut business taxes by \$100 million and the release of the Harvey report. I again emphasise that the Harvey report is independent. It has been given to the government. For the first time in 18 years a review of business taxation has been conducted in this state. The review was headed by John Harvey, a former senior partner of Pricewaterhousecoopers, and its members were Nicole Feely, the chief executive officer of the Victorian Employers Chamber of Commerce and Industry; John Freebairn from the University of Melbourne; Kathleen Townsend; and Dr David Pollard from the State Revenue Office.

I repeat for the house that, having received the report, the government could have acted in two ways: it could have sat on the report until it drew its own conclusions on tax reform, or it could have released it publicly.

When the federal government received the Ralph report, Peter Costello sat on the report until the government decided on its conclusions about it. In other words, there was no opportunity for public debate or for the business community to look at what had been proposed to the government.

The Bracks government took the decision that the public interest would be served by releasing the Harvey report, because it will enable people to see what it contains and provide the opportunity for a robust public debate, which will take place.

I leave the Liberal Party in particular with a challenge to make a constructive contribution to the debate rather than sinking immediately to the lowest common denominator. I would be happy to receive a submission from the Liberal Party on the Harvey report and on what it believes the tax reform framework and agenda for the state ought to be. I have not yet seen such a submission from the shadow Treasurer or the Liberal Party; however, I will leave the door open for them to answer that challenge.

Many other organisations out there have welcomed the release of the Harvey report and the opportunity for debate it provides: the Victorian Farmers Federation welcomed the report and called on the government to implement it; the Property Council of Australia also endorsed the report; the National Party, as was reported yesterday, supports the recommendations of the business tax review and wants the state government to adopt the key recommendations; and the Victorian Employers Chamber of Commerce and Industry has signed off on it. Many organisations are looking at the report constructively.

The government’s position is that it is an independent report that it has put out for public debate, and it will make its response to it at the time of or before the budget on 15 May. The government will look very carefully at all the proposals and propositions put to it.

I did not hear all the debate on the bill, but I heard a couple of opposition members bleating about various issues, and in particular about land tax. For goodness’ sake, the former Kennett government — —

Opposition members interjecting.

Mr BRUMBY — The opposition members sitting across the table, who are the high tax experts in this state, talk about land tax. Talk about hypocrisy!

Mr Perton interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Doncaster!

Mr BRUMBY — I have some questions for the house: which government reduced the threshold on land tax for business in this state from \$200 000 to \$85 000?

Mr Robinson — The Kennett government!

Mr BRUMBY — It was the Kennett government. When the threshold was reduced, bringing 70 000 new taxpayers into the land tax net, who was the then Minister for Small Business? It was the honourable member for Brighton, the current shadow Treasurer. Which government for the first time ever included superannuation payments in the payroll tax net? It was the Kennett government that brought thousands of new taxpayers into the payroll tax arrangements in this state. Which government during its seven years of office increased taxation from \$6.2 billion to \$9.5 billion — a 50 per cent increase? Again, it was the Kennett government.

Let's have some constructive proposals rather than hypocrisy, crocodile tears and double standards from the lot opposite, who reduced the land tax threshold from \$200 000 to \$85 000, increased payroll tax payments substantially by including superannuation, and increased 2308 separate taxes, fees and charges over the seven years they were in government. They have no credibility whatsoever on taxation issues. Howard's heroes opposite never opposed the GST. They never rang Peter Costello and said, 'Scrap the business activity statement, or reform it or amend it'. They have a hopeless record on tax reform, and they left the Victorian tax system in a hopeless and ramshackle state. The government will have to get on with the job and fix up the mess that has been left to it by the opposition parties.

I look forward to hearing the Liberal Party's proposals for tax reform in this state. I will give them a bit of advice: all the business organisations around town — the big ones, the medium ones and the little ones — are laughing at the Liberal Party at the moment because it had a hopeless record in government and it does not have a single new policy or idea to contribute to the debate. All it does is whinge, whine, carp and play to the lowest common denominator.

The ACTING SPEAKER (Mr Kilgour) — Order! As the required statement of intention has been made pursuant to section 85(5)(c) of the Constitution Act 1975 and there are fewer than 45 members present, I ask the Clerk to ring the bells.

Bells rung.

Members having assembly in chamber:

Motion agreed to by absolute majority.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to by absolute majority.

Read third time.

Remaining stages

Passed remaining stages.

VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL BILL

Second reading

Debate resumed from 27 February; motion of Ms GARBUTT (Minister for Environment and Conservation).

Mr PERTON (Doncaster) — When this bill was last before the house I made the point that this Minister for Environment and Conservation has succeeded in politicising an issue that previous Labor ministers and shadow ministers had endeavoured to make bipartisan. At that time I quoted from speeches of Labor members at the time of the creation of the former Land Conservation Council (LCC). I then quoted from a speech of the current minister about the Environment Conservation Council (ECC) in which she attacked its structure and the legislation.

I pointed out to the house that the minister was being utterly hypocritical because the method of appointment to the council — that is, nominees of the minister being appointed by the minister — is exactly the structure she has put in place in this legislation. The attack the minister made on the ECC legislation concerned the fact that the only person empowered to give a reference to the ECC was the Minister for Environment and Conservation and that is precisely the structure she is putting in place in this legislation.

By her behaviour in respect of the ECC and this bill the Minister for Environment and Conservation has made it

much harder for the bipartisan support that used to be applied to the former Land Conservation Council reports to continue. There was a fine tradition of parliamentary acceptance of the whole of the LCC reports. In saying that, I note that from time to time the party you, Mr Acting Speaker, come from did not join in the bipartisan spirit of the Liberal and Labor parties on the endorsement of LCC reports.

On the previous occasion this bill was debated I indicated that the Minister for Environment and Conservation has so politicised this process that her own member for Geelong has come out publicly questioning the ECC report.

Mr Trezise — Rubbish! You believe what you read in the paper.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Doncaster should ignore interjections.

Mr PERTON — If I interpret the honourable member for Geelong correctly he is giving one message to his fishermen, one message to the minister and another to the Parliament.

Ms Davies — On a point of order on the question of relevance, Mr Acting Speaker, the house is discussing the Victorian Environmental Assessment Council, not the ECC report on marine parks.

The ACTING SPEAKER (Mr Kilgour) — Order! I do not uphold the point of order.

Mr PERTON — This issue is so politicised that the left-wing member who just raised a point of order is obviously embarrassed by her stance. The minister has opened this process up to politicisation. The honourable member who raised the point of order should be very well aware that this Minister for Environment and Conservation attacked the method of appointment to the ECC and yet this bill creates the same method of appointment for the Victorian Environmental Assessment Council. The minister attacked the methodology of giving references to the ECC yet provides exactly the same methodology for this body.

Ms Davies interjected.

Mr PERTON — If the honourable member who continues to carp and interject had any decency and honesty she would attack the minister for precisely that hypocrisy.

If she wants to defend the minister she becomes a party to the same hypocrisy. For the purposes of *Hansard* I

note that the honourable member for Gippsland West giggles and chortles her way through the debate. Fishermen, aquaculture operators, conservationists and environmentalists in her area ought to note her performance in the house. She is a party to hypocrisy and a party to politicisation of what should be a bipartisan process.

Part of the process of politicisation is the method of consultation. Over a period of some weeks or months some groups were shown the bill and were aware of its proposals. The bill modifies the Environment Conservation Council legislation in one important aspect — that is, the Victorian Environment Assessment Council will be able to examine issues that cross over on to private land. The Liberal Party accepts that and does not oppose the legislation. It accepts it because many of the big issues such as salinity and weed and pest infestation do cross over from Crown land to private land.

Those matters are better dealt with in a holistic sense. The Victorian Farmers Federation (VFF) believes that is appropriate. The federation, which should have been an important player in the process, was invited — —

Mr Trezise interjected.

Mr PERTON — I am glad the honourable member for Geelong wants to know. The Victorian Farmers Federation, as with many of the stakeholders, was invited to a couple of stakeholder meetings. However, it was not consulted, but merely informed of the process. It was frustrated because it asked some hard questions but people were not senior enough to answer them.

One would have thought that important legislation that implements a central plank of the Labor Party's environmental policy — that is, the repeal of the ECC legislation and its replacement by the Victorian Environment Assessment Council Bill, requires a serious approach to consultation. The legislation could have appeared on the Internet or on the government's web site in draft. Comments from the public could have been invited. Had the government accepted comments from the public it would have been aware of concerns about clause 8(2) — that is, the experience, skills and knowledge in the areas.

Several of the organisations that would have expected to be consulted rather than lectured on the proposals in the bill would have understood the controversy that existed with respect to the ECC report particularly as it related to the marine coast and estuary and the box iron bark. The value of ecotourism is questioned as is the extent to which jobs lost in coastal communities such as

the electorate of Gippsland East will be replaced by ecotourist jobs and jobs of the new economy.

One would have thought there would be a requirement for someone experienced in tourism and recreation to be included. The organisations that could have contributed in those areas were not asked for input but merely lectured on the proposals. As the legislation crosses over on to private land one would have thought a person with expertise in agriculture would be included. However, a city-centric Labor Party has refused that requirement.

The process undertaken is limited and poor. Several organisations such as the Victorian Public Land Council made strong and substantive submissions. It recommended that the membership should be increased from the proposed five members to seven and that the two additional members include one member appointed from panels of names submitted by public and private land resourcing groups and one member appointed from panels of names submitted by public land recreation groups.

Had the Minister for Environment and Conservation been consistent and not hypocritical, had she wanted to return to the days of the former Land Conservation Council, the amendment would have been appropriate. If one returns to the Land Conservation Council legislation, not only are there named office-bearers but there is a process for nomination of panels of names by organisations.

The Victorian Public Lands Council represents a huge number of both recreational and economic users of public and private land. One should have thought there would be room for a nomination from the VFF and that important organisations such as the Victorian National Parks Association and Environment Victoria would be formally included.

In addressing the concerns of those organisations, the government to some extent has tried to reassure them by indicating there may be a role for them in the additional appointments available to the membership on particular references; also, there may be a position for them on community reference groups pursuant to clause 13 of the bill. The opposition will closely examine that position.

As pointed out by Mr Alex Arbuthnot, who in addition to his other roles has a strong role in conservation matters, having recently chaired the blackberry management strategy, a problem exists with community reference groups.

He said that the establishment of a community reference group was good but that members should be paid a sitting fee and expenses, and that volunteerism wears out.

I hope the minister will take account of that view and that people who are required to come from country Victoria to participate in community reference groups should be paid, at the very least, their expenses, which I would have thought — for people who come long distances — should include the cost of overnight accommodation and the other expenses involved in belonging to a community reference group.

What follows on from that is the ability of organisations such as the Victorian Farmers Federation and others to be included in what is now a plethora of organisations responsible for conservation and environment matters in Victoria.

What is by no means clear either in the bill or the second-reading speech is the relationship between the Victorian Environmental Assessment Council and coastal management boards, catchment management boards, alpine resorts boards and alpine management boards. For instance, how does this legislation link in with the legislation being proposed for the Commission for Ecologically Sustainable Development?

If one looks at the options paper prepared for the new Commission for Ecologically Sustainable Development one merely finds reference to the fact that there will be the VEAC, and in the second-reading speech on the VEAC legislation there is no reference to the way the organisations will work together. How will the VEAC work in with Sustainable Energy Authority Victoria? How will it work in with Environment Australia? How will it work in with Weeds Australia? How will it work in with a range of other strategies?

I give the undertaking that when the opposition is returned to government after the next election it will review this structure. Clearly organisations such as Environment Victoria, the Victorian National Parks Association (VNPA), the Victorian Farmers Federation, the Public Lands Council and the Victorian Chamber of Mines (VCM) have relatively small secretariats whose membership is generally made up of hardworking people who do not have a lot of spare time. With the plethora of organisations seeking input it is becoming very difficult for such organisations to provide input on the range of studies required.

The Victorian Farmers Federation has made a very good point, which I have not heard the minister respond to — that is, that premises could be taken up much

more in common, and that technical groups, whether they be consultants or researchers, could be engaged in a way that provides common service. Many of the issues the Victorian Catchment Management Council (VCMC) will deal with will be common to those dealt with by the Victorian Environmental Assessment Council, and it is important that there not be a continued duplication of research services.

Many organisations now employ consultants, not to produce new research but to draw together old research and provide position papers. It would seem to me that there are efficiencies to be gained in resources being made available to employ scientists and others in greater numbers so that the research data is there.

The honourable member for Geelong referred to concerns raised by his local fishermen, who have told him that they are not confident about the scientific data that underlies the Environment Conservation Council report on marine, coastal and estuarine issues. Would it not have been good had both the previous government and this government been in a position to draw the bodies together more and provide a more sustained budget for scientific, economic and social research?

In her summing up in the debate I think the minister should tell us how she sees VEAC working in the convoluted structure with a plethora of organisations and how she will make it possible for voluntary organisations, community groups and the public to continue to cope.

I am sure the parliamentary secretary, who has been present during the debate, has tried to wade his way through the great number of organisations responsible for, for instance, weeds, salinity, or pest control. Yesterday on one of the issues I waded through almost 20 separate organisations. So if you are a citizen who suddenly wants to become an activist on weed policy, or who really wants to make a difference with salinity, where do you go? How do you empower yourself to make a difference in the environment?

Perhaps there is potential for some bipartisanship on that. Bipartisanship is more than just giving the other party a brief on the legislation being introduced and saying, 'We want you to serve on a committee'. It requires openness, transparency and a willingness to consult on the contents of the legislation. From talking to some of the old-timers in this Parliament about the Land Conservation Council bill, which was debated in 1970, it is quite clear that the Liberal and Labor parties were able to talk in a civilised and productive way and put together a piece of legislation and a council that made sense.

Maybe a step forward on this bill to remove the politicisation that this minister put in place three years ago on the ECC legislation would be for her to properly consult with both the Liberal and National parties, the Independents and some of the community groups on the actual membership of the VEAC so that the reports it produces will not just be the Labor Party saying, 'Oh, those are the three commissioners appointed by the Liberal Party', or, for instance on this one, the National Party perhaps saying, 'Look, they are Labor Party stooges'.

Mr Steggall interjected.

Mr PERTON — Perhaps, but on the long-term strategic issues such as salinity and weed control there is room and the potential for both sides of the house to work better together.

On that note it is appropriate that I pass over to the lead speaker for the National Party. As I have indicated, the Liberal Party will not oppose the legislation. The reason is that as the bill is a central plank of the Labor Party's election policy it is therefore entitled to proceed with it.

Along with a number of the groups, the opposition accepts that the issues should cross both public land and private land so that solutions can be found to the big environmental issues that affect this state.

I refer to the earlier part of my contribution on the speeches by both Liberal Party and Labor Party members on the LCC bill; it was interesting to see members of Parliament intrigued by the proposal that they should all work together to find solutions to the big problems. I ask the minister, now she is a minister and has — I have said hypocritically — accepted the structure that was put in place by the ECC, to try to make it work a little bit better in a bipartisan way, because these are big issues.

The community expects the issues, which require 10 to 20-year strategies, to be dealt with. Members opposite know they will not be in government for more than one or two terms. In Australia today governments are not in power for 20 years, and if 20-year strategies are required, 20-year budget and management commitments are needed, and there must be a commitment to review, to transparency and to finding measures that make sense over a long time.

Occasionally risky strategies will need to be put in place. Occasionally a government has to take a big punt, and we do not want those punts to be taken in an environment where the smallest and most trivial mistake will be seized on by the press or opposition parties as a sign of failure. Some big risks and punts

need a genuine bipartisan effort, and although the minister has not demonstrated that bipartisanship to this point, I hope from now on she will look at the bigger picture and take that responsibility to heart.

Mr STEGGALL (Swan Hill) — I am pleased to contribute to the debate, but I am surprised about the lack of knowledge and understanding of government and Liberal Party members of just what exists today and what has been done in the state over the past 20 years. I am disappointed that the bill does not acknowledge what has been done in Victoria, what already exists and what initiatives are already out there working.

The issue started in the 1980s with the salinity programs, and then came Landcare. In the 1990s it was decided to develop the initiatives further to coordinate a catchment management operation and to put in place a Victorian Catchment Management Council to do the things referred to in the bill, and to make sure that country people were included in the issues that are the subject of discussion today.

National Party members and most country Victorians have not been comfortable with the former Land Conservation Council or the Environment Conservation Council. We were not comfortable because they were imposed on us by bureaucrats, and we had little opportunity to participate and little say in what was happening to our country. What we liked about the salinity programs and why we helped to develop them with the Labor government of the 1980s was that for the first time they provided a situation where our people, government and scientists were put together. I say 'our people' — it was the country community, not just farmers. Country communities, government departments and scientists were put together to tackle these issues.

Yesterday I attended a breakfast, and I was disgusted and angry. For the information of new Labor Party members, one of the reasons for my interest in the issue is that in the first four years of coalition government in the 1990s I ran the salinity program and organised the changeover of salinity plans from the Labor government to the coalition government to ensure we achieved what we wanted to achieve — a land use system that ensured that when there was a change of government, policies on land use and salinity would not be changed. That is what we set out to do in the 1980s and 1990s, and my task was to take the initiatives through, and we did. No-one can criticise the changeover from the 1980s to the 1990s and the way salinity and Landcare issues were handled and the way we brought our communities with us through salinity

management programs and the development of Landcare. We have come a long way.

The bill establishes the Victorian Environmental Assessment Council. The honourable member for Doncaster mentioned the plethora of administrative bodies, and said that we must learn to work with them. I agree that we have a plethora and we do not need another one. The Victorian Catchment Management Council services catchments across Victoria. In speaking about catchment levies the honourable member for Ballarat West said her area was not in a catchment, and how dare anyone impose a levy on a catchment when she is not in one. Ballarat is covered by approximately five catchments. It is a problem area for all of us.

Catchment management authorities are relatively new and were established some five years ago. There has been controversy in this term of government with new members being elected. I believe that can be worked through and that the catchment management authorities will settle down and will be quite good at doing their tasks. I have met with catchment management authority representatives and they are genuinely working at where they are going.

To get the issue in perspective, I started with small salinity plans in small communities in small areas. We made a difference. We then developed the Landcare program, but in the 1990s we also put in place the catchment management authorities. The aim was to coordinate all those little bits and pieces to keep them together, and to have them as implementation programs to maintain that coordination.

If honourable members had been involved in the Murray debates of the 1970s and 1980s they would understand how we developed, got into a lot of trouble with but eventually accepted the concept of catchment management. That is the key, not an environmental assessment council. There is in place a council for all catchments which can perform that role. It is important to understand that the issue gets right down to the grassroots.

An honourable member interjected.

Mr STEGGALL — I am voting against the legislation; I do not have a problem with that. The catchment management operation brings our people with us.

The ACTING SPEAKER (Mr Kilgour) — Order! This is an appropriate time to break for lunch. The Deputy Leader of the National Party will have the call when the matter is next before the Chair.

Debate interrupted pursuant to sessional orders.

Sitting suspended 1.00 p.m. until 2.04 p.m.

DISTINGUISHED VISITORS

The SPEAKER — Order! It gives me great pleasure to welcome to the Legislative Assembly Professor Lord Desai of St Clement Danes. I am sure honourable members are aware that Lord Desai is the author of *Destiny not Defeat — Reforming the House of Lords*. He is the guest of the Victorian Parliament and today addressed the Australasian Study of Parliament Group, Victorian Chapter.

It also gives me pleasure to recognise the chairman of the Australasian Study of Parliament Group, Victorian Chapter, and former Speaker of the Legislative Assembly, Dr Ken Coghill.

QUESTIONS WITHOUT NOTICE

Petrol: prices

Dr NAPHTHINE (Leader of the Opposition) — Given the fact that the Victorian government keeps 6.6 cents per litre in petrol tax that is collected on its behalf by the commonwealth, will the Premier now match the Prime Minister's commitment and lower the cost of petrol in Victoria through Victorian taxes by 1.5 cents per litre?

Mr BRACKS (Premier) — As honourable members may or may not be aware, today the Prime Minister announced a review of the excise and in fact a reduction in one of those excise payments. Of course, that was called for not just by the Victorian government but by all state and territory governments at the Council of Australian Governments meeting last year. The COAG meeting was attended by representatives of both Labor and coalition governments from around Australia and recommended that the excise reduction occur on 1 February this year, and that would have been the best time to apply this reduction in petrol prices.

It takes a long time, obviously, for the Prime Minister to get the message. The message was clear and unequivocal: that an excise reduction was called for on 1 February. While it is happening now, it is happening too late and the money has been pocketed by the federal government.

It goes back to a very simple arrangement to which I refer the house. It goes back to a commitment that we all heard given by the Prime Minister and the federal

Treasurer on the introduction of the goods and services tax. The Prime Minister and the federal Treasurer made the simple statement that the introduction of the GST would not increase the price of petrol. That was the commitment: that it would not increase by one cent. Of course, the world price of petrol went up, the GST was therefore charged on a higher price and a windfall gain was made on that GST component.

Dr Napthine — On a point of order, Mr Speaker, clearly the Premier is debating the question and failing to answer the question: what will the Victorian government do with the money it gets out of petrol taxes to lower petrol prices for Victorians? What will he do?

The SPEAKER — Order! I do not uphold the point of order. I will not allow the Leader of the Opposition to take a point of order merely to repeat his question. However, I remind the Premier that he must not debate the question and he must come back to answering it.

Mr BRACKS — As part of the GST agreement, which was signed by the previous coalition government of which this ex-minister was a member, the rights to the collection of taxation on petrol were signed off to the federal government as a replacement. It is clear that the commitment made by the Prime Minister and the federal Treasurer has been broken. They have pocketed the windfall gain and have not given it back to the states. While today's reduction is welcome, it is too little and too late.

Water: Wimmera–Mallee pipeline

Mr STEGGALL (Swan Hill) — Given the preparedness of the federal government to contribute its share of funding to the final stages of the Wimmera–Mallee pipeline, will the Minister for Environment and Conservation confirm that she will prioritise the project within her department to secure the commonwealth matching funds?

Ms GARBUTT (Minister for Environment and Conservation) — I thank the honourable member for his question. I wish he had asked it in the last sessional period, because the answer would have been the same then as it is now. The government's money has been on the table all along for stage 7, as it was for stage 6. The government is committed to the project and has told the federal government time and again that it wants the federal government to match its money. The money has been available for months and months.

Last year when stage 4 of the project was opened at Ouyen — stage 6 or stage 4, or whatever, but a previous stage — I stood beside Warren Truss, the

federal Minister for Agriculture, Fisheries and Forestry, and asked him if he would commit the federal government to stages 6 and 7. He refused to answer. I told him months ago that the Victorian government was fully committed to the project and had budgeted for the amount. The problem has been that whenever the federal minister talks about stages 6 or 7, he says, 'Take it out of Landcare money'. The federal government does not want to give money for both Landcare groups and the stages of the Wimmera Mallee pipeline. It wants to rob Peter to pay Paul.

Honourable members may not be aware that all the previous stages were funded by the federal government separately to national Landcare programs. The current federal Liberal-National Party government changed the rules and said the money had to be found out of Landcare. The Victorian government said it wanted to fund Landcare as well as the pipeline. It wanted to continue the funding as it had been done previously. The state government won the fight for stage 6 and is now telling the federal government that it is committed to the next stage and money is available. It has said to the federal government, 'We want your money, but don't rob our Landcare groups to give it to us'.

Petrol: prices

Mr HELPER (Ripon) — I refer the Premier to the impact of the federal government's fuel policies on country Victoria. Will he inform the house of the latest action the government has taken to reduce the harm caused by the Howard government?

Mr BRACKS (Premier) — I thank the honourable member for his question, which is the second dorothy dixer on the matter today.

The honourable member for Ripon has a background in the area because he was a mechanic and service station operator before he came into Parliament. In his business he saw first hand, as did many people in country Victoria, the effect of high petrol prices on country communities. The differential between city and country prices is quite profound. Like many petrol station owners he had to watch as the Prime Minister refused to act to reduce petrol prices while his government was making a windfall gain from higher overseas oil prices. Victoria will not get any benefit from the goods and services tax on growth until 2007-08. That windfall gain is therefore going into the pockets of the federal Treasurer.

The Victorian government is concerned about the disparity between city and country prices and the higher prices overall. I am therefore pleased to report that the

Minister for Consumer Affairs has announced that petrol will be flowing again in the small rural community of Buangor, which is good news.

It is flowing again for two particular reasons. Firstly, and most importantly, because of the determination of that community to ensure that it stood up for itself and had a proper competitive petrol supply in the area. Secondly, because of the work the government has done to examine opportunities for fuel cooperatives in country Victoria. I place on record my congratulations to the Minister for Consumer Affairs for working with rural communities to establish those trading cooperatives, which can buy petrol at competitive prices when they do not have a critical mass themselves.

Buangor lost its fuel supplies earlier last year after service station owner Trevor Oliver blew the whistle on an oil company which had demanded that he lift petrol prices over the Easter period. I think we all remember the courageous stand he took which effectively meant that ultimately his petrol station closed.

The government ordered a study into the possibility of fuel cooperatives being established in regional Victoria, using Buangor as one of the early test cases for it. The study found it was not economically viable to set up a cooperative in Buangor but that the small community could act as a fuel broker, which it has done by joining an existing nearby cooperative. The Buangor community has been able to band together and meet the challenge to save its fuel supply on an important area of the Western Highway. The community is a model and inspirational operation for the rest of Victoria on how small communities can ensure that they have competitive arrangements in country Victoria.

As we know, petrol is the lifeblood for and the input into the business costs of primary producers and rural and regional Victoria, and it is good to see such a vital small business as that petrol station and the station owner back in action. It has been a real way of achieving savings for rural and country Victorians, and the government is proud to have brokered it when the federal government has been out of touch for so long. The Prime Minister said as recently as February this year that there would be no cut in petrol prices, that he would be putting the money into roads because he was worried about the budget. He has since had to back down for electoral reasons. He did not get the message that people around Australia are hurting, particularly in country Victoria. We have certainly worked with country Victorians to ensure that they have some capacity to get lower prices in the future. We will

continue to do that. Buangor is a great example of what can be achieved.

Industrial relations: government policy

Dr NAPHTHINE (Leader of the Opposition) — I refer the Premier to the fact that a \$40 000 taxpayer-funded consultancy commissioned by the government showed as at September last year that cabinet had not discussed an industrial relations strategy, nor had it ratified Labor's policy on industrial relations. Given that fact, does cabinet now have an industrial relations strategy and, if so, where is it?

Mr BRACKS (Premier) — The government, together with Industrial Relations Victoria, commissioned a report into industrial relations capacity. The government received the report in September last year. It pointed out some deficiencies in industrial relations capacity in Victoria.

When Labor took office in 1999 there was no industrial relations structure or ability for government to act in this state, nor were there any resources. The Minister for Industrial Relations quite rightly commissioned a report, upon which she has now acted. I commend the minister for acting on that report and finding solutions for problems.

Honourable members interjecting.

Mr BRACKS — Good on her! She is finding solutions for problems. The minister has done the right thing in commissioning a report on finding deficiencies and fixing them, and she set about doing that. Where one finds deficiencies one should fix them. That is a good principle. I have to say, as the backbench knows — as the honourable member for Eltham and an honourable member for Koonung Province particularly know — there are deficiencies on the other side of this house.

Mr Hulls interjected.

The SPEAKER — Order! The Attorney-General!

Mr BRACKS — Those deficiencies have been itemised, debated and discussed.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Geelong North! I ask government benches to come to order, particularly the honourable member for Springvale.

Mr Perton — On a point of order, Mr Speaker, the Premier has been speaking for more than 5 minutes and

has therefore exceeded your guidelines. In any event, he is now debating the question.

The SPEAKER — Order! I do not uphold the point of order raised by the honourable member for Doncaster; the Premier was being succinct. However, I ask him to cease debating the question and come back to answering it.

Mr BRACKS — In conclusion, the government has resolved the problem and it now has a good industrial relations capacity. Will the Liberal Party resolve its problems? Will it fix up its frontbench deficiencies? Will it expand the frontbench to 22 members? Will it listen to the advice of the honourable member for Eltham? Will it take up the \$1.2 billion transport package proposed by an honourable member for Koonung Province? They are key questions. Has the Liberal Party got a strategy? The honourable member for Eltham says no. That is a key question. If you have a problem, you should try to set about fixing it.

Gaming: machines

Mr HOLDING (Springvale) — I refer the Minister for Gaming to the government's announcement of regional caps for disadvantaged communities suffering from saturation of electronic gaming machines. Will the minister inform the house of whether the Victorian Casino and Gaming Authority has determined whether the machine numbers in any of those regions will be reduced?

Mr PANDAZOPOULOS (Minister for Gaming) — Recently I announced the establishment of five regions identified as being those hardest hit by the overconcentration of gaming machines as a result of previous Kennett government policies. The policy of setting regional caps was endorsed by the community at the last election and the Bracks government is implementing a world first. The Kennett government was not interested in responsible gambling, in reducing the harm of problem gambling and the increasing burdens placed on communities.

The Victorian Casino and Gaming Authority has informed me that the number of machines in the five capped regions will drop by 406.

Opposition members interjecting.

Mr PANDAZOPOULOS — It is interesting that members on the other side — who when in government, as now in opposition, had no credibility on gambling policy — are whingeing and whining. The Deputy Leader of the Opposition is telling the

government that it should worry about the impact on Tabcorp shares.

The government's policies are being implemented to reduce the burden faced by communities and to produce a responsible gambling industry. The opposition needs to join with the government, community and industry on focusing on responsible gambling.

I am pleased to announce reductions in five capped regions: Maribyrnong Plus will have 157 fewer gaming machines; Greater Dandenong Plus will have 147 fewer gaming machines; Darebin Plus will have a freeze on its current number and therefore will have no need for any reduction; machine numbers in the Bass Coast Shire will be reduced by 41; and the number in La Trobe will be reduced by 61. Not only will capped regions be allowed no additional gaming machines but the number in most will be reduced. To ensure that there will be no dumping, applications will pass strict social and economic impact tests and must be delivered within five years.

I put the opposition parties on notice and propose this challenge: they have no credibility on gambling reform, so rather than continuing to whinge and whine they should produce their responsible gambling policy. They are harping and carping, but they have no ideas or vision about reducing harm.

The government's measure is important for those local communities.

Mallee: revegetation

Mr SAVAGE (Mildura) — In view of the logistical difficulties faced by Mallee farmers in protecting remnant vegetation, will the Minister for Environment and Conservation advise what can be done to help farmers protect and revegetate their farms with native vegetation?

Ms GARBUTT (Minister for Environment and Conservation) — This is a very good story indeed. During the last sessional period the honourable member for Mildura put to me a proposal to meet his concerns about how local farmers were able to supply the necessary resources, including labour and funding, for natural resource management, particularly the protection of native vegetation. I am pleased to say that the proposal is now being put into action.

The Mallee Catchment Management Authority, the Department of Natural Resources and Environment and the Victorian branch of Greening Australia have in partnership developed a pilot program to investigate a

labour support program for farmers to protect and revegetate native vegetation on their farms. The pilot will concentrate on developing support teams that can be available to work on the properties of individual farmers. They will be able to devise a plan and supply the labour necessary to develop the skills to carry out revegetation, including direct seeding, planting, fencing and site maintenance. It is a creative proposal. The project will come together in the six-month pilot, which will be funded to the tune of \$50 000.

I believe it will make available to the region not only employment but also support teams at key times of the year when there are heavy demands on farmers for natural resource management. It will provide skills, employment and answers to the whole community. It is a great example of the government responding to a community need in natural resource management, an area where it encountered not quite a vacuum but where the previous government's answer was the catchment management tax. The previous government's answer in natural resource management was hated, divisive and did nothing.

By contrast, the government has provided real leadership and innovation in natural resource management. For example, it has put \$30 million into the Water for Growth program, which is about water efficiency and growing regional economies. The government has removed the catchment management tax and replaced it with levy funding. I can go into that, if honourable members wish me to, but it is not a pretty story from the opposition's point of view. The government has put in funding for a whole range of programs across the natural resource management area and is providing leadership where previously there was controversy.

MAS: royal commission

Dr DEAN (Berwick) — I refer the Premier to the latest estimate of the total cost of the Metropolitan Ambulance Service royal commission, which is now up to \$55 million, which amounts to \$750 000 per week. Is the Premier again going to extend the reporting time for the MAS royal commission; and if so, at what cost?

Mr BRACKS (Premier) — The gazetted amount for the royal commission is \$15 million. A request from the royal commissioner, Mr Lex Lasry, to consider an extension of time is being examined by my department. Once I have that advice, the government will make a decision on the matter.

Gaming: problem gambling

Ms GILLETT (Werribee) — I refer the Minister for Community Services to the government’s campaign to reduce problem gambling in the Victorian community. What is the latest action the government is taking to further promote this important message?

Ms CAMPBELL (Minister for Community Services) — Honourable members on this side of the house are proud to be part of a government that promotes a responsible gaming industry and provides support to problem gamblers. The Bracks government has long campaigned for a responsible gaming industry, and it is now delivering.

The government has set in place a strong three-year campaign to ensure that an absolute support system is available to problem gamblers at a variety of levels: the government has supported mass media campaigns, research and extensive telephone and face-to-face counselling.

Last November the government launched the Think of What You’re Really Gambling With campaign — a \$1.8 million summer offensive — and the result has been a huge increase in the number of problem gamblers seeking help. The figures are impressive. The results of the — —

Dr Napthine interjected.

The SPEAKER — Order! I have asked the Leader of the Opposition to cease interjecting!

Ms CAMPBELL — The government’s use of electronic and print media together with brochures has resulted in a spectacular increase in the number of people who have sought help.

Under the Kennett government Victoria’s problem gamblers did not know where — —

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh!

Ms CAMPBELL — The figures are embarrassing for the opposition.

Opposition members interjecting.

The SPEAKER — Order! I ask the honourable member for Mornington to cease interjecting.

Ms CAMPBELL — The figures show that under the Bracks government’s problem gambling campaign,

Think of What You’re Really Gambling With, there has been a 91 per cent increase in people contacting Gamblers Help. Compare that with the Walk Away advertising campaign of the previous minister, the now Leader of the Opposition, which resulted in a miserly 28 per cent increase. That campaign suggested that people could walk away if they were no longer having fun. But people were having fun and staying, and that money resulted in — —

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc is being disorderly again.

Ms CAMPBELL — The weak campaign of the previous minister was a subtle endorsement of gaming and problem gambling. Furthermore, this government is providing \$6.1 million in addition to the \$1.8 million to ensure that community partnerships are in place and that people who have gambling problems understand help is available and that they can call the Gamblers Help phone number to get personal support for themselves and their families.

The advertisements will be strongly reinforced by parallel local community awareness campaigns. I am fascinated about whether members opposite will support people in their electorates and come on board with this campaign. It will be enlightening to know whether problem gamblers who live in the electorates of members opposite will be supported by the constituents and encouraged to call Gamblers Help.

The SPEAKER — Order! I have called the honourable member for Mornington to order on a number of occasions. I ask him to cease interjecting.

Ms CAMPBELL — The figures present a clear picture: the Bracks government has a communication strategy that connects with problem gamblers, encourages them to phone help lines and ensures they get support. I have received permission from Hansard to have those figures incorporated.

Mr McArthur — On a point of order, Mr Speaker, I direct your attention to sessional order 3(5), which requires ministers to answer all questions in a direct, factual and succinct manner.

The minister has been carrying on for so long that a person could walk from here to St Patrick’s Cathedral and back.

The SPEAKER — Order! I do not uphold the point of order. However, I remind the minister of her

obligation to be succinct, and ask that she conclude her answer.

Ms CAMPBELL — I repeat that under the Bracks government there has been a 91 per cent increase compared with a 28 per cent increase under the previous minister's Walk Away campaign, and the pathetic Piggy Bank campaign was able to provide only a 60 per cent increase.

Hospitals: funding

Mr DOYLE (Malvern) — My question is to the Minister for Health.

Government members interjecting.

The SPEAKER — Order! The Deputy Premier and the Treasurer!

Mr DOYLE — Rather than blaming the federal government, the former government, nursing home operators and, yesterday, accounting errors for the hospital systems problems, can the minister now explain why every metropolitan hospital was in operating surplus as of July 1999 and is now in operating deficit as of December 2000?

Ms Pike interjected.

The SPEAKER — Order! The Minister for Aged Care!

Ms McCall interjected.

The SPEAKER — Order! The honourable member for Frankston!

Mr THWAITES (Minister for Health) — Usually the opposition gets its questions from the newspaper, but now it seems it gets them from the government. That question was asked yesterday and I gave the answer. The Bracks government, unlike the previous government, is adding \$176 million for hospitals.

Honourable members interjecting.

Mr Wilson interjected.

The SPEAKER — Order! The honourable member for Bennettswood!

Mr Smith interjected.

The SPEAKER — Order! The honourable member for Glen Waverley!

Mr THWAITES — Unlike the opposition when it was in government, this government is adding to the

hospitals by putting in new beds and employing new nurses. The honourable member talks about the figures and the surplus. Yesterday and today he referred to the supposed surplus of the hospitals, including the Royal Children's Hospital. It is contained in the annual report. That report, and the report for which he was responsible, had figures that disguised the true position.

Honourable members interjecting.

Dr Dean interjected.

The SPEAKER — Order! I ask opposition benches to come to order and ask in particular that the honourable member for Berwick not interject in that manner.

Mr Doyle — On a point of order, Mr Speaker, the minister has just made a claim which suggests that the audited reports of hospital networks, which in turn are signed off by the Auditor-General, were not accurate reflections of the financial position. If he is saying that then this is an inappropriate forum for him to do so, and I advise him to consider his words carefully.

The SPEAKER — Order! I do not uphold the point of order. I shall not allow the honourable member for Malvern to take a point of order and proceed to make a point in debate.

Dr Dean interjected.

The SPEAKER — Order! The honourable member for Berwick!

Mr THWAITES — An investigation has revealed that in 1998–99 the Royal Children's Hospital had an operating deficit of \$9.5 million.

Opposition members interjecting.

The SPEAKER — Order! I ask the opposition benches to come to order. The Premier! The Chair is having difficulty, as I am sure are other honourable members, hearing the answer from the Minister for Health.

Mr THWAITES — The investigation has revealed that on the operations of that hospital there was a \$9.5 million deficit. The Auditor-General did not get it wrong. What the previous government did was report bequests and donations as part of the income of the hospital.

When the honourable member was asked about it yesterday on the Steve Price program he said he wanted a guarantee the debt would be quarantined from any movement of money from donations. Steve Price said:

Do you know if that was the case when you were in office?

Robert Doyle: No, I don't ...

He went on to say:

If that's happened in the past it was wrong and it would be something that I would not allow if I were Minister for Health today.

He allowed it when he was a parliamentary secretary but he would not allow it if he were minister today.

Let us look at the other hospitals. An independent report into the hospital networks was carried out under Professor Stephen Duckett.

Opposition members interjecting.

The SPEAKER — Order! The honourable member for Warrandyte!

Mr THWAITES — Professor Duckett found that hospitals had been forced to shift assets and capital in order to pay recurrent costs. That is what was done under the previous government. What the government is doing now is putting in more recurrent moneys. The previous government —

Opposition members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition!

Mr THWAITES — The government is putting in more recurrent funds for our hospitals. The previous government forced hospitals to shift assets and use up their reserves in order to meet their operating expenses.

Opposition members interjecting.

The SPEAKER — Order! The honourable member for Bennettswood!

City Link: Transurban contract

Mr NARDELLA (Melton) — I refer the Minister for Transport to the City Link contract entered into by the former government and ask the minister to inform the house whether Transurban has made a claim on Victorian taxpayers for the impact of traffic flows on Wurundjeri Way.

Mr BATCHELOR (Minister for Transport) — Unfortunately the question raises another example of the government having to clean up the ongoing mess left behind by the former Kennett government. Time after time, on occasion after occasion, the incoming government has been left with such problems. The

claim by Transurban for compensation is yet another one.

On 7 February this year Transurban submitted a material adverse effect claim for some \$38.5 million against the state in relation to the City Link project. Specifically, Transurban alleges that the construction of Wurundjeri Way, formerly the north-south road, by the Kennett government and the widening of the West Gate Freeway has reduced traffic volumes on City Link resulting in a loss of revenue from the City Link tollway. Honourable members would be aware the City Link contract was signed by the Kennett government in 1995. I have it here. You voted for it and we voted against it. You voted for it.

Dr Napthine interjected.

Mr BATCHELOR — You voted for it!

The SPEAKER — Order! I ask the Leader of the Opposition not to interject across the table. I ask the Minister for Transport not to address his remarks to the Leader of the Opposition, but to the Chair.

Mr BATCHELOR — In 1995 members of the Kennett government, now the opposition, forced through the house the City Link contract.

Mr Leigh — On a point of order, Mr Speaker, we want the minister to tell the truth. I have with me all the changes made to the contract. They are playing this man for a break. Tell him to tell the truth.

The SPEAKER — Order! I do not uphold the point of order. The honourable member for Mordialloc is a serial offender in taking points of order and then proceeding to make a point in debate. The Chair will not be tolerant of him, as it will not be tolerant of other honourable members who continually offend in this way.

Mr BATCHELOR — When the Kennett government signed the contract in 1995 the Labor Party warned it and the people of Victoria that it contained clauses that were anti-competitive, financially irresponsible and not in the best interests of taxpayers. In addition, during the Kennett government's term of office, it was explicitly warned in departmental briefings that went to cabinet that if it proceeded to build the north-south road it was likely to result in a material adverse effect claim being made by Transurban that would leave the state liable. It is not just the government that is saying that. Kim Edwards is reported as having said:

The former government encouraged Transurban to build the \$200 million Bolte Bridge because it wanted City Link to connect Docklands with the central business district ... This was far more expensive than the alternative option which was to build the north-south road.

Transurban went ahead with the bridge, despite the additional expenditure on the understanding that the north-south road would not be built. Then two years later the government turned around and built that road. As a result, thousands of vehicles are not using City Link each day.

The Kennett government received advice from the then Labor opposition, from departmental officials and from Transurban that if it went ahead with the north-south road it would leave future taxpayers liable to extensive claims.

Negotiations will now occur between — —

Mr Leigh interjected.

The SPEAKER — Order! The Minister for Transport!

Mr BATCHELOR — You sold out the taxpayers of Victoria!

The SPEAKER — Order! I ask the Minister for Transport to address his remarks through the Chair and not to solicit interjections from the honourable member for Mordialloc.

Mr BATCHELOR — Negotiations will now take place between the state and Transurban. I have instructed the Melbourne City Link Authority to seek to achieve the best outcome for the state. The Bracks government will do all it can to minimise the taxpayers' exposure to the claim.

Dr Napthine interjected.

Mr BATCHELOR — The Leader of the Opposition laughs. It is outrageous! Unlike the Kennett government the first priority of the Bracks government is to protect the interests of taxpayers and motorists.

MEMBERS: PROCEDURAL SEMINAR

The SPEAKER — Order! I wish to inform the house that following requests from many members, arrangements have been made to conduct a procedural seminar for members of the Legislative Assembly on Wednesday, 14 March 2001. The seminar will commence at 10.30 am and conclude at 12.30 p.m. in room K of Parliament House.

VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL BILL

Second reading

Debate resumed.

Mr STEGGALL (Swan Hill) — Before the luncheon adjournment I was speaking on the Victorian Environmental Assessment Council Bill and getting to the issue of Labor Party policy and its claim that this is one of the policies it took to the people at the last election.

Ms Lindell interjected.

Mr STEGGALL — The honourable member for Carrum says, 'And they loved it'. They may have, but what the government took to the people and what is in the bill are totally different. Through the minister the government has badly misled the people on the operation of a proposed Victorian Environmental Assessment Council.

It is true that the proposal was included in the ALP's policy but that was to examine public land use. The ALP's platform was to establish an organisation to take over responsibility for public land from the Environment Conservation Council or the Land Conservation Council. Had the legislation dealt only with public land, I would have been critical of it, but would not have opposed it.

However, the government drew up the legislation. In her second-reading speech the minister claimed she was supporting the policy, but included private land. For the first time private land is to come under a Victorian Environmental Assessment Council.

I remind honourable members what I was saying before the luncheon break about the catchment management authorities and the Victorian Catchment Management Council. Their role extends across private and public land. It is a participatory process with the people of country Victoria, and it works. Although that participatory process with the people of country Victoria has been going for only a while, it is working.

At question time the honourable member for Mildura asked the Minister for Environment and Conservation about the environmental management plans, which have been worked on for some years. I hope it will not be long before the government formalises the issues the minister referred to in her answer and establishes a funding regime to help farmers entering into conservation management projects to ensure that the

changes made to their land management practices will be cost neutral or even cost beneficial to them.

The National Party applauds that initiative, which has come not from a statewide council imposing its will from above but from the catchment management authorities and the people who make up those authorities. It is a good policy that has been accepted by the people involved — the landowners, the farmers and the country communities — and it will work. That is the type of operation and implementation that is needed for public land.

The government keeps telling me about how great it is at consultation. I wonder whether the honourable member for Seymour, for example, has told the private landowners or farmers in his electorate that the Victorian Environmental Assessment Council will be able to make recommendations over private land. The bill and the second-reading speech are silent on what the minister might do or how the council may impose its will on private land; nevertheless, for the first time a council will be able to do that.

The main issue that I disagree with about the operation of the bill is the lack of a participatory process such as that developed with the catchment management authorities. I wonder how the good burghers of the St Arnaud, Maryborough and Dunolly areas in the electorate bordering mine would feel if the honourable member for Ripon — a man who tells me about his party's great consultation — were to tell them about that.

There has been no consultation with those people about the concept of giving a statewide environmental council power over private land. The minister is not present because she does not like to participate in debates on her bills, which is a pity as it would help her and all of us if she did. The bill and the minister's second-reading speech do not make it clear how consultation is entered into on the implementation of the council's policy and program over private land.

Given all the nonsense they have been carrying on with in the house, I wonder if the honourable members for Gisborne, Narracan and Benalla have told the people of their electorates what they will be voting on. I wonder whether the Independents have done so, too. I was not going to mention them, but as I see them sitting there, I wonder whether they agree with a statewide council moving — —

Ms Davies interjected.

Mr STEGGALL — It is very easy to separate. I will give the honourable member for Gippsland West

the opportunity to separate it if she likes. The amendments the National Party will be moving will take all the reference to private land from the bill. The council would then be an assessment council of public land, which is something the National Party is not madly impressed with. However, it acknowledges that that was part of the government's policy and that it had the opportunity to introduce such a bill into the Parliament.

I get a bit wild about some of these issues, Mr Speaker. In the 1980s when Joan Kirner was the minister she introduced the Flora and Fauna Guarantee Act, which at the time divided all honourable members as they tried to work out how the legislation would work and what it would do. That act has worked reasonably well over the years and continues to work well, particularly if there is a catchment management authority to work with the department on the work to be done.

However, I would like the minister — who is unfortunately not in the chamber — to inform the house what she wishes to achieve on private land through the bill that she cannot achieve through the Flora and Fauna Guarantee Act. A reading of that act reveals that it is a wide-ranging and powerful document, which the Parliament took a great deal of time debating and agreeing to in the 1980s. It was not an easy run through, but the Flora and Fauna Guarantee Act picks up most of the issues mentioned in the minister's second-reading speech.

The most important act is the Catchment and Land Protection Act, which established the catchment management authorities and the Catchment Management Council and founded partnership participation in working towards an end result. The act has worked reasonably well under both governments. However, I do not believe it has worked as well as it could have. I am sure that in the future this legislation will work even better than it does today.

When we talk about private land we also talk about the intervention of government on private land. It is acknowledged in society that that is an acceptable thing in some cases. The National Party argues that it is acceptable where there is partnership, participation, understanding and time to achieve it. We in the country do not like it when city organisations tell us how to solve our problems. We would like those people and organisations to work with our people to resolve those issues, not to tell us what to do and how to do it. If honourable members want an example they should look at the mineral reserve basin scheme of the 1980s. That was the last time a government tried to do that and it did not work. A central body may make the right

decisions but if the implementation is not right and the people are not involved they will fail.

Land use issues are vital. Everyone is aware of how important the environment and its use is to the future of our country, our children and our grandchildren. It is important that people are involved, and we have done that over the years.

An honourable member asked me at lunchtime why I was disappointed with the breakfast held the other day. I was disappointed with the breakfast, particularly the salinity segment, because we heard the rhetoric of 1985 with all the negatives, downsides and problems we had with land use and farming in a saline area in Victoria. We did not hear one thing about what we have done since the mid-1980s, the benefits and successes we have had, the challenges we are meeting and the way we are doing it. Country Victoria is very aware of its environmental responsibilities and it is very keen to work with government, science, its community and peers to improve and correct the environmental problems.

The honourable member for Mildura mentioned the native vegetation clearance controls during question time today. They have been a big problem for people in the country as they strive for development and investment. Victoria has adopted a policy where it offers trade-offs to land users. I am negotiating two of them with the department at the moment. These trade-offs mean that people who want to invest and develop and have to clear native vegetation to achieve it are able to offset that and ensure that the policy of no net loss or a net gain, however they put it, is achieved. We are doing that today and it is good.

The Minister for Environment and Conservation mentioned the environmental management plans, and the catchment management authorities are helping advise departments about entering into agreements whereby the government will be able to assist a farmer to save or develop a plot of native vegetation on his land and get some benefit from it. We have not yet reached the endplay as to how that will happen but in the first instance it is happening with the funding of fencing and that type of thing.

We have to go a bit further and adopt a land use principle so that when government intervenes on private land to restrict a person from operating in a fair and reasonable manner it reimburses the landowner for that imposition.

It is not a big deal. Australia is one of the few countries that does not do it. In Europe it is called

multifunctionality. If honourable members are ever involved in international trade talks they will find that it is a horrible thing. Multifunctionality is the European argument for supplying grants, subsidies or price subsidies. It is practised through the price of goods, grants to farmers or a form of subsidy arrangement where farmers are paid to do a range of things, such as tending the hedgerows and other environmental matters. In Australia it would be likened to people cleaning up thistles or noxious weeds. Arrangements such as those are only touched on in this country, but the Europeans ensure that farmers are not out of pocket and they are encouraged to do those things to gain additional finance.

Europeans argue strongly for the viability of rural areas and use that as a base for subsidies and grants to land users. In some places the argument for maintenance of human settlement in sparsely populated areas is used to obtain grants. 'Agricultural landscape' is a widely used term in Europe. It relates to such things as stone walls, hedgerows or neat and tidy laneways, and farmers are paid to care for those things. Australians practise biodiversity with native vegetation. Both biodiversity and an argument for rural employment are also used in Europe to pay subsidies to farmers.

Britain has ongoing problems with bovine spongiform encephalopathy (BSE), which has cost the British government A\$9 million in compensation and assistance. The country has now been hit with foot and mouth disease, which is a terrible disease. Heavens knows what that will cost the British taxpayer.

The National Party points out that private land should be removed from the legislation. Rural and regional Victoria do not want another city-based organisation telling country Victorians how to run their operations. The government should understand that is not the way to go forward. The way to go forward is to further develop the catchment management authorities and implementation programs for salinity, land care, weeds and whatever.

Honourable members who were present at the church service at St Patrick's last Tuesday will remember the priest in his homily using the argument of Sir Thomas More in speaking about members of Parliament having a problem with balancing truth and power. When one recalls the problems of governments, ministers and politicians in using truth and power, one understands why the minister's answer to my question at lunchtime was interesting.

The minister said she would not allow national Landcare funds for Victoria to fund the

Wimmera–Mallee pipeline, yet last year she used those funds to the order of \$2.73 million for that purpose. The year before the coalition government used \$2.8 million. The years before that — 1997–98 and 1998–99 — \$3.5 million was used from the national Landcare program. A break occurred between 1995 and 1997 where a drought regional initiative of \$2.5 million under the rural adjustment program was used. The national Landcare program was used in 1994–95.

The Minister for Environment and Conservation was not being truthful in what she said, but she emphasised the value and importance that is placed on land care. I agree with her on that point. I do not agree that she should use the Wimmera–Mallee pipeline and the national Landcare program as a bargaining tool to complete —

Mr Howard interjected.

Mr STEGGALL — She is.

Mr Howard interjected.

Mr STEGGALL — Let me help, Mr Acting Speaker, although I know you would frown upon my reacting to an interjection.

An Honourable Member — Don't do it.

Mr STEGGALL — But I don't mind his frown; it is okay. I get over it; I am not a thin-skinned person.

The federal government has called nominations for the Landcare program in this year's round of Natural Heritage Trust (NHT) funding. Nominations closed last week, which is why my question was put today. From that point, the list of priorities will go to the regional and then state assessment panels. Finally, the minister, with her department, will decide on the priorities for the programs. She knows full well that if she places the Wimmera–Mallee pipeline stage 7 at a low enough priority on the state list, it will not make it.

Mr Howard interjected.

Mr STEGGALL — It is coming out of the NHT.

Mr Howard interjected.

Mr STEGGALL — No, don't get upset.

Mr Howard interjected.

Mr STEGGALL — Don't get upset! I will go back over the past seven years, if you like. This is the program it has come from, and it has been a very good and successful operation.

Mr Howard interjected.

Mr STEGGALL — Don't put it into jeopardy. I am sure the honourable member for Ballarat East would agree that last year the national Landcare program was paid for out of NHT funding, as I hope it will be this year. We want this one out of the way; we want it completed and finished. Upon its completion — and this is the last one to finish — I and, I am sure, the honourable member for Mildura, will be happy because the next round of discussions on the Wimmera–Mallee pipeline will then commence. The state should negotiate a separate funding stream with the commonwealth government for the next concept for the Wimmera–Mallee pipeline, but, for heaven's sake, this last stage must be finished first!

Government members will be pleased to know that a Labor minister actually started the process. The debate started in about 1940, and the former Labor minister, Steve Crabb, commenced the next one. The process was completed and has proved to have been very successful on the way through.

I wish to make only a couple of other points. The honourable member for Doncaster covered most topics well, including comments about the membership sought by the public land council. I support that concept and hope the minister gives it more consideration when the bill is between here and another place. The National Party took advice on whether it could move amendments in that regard but was advised that it could not do so because of the likely financial impact on the legislation. The advice was that it could not be done without an appropriation message, so the National Party has not proposed amendments to that provision.

I shall refer to two proposed amendments standing in my name; the first one is quite simple. It would take out all reference to private land from the legislation so the government can actually do what it promised to do — that is, to go for another public land operation. Government members would appreciate that I am not too impressed with that idea, but it is what the Labor Party policy said it would do when in government.

The ALP said the Victorian Environmental Assessment Council would be empowered to examine public land issues, waterways, coastal and marine conservation, the protection of biodiversity, sustainable use of resources and other environmental management issues, and that its first priority would be the further protection of grassy ecosystems. I can assure the government that it has enough power under the Catchment and Land Protection Act, the Flora and Fauna Guarantee Act and native vegetation clearance legislation to do just that. It

should understand that in most places people are willing to work and participate to achieve those ends.

I do not like the concept of the Victorian Environmental Assessment Council, and the National Party will oppose the second-reading motion. If I am able to move my amendments during the committee stage — it will be up to the minister as to whether I have that opportunity — I will move to omit references to private land and reinsert the definition of public land.

The National Party has proposed two further amendments, including the omission of the geological and geomorphological references in clause 18. Huge new industries, such as a mineral sands operation, are starting up in my electorate in northern Victoria, and I do not see the need for the inclusion of those words. They are a negative for the legislation.

The other amendment deals with omitting 'creation and' with regard to national parks. Country people believe Victoria has a good range and number of national parks. As legislators and custodians of the law we should be working out how we can properly manage our public lands for the next 20 years. In some areas it is embarrassing to see the lack of management of Victoria's public lands. Over the next few years the government should spend time on getting a decent handle on a proper management regime to manage our national parks.

I note in the spring sittings legislation will be put forward dealing with box-ironbark and marine parks. Robust debate will take place on those issues. I believe country people come to an issue from a slightly different angle from that of metropolitan people and departments. I seek the tolerance of government members in at least understanding the way we view the management regimes to be put in place to achieve the best outcomes for that land.

The National Party will oppose the legislation and will seek the amendments to take out the private land context of the bill, plus the other minor amendments I have outlined.

Mr HOWARD (Ballarat East) — I support the bill, which establishes the Victorian Environmental Assessment Council. I am pleased to note that Liberal Party opposition members have spoken in support of the bill and that they recognise the great benefits that will be provided through its enactment. I am disappointed that National Party members do not support the bill and wish to misrepresent the provisions of the bill in order to vote against it.

The bill is very much a part of the policy on which the government was elected, which was to review the earlier Environment Conservation Council and to establish a new council to provide advice to the minister and to evaluate significant environmental issues affecting Victoria.

These issues are broad in their basis and include public land and waste water issues, which will be able to be investigated. Other issues include coastal and marine conservation, protection of biodiversity across the state, sustainable use of resources and environmental management issues.

In his contribution the honourable member for Doncaster recognised the need to take a holistic approach to assessing environmental issues. The concept of assessing only public land and believing in some way private land is not affected by the same issues is nonsense. I believe the honourable member for Swan Hill recognises that point, but he wants to put a strange slant on what the environmental assessment council will be doing.

It is important to be clear. After its establishment the council will examine issues such as the protection of Victoria's grassy ecosystems, which is an important issue across the state.

That issue affects not only public land but also private land. The Victorian Environmental Assessment Council (VEAC) will do assessment work. It will be made up of a skilled group of people who will work in consultation with the community. I will return to that a little later. It will build on scientific expertise and a range of skills provided from across the community to assess issues such as the grassy ecosystems that are clearly under threat across the state. Recognising that many of those significant ecosystems are on private land, the council will be able to provide private landowners with advice and perhaps also provide advice to the minister about the funding needed to help protect such ecosystems. Funding could be given to the owners of private land if they were in a position to protect grassy ecosystems. The council will be able to provide advice that will be of benefit to private land-holders. It is not a threat to but an opportunity for private land-holders.

Other areas that have been particularly identified include the protection of native forest in the Strzelecki Ranges area. The council will be able to assess ecosystems that are currently under-represented as protected areas across the state, not just on public land but also on private land. They are vital issues to be considered.

I refer to the history of the development of the VEAC. Previous speakers have referred to the former Land Conservation Council. I note that when the Environment Conservation Council came into existence the former minister, the then Minister for Conservation and Land Management, the former honourable member for Seymour, recognised in her second-reading speech that:

The council has carried out the role for which it was principally established, that of surveying the entire land resource of the state and making recommendations on its future use. It has fully surveyed the land resources of the state.

In making those statements the former minister recognised that the LCC had done a significant job in assessing Victoria's public lands and implied there was a need to go beyond assessments of public land and to assess the whole of the state to be aware of the ecosystems that needed protecting, and for representations to be made to the minister on how that could best be done.

Clearly, the legislation provides that the VEAC will have limited powers. It will not have the power to access private land if private land-holders do not wish to give that access. It cannot compel private landowners to be involved in its consultations. The proposed council cannot compel people to be involved.

Mr Steggall interjected.

Mr HOWARD — As the honourable member for Swan Hill said, it does not make decisions anyway; it will make recommendations to the minister following community consultation. It will not be in a position to make decisions. The minister is empowered to make such decisions in the interests of the state, and she will work in consultation, as the government clearly has indicated it will do, with the community. The powers of the VEAC are limited and are advisory in nature.

The number of members on the VEAC will be extended beyond the numbers on the ECC, which will provide a greater opportunity for a balanced membership. The members of the VEAC will be people who can demonstrate skills in a range of areas that relate not only to the environment but to other social and economic areas. People could also be coopted for particular studies.

It is proposed that the Victorian Environmental Assessment Council will operate on a consultative model. Unlike the Environment Conservation Council before it, the VEAC will be required to establish community reference groups before it goes about assessing particular tasks. The community reference

groups will include stakeholders from across the areas the VEAC is representing — people from local communities and so on. The groups will work with the VEAC to indicate appropriate modes of operation for the council.

Mr Steggall interjected.

Mr HOWARD — It will not be a heavy-handed body as the honourable member for Swan Hill is trying to suggest. It will be a consultative group, it will work with communities — —

Mr Steggall interjected.

Mr HOWARD — That is your view. You seem to be afraid that the VEAC is going to stomp over people in rural communities and make decisions that will not be in the overall interests of owners of private land and people across the state. It is not a case of Big Daddy. The government has consulted widely before introducing the bill. It has listened — —

Mr Steggall interjected.

Mr HOWARD — If honourable members had read the notes associated with the bill they would have seen that the government has consulted widely and taken on board many of the points brought before it when constructing the bill, although there have been a few aspects that have not been taken on board. The government has ensured that the VEAC will have a broad membership base and that only issues of genuine interest and importance to the community will be raised.

I commend the bill to the house. I trust it will have a positive passage through both houses.

Mr KILGOUR (Shepparton) — Following the honourable member for Ballarat East, I am pleased to provide some comments on the Victorian Environmental Assessment Council bill. It is easy to see that he does not derive his livelihood from being on the land, although I understand he has some cattle running around the place. If he were deriving his whole livelihood from the land he would have shown much more interest in the fact that the VEAC could be involved in making decisions about private land. While it was all very well for the honourable member to get up and say that it will be a committee to advise the minister, he then turned round and said that the minister will make decisions that will affect the community. Of course it will affect the community and, yes, it will affect people with private land.

People like members of the Victorian Farmers Federation, who own the private land, say their main concerns are based on the fundamental question: is there really a need for another committee to carry out environmental investigations? The VEAC is a 1990s approach to environmental issues. In the 21st century good environmental management needs to be integrated into government decision making at all levels. Setting up the assessment council separately to government agencies will have a negative impact on integrated environmental management. Those are the concerns farmers and other private landowners express about the bill and what it could do to their livelihoods in the future.

The VFF asks: what is the charter for the Victorian Catchment Management Council? How and why is it different to the VEAC, and would it be more effective to give greater support to the VCMC than to create another council?

I do not have too many problems with the bill except that it involves private land. If it did not do so I could see myself supporting it.

The previous Labor government under Joan Kirner supported extremely well the salinity program for private land in the Goulburn Valley. Some 12 years ago the Salinity Program Advisory Council, known as SPAC, was put together. The council devised a plan for private lands in cooperation with councils and the community, but most importantly, the land-holders were the people who were sitting around helping to make the decisions on what would happen in the future with salinity.

Following the salinity program the catchment management authorities were put together — the very authorities that are in a position to make decisions about what should happen on private land. The catchment authorities are doing a good job across the board and we look forward to seeing them continue to do so.

Those programs have taught local farmers and land-holders a better way of operating the land. For example, there is now a much better operation of surface drainage. In my electorate there are many hectares of land that is now producing tomatoes, vegetables, pome fruit and stone fruit. That is all a result of the approved salinity plan because there is now drainage for land that was previously marshy. That has all been done through the private land-holders working with government, local agencies and the Department of Natural Resources and Environment to ensure that they get the best possible use of their land.

Country people can sort out the country problems. We do not want the confusion of an overriding body coming and confusing things about private land. As I said, mostly I support the issues as far as public lands are concerned but I have a great concern about private land because why have catchment management authorities if others can come in over the top and make their own decisions? Country people, through the catchment management authority board salinity implementation groups, can decide what is best for private land.

I support the Deputy Leader of the National Party and the amendments before the house because of the concerns I have about what will happen to private land in the future. I am sure that many of the private land-holders are a wake-up to the government's attempts to extend its powers to private land, and I am sure that many more people will be jumping up and down when they become aware of them.

Many areas of public lands are now being closed — in some cases for good reasons — but country Victorians are concerned about some of the things that are happening. Because of the time limit and other people wanting to speak I shall finish my remarks. I have made my point about private land and I reiterate my support for the National Party amendments.

Mr VOGELS (Warrnambool) — I was amazed to compare a speech made in May 1997 by Ms Garbutt, the honourable member for Bundoora, with what Ms Garbutt, now the Minister for Environment and Conservation, proposes in the Victorian Environmental Assessment Council Bill, which replaces the Environment Conservation Council Bill. In her speech the honourable member for Bundoora attacked Marie Tehan, the former Minister for Environment and Conservation, by saying:

... the public will have no input into the ECC as the three part-time members will be appointed by the minister.

In other words, you need a mate to get a guernsey!

The bill proposes the appointment of five members instead of three by the Governor in Council, on the minister's recommendation. It states that the five appointees should have knowledge of and experience in environment protection and conservation, natural resources management, local government, economics and business management, rural and regional affairs, issues relating to indigenous peoples, social and community affairs, community consultation and participation and, of course, union stakeholders.

What does all that mean? I have never seen so many meaningless buzz words as I have in this bill. There is no provision for representation by farm groups, who will be the ones directly affected by this bill — that sector of normal, everyday people who may not possess a university degree but who probably know more about their regions than any of those so-called experts.

The bill proposes that the Victorian Environmental Assessment Council may appoint additional members and, thus, provide more jobs for the boys. As a result, you will have the assurance of always getting the answer you want. The VEAC will be able to appoint committees — more jobs — and community reference groups — more jobs.

The VEAC will be able to seek advice from a broad range of environmental, industry, local government and union stakeholders. Obviously, it will depend on one's agenda as to the stakeholders from whom one will seek or exclude advice to obtain desired answers.

The bill replaces the Environment Conservation Council and widens the terms of reference. It also adds powers to build in the principles of ecologically sustainable development — the triple bottom line — to all government decision making, which applies to all land across the state as opposed to only Crown and public land.

The VEAC will not have specific powers to compel private individuals or companies to provide information or access to private land. Does that mean there will be non-specific methods of compulsion? I can think of instances where public authorities need to be able to force land-holders to clean up their act, mainly in instances of noxious weed control, drainage and salinity where one person's bad farming practice can have a detrimental effect on everyone else down the road. It has been happening for many years. In certain circumstances I do not have a problem with people going onto private land and forcing land-holders to do the right thing.

Public participation is much vaunted in the bill, but one suspects the council will have regard only to the views of certain community groups at the expense of others. In the minister's second-reading speech she makes much of her consultation with stakeholders. However, the organisation that looks after the people most affected by the bill — the Victorian Farmers Federation — points out that its members were allowed two meetings, which were not consultations but more along the lines of cursory information sessions where the difficult questions were left unanswered and it seemed the process was already in its final stages. If

that is the type of consultation we are talking about with the most important stakeholders I fear for the results.

At this morning's briefing from the Department of Natural Resources and Environment it was suggested that the VEAC's first brief would probably be to investigate the plight of grassy ecosystems to the west of Melbourne, which was mentioned earlier by the honourable member for Ballarat. Does this mean farmers will be forced to protect native grasses at the expense of improved pastures on private land? Are farmers going to come under pressure not to use superphosphate on paddocks where remanent vegetation of native grasses has been identified?

The minister talks about independence and transparency, but it appears the council will undertake only investigations requested by the minister, and the minister will be able to request that departmental staff be made available to carry out investigations. The VEAC will have the powers and resources made available to carry out its functions while the private land-holders will be faced with trying to negotiate their way through the bureaucrats and the red tape at their own expense. Like any bureaucracy, once the VEAC is established it will find reasons for its existence.

In conclusion, the previous government's ECC was established for a distinct purpose — investigation — unlike the VEAC, which will roam the countryside as the environmental police with the minister's agenda in its briefcase and having very little, if any, sympathy for rural areas. The minister talks about a triple bottom line — that is, ecologically sustainable development. What rural Victoria requires is environmental and economically sustainable development.

Mr SAVAGE (Mildura) — It is my pleasure to give some concept of my position on the Victorian Environmental Assessment Council Bill. I support the National Party amendments, which remove private land from the bill. I oppose the definition of 'the State of Victoria' as what is going to be considered public land under the bill. That is a revolutionary change from what has been the past custom. There are some grave suspicions in regional Victoria about more intrusions by bureaucratic authorities on what farmers or land-holders can do with their land. One of the criticisms is that successive governments have had great difficulty dealing with public land. In many places public land is infested with weeds and feral animals that impact on private land-holders.

My predecessor had difficulties with the activities of the Land Conservation Council in my area. The loss of some of the Mallee leaseholders back in 1988, which

was an LCC recommendation, is well remembered by many people. I have to say that the potential to dictate to individual land-holders is quite high. I am gravely concerned about this revolutionary change.

The bill is quite clear that the Victorian Environmental Assessment Council will gather evidence and make recommendations to government. But when recommendations are made to government by the council, it is obvious that the government must act. I cannot envisage a situation where the government of the day will not act according to the recommendations of VEAC, but where will that leave individual land-holders who have great difficulty fighting bureaucracy, as can be proved by anecdotal evidence.

My other concern is the consultation process, which is a significant change from previous arrangements where only public land was involved. The Victorian Farmers Federation complained that it was consulted in the sense that it was told what the bill would do, but the difficult questions were not answered. It is important that that sort of consultation does not occur. It is an issue that affects many farmers and land-holders.

The VFF is also suggesting that the Victorian Catchment Management Council could be running in tandem with VEAC. I believe that is a waste of resources. It is not clearly stated in the bill. You could drive a large vehicle through some of its provisions. I do not support every one of the National Party's amendments, but I support the one which relates to the creation of no more national parks under VEAC. I also support the principle that private land is private land and should not be subject to VEAC.

Ms DAVIES (Gippsland West) — I am pleased to support the bill to create the Victorian Environmental Assessment Council (VEAC). I note the declaration this morning by the shadow minister for conservation and environment that his party would be supporting the bill. It took him quite a long time to say that, but in the end he clearly gave that support.

The Victorian Environmental Assessment Council will conduct investigations and make recommendations relating to the protection and ecologically sustainable management of the environment and natural resources of Victoria. The council will consist of five people appointed by the minister. It will appoint committees to assess its investigations. It must establish community reference groups for each investigation. It must report to the minister each year and the minister must then table that report within seven sitting days of receiving it. If the minister alters or withdraws a request for investigation, he or she must tell the Parliament why.

Notices of terms of the investigation, discussion papers and draft proposals must be published. Submissions from any person or body will be accepted.

Most importantly — and I regard this as a most important clause of the bill — those public submissions will be included in the report on the issue being investigated. So if any government is foolish enough to ignore public submissions that have been made, and if this body is foolish enough to sit and passively listen and then ignore what people have said in their submissions, that will be immediately obvious to everybody because the submissions will be published with the report. I see that as a very big advance in public accountability.

There have been problems with the acceptance of the Environment Conservation Council reports because the ECC's definition of listening to people and taking heed of submissions has often been different from the feelings of the people who are involved in making those submissions. With this body, all of those submissions will be part of the report and will be freely available as part of the public debate on the issue. That is very healthy and I support that part of the bill. The body that the legislation will create will be superior to the ECC. The level of public and stakeholder input into the investigations will be much improved, and the extent to which stakeholder submissions are taken note of will be obvious.

I expect the body to work with but have a wider focus than the catchment management authorities. As do catchment management authorities, the Victorian Environmental Assessment Council will have regard to issues affecting both public and private land. There is nothing outrageous or strange about that. The body will not have the teeth to make decisions and say this will happen or that will happen. The government will make the decisions and negotiate its way through the rights and wrongs of those decisions with the people who are directly involved. That process will be open, and I find it acceptable.

It would be artificial for either the catchment management authorities or the VEAC to pretend that issues affecting both public and private land can be ignored. Land and water ignore the artificial boundaries of what constitutes private or public land.

I am especially pleased the second-reading speech mentions that one of the earliest references of the council will be an investigation of the remaining native forests of the Strzelecki Ranges. Local government, the new private owners of what used to be state forest in the Strzeleckis and local people have been grappling for

the past year and a half with the issue of how to best preserve the important water catchment, rainforest pockets and high conservation values of areas of native forest in the eastern Strezleckis, which — I remind National Party members in particular — used to be public forest until their party allowed the previous government to flog it off. In other words, they allowed the previous government to steal public forest from the people of this state.

I hope the new public body will be quickly established and will be able to investigate the issue of the Strezlecki forests.

Mr COOPER (Mornington) — The Victorian Environmental Assessment Council that will be established with the passage of this bill replaces the former Environment Conservation Council. There appears to be a hope that a brave new world is being created, but an assessment of the bill shows there is little difference between the matters that will be dealt with by this body and those dealt with by the ECC. It could be said of the bill that it involves a bit of deckchair shifting and that the government is trying to be seen as different from previous governments.

Clause 5 states that the objectives of the council are to provide independent and strategic advice to the government on matters relating to the protection and ecologically sustainable management of the environment and natural resources of the state. Clause 6 states that the functions of the council are to carry out investigations that are requested by the minister on matters relating to the protection and ecologically sustainable management of the environment and natural resources of the state.

The body being established will be an operational body for the Minister for Environment and Conservation, and unless specific powers are granted to it by a future amendment to the act or another act it will not be able to do its own thing. It is untrue to say that the body will be independent. Only by its future performance will we see whether its credentials reveal its independence.

One of the important matters the body would examine in my electorate is the foreshore. It should examine all areas of the environment and natural resources of the state. One issue I hope the new body will examine is the future of the beach boxes currently around Port Phillip Bay that are under grave threat not because of the environment but because of the attitude of the department the minister heads.

I have already brought to the attention of the house the matter of the nine beach boxes at Mount Martha North

that were destroyed last July by storm activity. Since that time the owners of the beach boxes have been refused permission to rebuild. The Department of Natural Resources and Environment has relied upon the *Frankston and Mount Martha Coastal Processes and Strategic Coastal Plan* report by Gerry Byrne of Vantree. The department said in a letter to Mr Byrne that the Mount Martha North beach boxes were inherently vulnerable to storm activity and therefore would not be rebuilt. Mr Byrne repudiated the department's interpretation of his report and said that it must have misrepresented the situation.

The minister wrote a letter to Mr Byrne and, under advice from her department, she shifted the goalposts and said there were other issues. Having had her department caught out misrepresenting the report on which she relied, she then said there were a range of issues, including the potential risk to the general public, the principles of public land being used by beach box owners and so on. The head of the School of Earth Sciences at Melbourne University, Professor Andrew Gleadow, said the department's approach regarding Mount Martha North beach is not sustainable — all beaches around Port Phillip Bay are vulnerable to storm activity.

The minister should immediately do something about the nine beach boxes and give the owners the right to rebuild. I hope when the council is set up it will provide the minister with speedy advice on such issues. Some of the people concerned have owned their beach boxes for decades, and their rights to rebuild their beach boxes is being taken away by the government and by the department.

In supporting the remarks of the honourable member for Doncaster on the bill I ask the minister once again to take into account my grave concerns over the future of beach boxes around Port Phillip Bay and, in particular, the nine beach boxes in question at Mount Martha North beach.

Mr WILSON (Bennettswood) — I welcome the opportunity to make a brief contribution to the debate on the Victorian Environmental Assessment Council Bill.

The government argues that the bill is a central plank of its election policy and that it honours a number of election campaign commitments. In essence it replaces the Environment Conservation Council, which was created in 1997 by the former coalition government, with the Victorian Environmental Assessment Council.

Firstly, the new body will have five members appointed by the Governor in Council — that is, by the minister. Secondly, the bill enables the appointment of additional members of the council for particular investigations; and thirdly, it provides for the council to establish committees and community reference groups. The fourth thing the bill does is empower the minister to create references for investigation. Lastly, it requires the government to implement recommendations to the extent that the government accepts them.

Of those five components of the bill I wish to restrict my comments to the first and fifth provisions. The first establishes the council with members appointed by the minister, and the important word here is ‘appointed’. The bill changes nothing. Council members are to be appointed by the minister, despite her many protestations against such a measure when she was in opposition. In debate on the Environment Conservation Council Bill in 1997 the then shadow minister, now the Minister for Environment and Conservation, said she vigorously opposed the bill and believed it was ‘a great leap backwards’ and would ‘wind the clock back 30 years’.

I quote the then shadow minister in 1997:

The bill abolishes the Land Conservation Council and establishes a new body that will be the puppet of the minister. It will be under her total control and will lose the independence that the LCC had maintained.

The then shadow minister continued:

The minister will appoint three members only with no public or community representation, as has been a feature of the existing Land Conservation Council.

The then shadow minister was highly critical of the idea that all conservation council members would be appointed by the minister. Four years later, with the chance to satisfy her rhetoric of 1997, the minister appears to have completely forgotten her promises and has instead gone the way of ministerial appointments herself. The hypocrisy is staggering.

The other component I wish to comment on is the provision that all references brought to the council are to be initiated by the minister. I again refer the house to the minister’s contribution to the 1997 debate in which she criticised the legislation of the time for restricting the referral of matters for investigation to ministerial direction. Four years later, with every opportunity to match her rhetoric with action, the minister has failed.

The failures I have mentioned are not accidental. The minister wishes to exert maximum influence on the new council, and the provisions I have highlighted will give her that capacity.

Mr THOMPSON (Sandringham) — The Victorian Environmental Assessment Council Bill had its genesis in 1970 in the establishment under the Land Conservation Act of the Land Conservation Council. The role of the LCC was to determine the most appropriate use of Crown land excluding urban areas and to make appropriate recommendations on land use to achieve a balance between conservation and utility.

Sir Rupert Hamer commented last year that the Land Conservation Council, which was established by a Liberal government, examined and recommended long-range future best land use and was very important and effective.

The achievements of the original council include the development of a land classification system of approximately 40 different land-use categories. It also divided Victoria into 17 different study areas, making provision for the compiling of detailed reports and inviting public submissions regarding land use. Between 1971 and 1985 most recommendations were accepted and implemented by the government.

I wish to echo the concerns of other honourable members about three of the provisions in the bill. One is that the minister has failed to implement legislation in support of her own earlier views regarding the power of the minister to request investigations. Another is the power given to the minister to approve resources for investigation — a power inherent in the approval process. The third matter of concern to me relates to the membership of the council. The objectives of the bill are very broad in scope, but it is doubtful whether membership of the council would be broad enough to cover the range of areas to be addressed.

I will now comment in more detail on each of those headings.

Debate interrupted pursuant to sessional orders.

The SPEAKER — Order! I advise the house that the time set down by sessional orders to interrupt the business of the house has arrived. The question is:

That this bill be now read a second time.

House divided on question:

Ayes, 67

Allan, Ms	Languiller, Mr
Allen, Ms	Leigh, Mr
Asher, Ms	Leighton, Mr
Baillieu, Mr	Lenders, Mr
Barker, Ms	Lim, Mr
Batchelor, Mr	Lindell, Ms
Beattie, Ms	Loney, Mr
Bracks, Mr	Maddigan, Mrs

Brumby, Mr
Burke, Ms
Cameron, Mr
Campbell, Ms
Carli, Mr
Clark, Mr
Davies, Ms
Dean, Dr
Delahunty, Ms
Dixon, Mr
Duncan, Ms
Elliott, Mrs
Fyffe, Mrs
Garbutt, Ms
Gillett, Ms
Haermeyer, Mr
Hamilton, Mr
Hardman, Mr
Helper, Mr
Holding, Mr
Honeywood, Mr
Howard, Mr
Hulls, Mr
Kosky, Ms
Kotsiras, Mr
Langdon, Mr (*Teller*)

Maxfield, Mr
McArthur, Mr
McCall, Ms
Mildenhall, Mr
Naphine, Dr
Nardella, Mr
Overington, Ms
Pandazopoulos, Mr
Paterson, Mr
Perton, Mr
Peulich, Mrs
Phillips, Mr
Pike, Ms
Richardson, Mr
Robinson, Mr
Seitz, Mr
Shardey, Mrs
Smith, Mr (*Teller*)
Stensholt, Mr
Thompson, Mr
Thwaites, Mr
Trezise, Mr
Viney, Mr
Wells, Mr
Wynne, Mr

Noes, 7

Delahunty, Mr
Ingram, Mr
Jasper, Mr
Kilgour, Mr

Maughan, Mr (*Teller*)
Savage, Mr (*Teller*)
Steggall, Mr

Question agreed to.

Read second time.

Circulated amendment

Circulated government amendment as follows agreed to:

Clause 2, line 9, omit "1 July 2001" and insert "31 December 2001".

Remaining stages

Passed remaining stages.

HEALTH SERVICES (AMENDMENT) BILL

Second reading

Debate resumed from 28 February; motion of Mr THWAITES (Minister for Health).

Motion agreed to.

Read second time.

Circulated amendments

Circulated government amendments as follows agreed to:

1. Clause 3, page 10, line 12, after this line insert —

“(9) The Electoral Commissioner appointed by the Governor in Council under section 144 of **The Constitution Act Amendment Act 1958** must conduct any election required for membership of the board of management of a community health centre.

(10) The Electoral Commissioner must ensure that an election required for membership of the board of management of a community health centre is conducted in accordance with the regulations and may exercise the powers and perform any functions relating to the conduct of elections that are conferred on the Electoral Commissioner by the regulations.”.

2. Clause 4, page 10, line 23, before “In” insert “(1)”.

3. Clause 4, page 10, line 25, after “(oa)” insert “requirements relating to”.

4. Clause 4, page 10, line 31, after this line insert —

“(2) After section 158(2A) of the **Health Services Act 1988** insert —

“(2B) The Minister must ensure that the Electoral Commissioner appointed by the Governor in Council under section 144 of **The Constitution Act Amendment Act 1958** is consulted before any regulations are made for the purposes of sub-section (1)(oa).

(2C) Regulations made for the purposes of sub-section (1)(oa) may leave any matter or thing to be from time to time determined, applied, dispensed with or regulated by the Electoral Commissioner.”.

Remaining stages

Passed remaining stages.

LIQUOR CONTROL REFORM (AMENDMENT) BILL

Second reading

Mr HAERMAYER (Minister for Police and Emergency Services) — I move:

That this bill be now read a second time.

The purpose of the bill is to amend the Liquor Control Reform Act 1998 (the act) to ensure the effectiveness of key aspects of Victoria’s liquor licensing framework.

The focus of the bill is on closing loopholes that potentially undermine the operation of section 23 of the act. This section, commonly referred to as the 8 per cent rule, prevents the grant or transfer of a packaged liquor licence to an applicant that holds more than 8 per cent of all such licences granted and in force.

By amending the act to prevent applicants from circumventing the 8 per cent rule, the bill delivers on a key commitment contained in the Bracks government's small business election policy statement, 'Taking care of small business'.

The bill also seeks amendments to the act to clarify that the prohibition on licensing a petrol station applies to all premises situated within its confines.

Before detailing the key provisions of the bill, I wish to briefly outline the broader context within which the amendments to the 8 per cent rule are being proposed.

The amendments arise from the government's response to a comprehensive review of the 8 per cent rule that was undertaken by the Department of State and Regional Development during 2000, with the assistance of an expert reference group. The review was commissioned following concerns raised by the National Competition Council that the ongoing retention of the 8 per cent rule is inconsistent with national competition policy principles.

A key finding of the review was that Victoria has the most progressive liquor licensing arrangements in Australia. Changes over the past two decades, most recently the removal of the needs test in 1999, have facilitated a market for packaged liquor that is intensely competitive while offering consumers a diverse range of outlets that cater to their differing preferences.

However, the growth in the number of outlets is diluting the long-term effectiveness of the 8 per cent rule as a mechanism that limits the presence of the major chains in the market. The review also identified loopholes that potentially enable the major chains to circumvent the 8 per cent rule.

The 8 per cent rule cannot be relied upon to ensure a role for small liquor stores in the industry. The agenda must move on to focus on developing new innovative strategies that enhance the capacity of small liquor retailers to compete in a changing environment, so that they remain to be a vibrant part of the industry in the future.

On 19 January 2001, the government announced its response to the review. The key elements are:

- retaining the 8 per cent rule until the end of 2003, after which a gradual phase-out will commence;
- amending the act to close loopholes that potentially enable the 8 per cent rule to be circumvented;

approaching the commonwealth government to seek its support to ensure that the packaged liquor industry can access the recently established national retail grocery industry code of conduct and ombudsman scheme; and

asking the Coordinating Council on the Control of Liquor Abuse, an expert advisory body, to examine whether recent changes in the market for packaged liquor may have had any impact on alcohol-related harm in the community.

The advance notice of a gradual phasing out of the 8 per cent rule is critical to a successful transition by small business to a changing environment. It provides them with the necessary time to reconsider their business strategies and also enables the government to continue its work with the industry in developing innovative long-term strategies that build on the strengths of small liquor retailers. Consumers will also benefit from this approach as they will continue to be served by a truly competitive industry comprised of a diverse group of retailers that satisfy their particular needs.

I now turn to the details of the bill.

An opportunity exists under the act for an applicant to circumvent the 8 per cent rule on packaged liquor licence holdings by obtaining a general licence (mostly held by hotels), as it also permits the sale of packaged liquor. While this loophole has not been widely exploited yet, the retention of the 8 per cent rule for the next three years may increase this likelihood.

Clause 8 of the bill amends the act to ensure that an application for a general licence where the predominant activity is the sale of packaged liquor is not used as a means of circumventing the 8 per cent rule.

In the case where an applicant's holdings are above the 8 per cent limit, the amendments require that the Director of Liquor Licensing not approve an application for the grant or transfer of a general licence if the predominant activity of the licensed premises would be the sale of packaged liquor.

The amendments will not prevent applicants whose holdings are above the 8 per cent limit from obtaining a general licence where the predominant activity is not the sale of packaged liquor. In such instances, clause 6 provides that it is a condition of the general licence that the predominant activity is not the sale of packaged liquor at any time that their holdings are above 8 per cent.

In the case where the applicant's holdings are below the 8 per cent limit, the director may approve an application for the grant or transfer of a general licence. However, if the applicant holds general licences where the predominant activity is the sale of packaged liquor, those licences are to be taken to be packaged liquor licences for the purposes of determining whether the application would breach the 8 per cent limit.

Section 23 of the act currently provides that a packaged liquor licence must not be granted if, at the time of application, an applicant holds more than 8 per cent of the total number of such licences. There has been some legal uncertainty regarding the interpretation of the phrase 'at the time of application'. In 1999 a major liquor retailer sought to undermine the 8 per cent rule by simultaneously lodging a large number of licence applications on the basis that its holdings at the time of application were under 8 per cent. Clause 8(2) of the bill will remove any legal uncertainty by amending section 23 to make it clear that the 8 per cent rule applies at the time of the determination of the application by the Director of Liquor Licensing. As the director considers and determines each application individually, this amendment will ensure that the director could only grant a licence up to the point where the 8 per cent limit has been reached.

The amendments outlined above apply prospectively to the grant or transfer of a licence on an application made on or after 23 January 2001. This was the date on which the public would have received advice from the government detailing its intentions to close these loopholes immediately. The public was informed through a media release and a letter to all liquor stores, licensed supermarkets and hotels. This transitional provision is necessary to prevent a potential rush of applications prior to the passage of the amending legislation. The amendments will not apply to applications lodged prior to this date.

The concept of 'predominant activity' is already applied by the act in relation to packaged liquor licence applications and infers that at least half of the business's turnover is to be derived from packaged liquor sales. Clause 5 proposes a minor amendment to clarify that this condition applies throughout the life of a packaged liquor licence.

Section 22 of the act provides that the director must not grant a licence to a premises used primarily as a petrol station. However, a recent Victorian Civil and Administrative Tribunal (VCAT) decision resulted in the licensing of a business that is located within the confines of a petrol station on the basis that it is a separately managed and operated business. This has

created some legal uncertainty regarding the implementation of the act's prohibition on licensing petrol stations.

In light of the VCAT decision and the recent trend of businesses co-locating with petrol stations, legislative action is required to uphold the prohibition. Clause 7 requires the director to have regard to certain factors when determining whether a proposed licensed premises is used primarily as a petrol station. These factors are the physical location of the area set aside as the proposed licensed premises, the primary means of entering and exiting that premises and whether a reasonable person would consider that premises to be part of the petrol station.

The proposed amendments contained in the bill will ensure that key aspects of Victoria's liquor licensing framework continue to operate effectively. They form the legislative component of a broader set of initiatives that reaffirm the government's commitment to ensuring that small business continues to be a vibrant element in a diverse market for packaged liquor.

I commend the bill to the house.

Debate adjourned on motion of Mrs PEULICH (Bentleigh).

Debate adjourned until Thursday, 15 March.

PROSTITUTION CONTROL (PROSCRIBED BROTHELS) BILL

Second reading

Mr HAERMEYER (Minister for Police and Emergency Services) — I move:

That this bill be now read a second time.

The purpose of the Prostitution Control (Proscribed Brothels) Bill 2001 is to amend the Prostitution Control Act 1994 in respect of the procedure for declaring premises to be a proscribed brothel.

Section 80 of the Prostitution Control Act 1994 enables the police to apply to the Magistrates Court for a declaration that a premises is a proscribed brothel. This is an important mechanism to prevent the proliferation of unlicensed brothels. An authorised officer of a responsible authority under the Planning and Environment Act 1987 may also make an application under section 80. This provides an equivalent power to officers authorised by municipal councils or by the Minister for Planning or by any person whom a planning scheme specifies as a responsible authority.

Once proscribed it is an offence under section 82 to be found in, or entering or leaving the premises except for some lawful purpose or in ignorance of the making of the declaration. The effect of making a declaration therefore is to close down the business.

The first part of section 80 of the act relates to applications by the police and provides that the Magistrates Court may declare premises to be a proscribed brothel if it is satisfied on the balance of probabilities that the business of a brothel is being carried on at those premises.

The effect of a recent decision of the Magistrates Court as to the meaning of the words 'is being carried on' has been that the police cannot make a successful application for a declaration unless they can show that the business of a brothel is being carried on at the premises in question on the day the application is made to the court. Any earlier period of police investigation could not be relied upon in making the application.

This makes it extremely difficult for the police to obtain a declaration because of problems in collecting evidence such as witness statements from persons using the premises on the actual day of the application. This clearly inhibits the effective use of this method of controlling the proliferation of unlicensed brothels.

The bill will amend the Prostitution Control Act 1994 so that in seeking a declaration it will be sufficient for the police to show, on the balance of probabilities, that the business of a brothel has been carried on at the premises in question at any time during the period of 14 days up to the date of the filing of the application.

The bill further amends section 80 of the act to afford authorised officers of a responsible authority under the Planning and Environment Act 1987 an equivalent 14-day period.

This is an important amendment to the act as it will facilitate the effective utilisation of section 80 for its intended purpose — to help prevent the proliferation of unlicensed brothels.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Wantirna).

Debate adjourned until Thursday, 15 March.

CONSTITUTION (SUPREME COURT) BILL

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

This bill amends the Constitution Act 1975 and the Supreme Court Act 1986. It expressly provides that judges of appeal may act as additional trial judges of the Supreme Court for a period of up to six months, or for the purposes of a particular proceeding. The chief justice and the President of the Court of Appeal must agree that a judge of appeal should act as an additional trial judge, and the judge of appeal must be willing to do so.

The government is committed to ensuring the independence of Victorian courts, and enabling the courts to provide effective services to the community. This bill increases the options available to the Supreme Court for judicial resourcing of the court, while continuing to respect the division between the Court of Appeal and the trial division.

The bill will also provide the opportunity for judges of appeal to broaden their judicial experience by conducting trials.

The bill is consistent with the current structure of the Supreme Court, by providing that the chief justice and the President of the Court of Appeal must agree before a judge of appeal may sit in the trial division, and that the judge of appeal must be willing to do so.

The bill also makes a number of technical amendments to the Magistrates' Court (Infringements) Act 2000. The main amendment is to the commencement provision, to allow part of that act to be proclaimed to commence before the remainder of the act.

I commend the bill to the house.

Debate adjourned on motion of Mr WELLS (Wantirna).

Debate adjourned until Thursday, 15 March.

WATER (AMENDMENT) BILL

Second reading

Ms GARBUTT (Minister for Environment and Conservation) — I move:

That this bill be now read a second time.

The main purposes of the bill are to amend the Water Act 1989:

to enable the two catchment management authorities which do not have waterway and flood plain

management functions under the Water Act to be given those functions; and

to correct an oversight in the order which established the Lower Murray Region Water Authority.

Wimmera and Mallee catchment management authorities

Catchment management authorities provide the regional framework for the management of the health of land and water resources throughout Victoria. Integrated waterway and flood plain management is a major component of these catchment management services and is currently provided throughout most of Victoria by seven of the nine existing catchment management authorities.

Although catchment management authorities are established under the Catchment and Land Protection Act 1994, seven catchment management authorities are empowered under the Water Act to undertake waterway and flood plain management functions. The seven catchment management authorities obtained these functions by taking over the management of existing waterway management districts from former waterway management authorities.

However, this did not occur in the case of the Wimmera and Mallee catchment management authorities because no waterway management authority existed within the Wimmera or Mallee regions.

The Wimmera and Mallee catchment management authorities now wish to provide integrated waterway and flood plain management services throughout their regions and have developed regional strategies in conjunction with local communities to achieve this aim. The amendments proposed by this bill are required to enable the Wimmera and Mallee catchment management authorities to provide waterway and flood plain management services and to commence implementation of their regional strategies.

Appointment of a catchment management authority

The process for providing the Wimmera and Mallee catchment management authorities with functions under the Water Act requires the setting up of a waterway management district in the Wimmera and Mallee regions. Only an existing authority under the Water Act, or alternatively a council, can set up a new waterway management district and, therefore, it is proposed that the rural water authority operating in the region will initially set up the waterway management district. The relevant catchment management authority

would be subsequently appointed to manage that district.

However, under the current provisions of the Water Act, the Wimmera and Mallee catchment management authorities cannot be appointed to take over the functions of an authority under the Water Act.

Section 98 of the Water Act enables the minister to appoint a council or existing authority under the act or to constitute a new authority to take over the powers and functions of another authority under the act. The Wimmera and Mallee catchment management authorities are not authorities under the Water Act and cannot be constituted as a new authority under the Water Act.

The proposed bill will amend section 98 of the Water Act to enable the appointment of a catchment management authority to take over the powers and functions of an authority under the act. This will enable the Wimmera and Mallee catchment management authorities to be appointed to take over and manage waterway management districts.

Notification of affected persons

In setting up a new waterway management district the Water Act currently requires that every person who may be affected must be notified of the proposal. Proposed waterway management districts for the Wimmera and Mallee catchment management authorities would cover the whole of the Wimmera and Mallee regions. Notification of every owner of property within these regions, some 45 000 persons, is potentially very onerous.

The proposed bill amends section 96 of the Water Act to enable the minister to exempt an authority from having to give notice to every person who may be affected by a proposal to set up a new waterway management district. This provision already exists in respect to the extension of existing districts.

The proposed amendment to section 96 would not materially disadvantage those persons affected by the proposed new waterway management districts. Compliance with the other notification requirements of section 96 would ensure that:

notice of such a proposal would be given to all councils that are affected; and

the proposal would be freely available for inspection at the offices of the rural water authority; and

notice of the proposal would be published weekly for three weeks in a local newspaper and would be published in the *Government Gazette*.

It is a requirement of such a notice that it invite submissions from interested persons and the authority must consider any submissions before making a decision to proceed with the proposal.

In any event, the establishment of a waterway management district would not adversely affect persons in the district. The setting of catchment-wide waterway management tariffs by catchment management authorities has now been abolished. Therefore, the only catchment-wide impact of establishing a new waterway management district is to provide the authority managing that district with the ability to provide waterway and flood plain management services to the regional community.

Retrospective transfer of districts to the Lower Murray Region Water Authority

The bill also corrects an oversight in the order which established the Lower Murray Region Water Authority.

The Lower Murray Region Water Authority was established in January 1995 and took over the functions of the Sunraysia Water Board, the Robinvale Water Board and the Shire of Gannawarra in respect of specified water districts. The authority has been operating since that time as if all of the districts formerly managed by the two water boards and the Shire of Gannawarra had been transferred to it. However, the order which constituted the Lower Murray Region Water Authority omitted to name several districts which were previously managed by the Sunraysia Water Board.

The bill proposes to amend the Water Act to retrospectively transfer those districts to the Lower Murray Region Water Authority and to validate the authority's actions undertaken in relation to those districts.

I commend the bill to the house.

Debate adjourned on motion of Mr McARTHUR (Monbulk).

Debate adjourned until Thursday, 15 March.

Remaining business postponed on motion of Ms GARBUTT (Minister for Environment and Conservation).

ADJOURNMENT

Ms GARBUTT (Minister for Environment and Conservation) — I move:

That the house do now adjourn.

S11 protesters

Dr NAPHTHINE (Leader of the Opposition) — I seek action by the Premier to contact the office of the Director of Public Prosecutions to determine whether the DPP intends to appeal against the leniency of sentences imposed on a number of S11 protesters who have appeared before the courts in recent times. Some of those protesters have been convicted of serious offences, yet there are many people in the community, and I count myself among them, who believe the sentences handed out to them have been far too lenient.

Let us look at the first example reported in the *Age* of 16 February and the *Herald Sun* of 17 February of a man described as an aspiring medical student who spat on and assaulted police. He was fined only \$5000 and escaped with a clean criminal record.

Mr Hulls — On a point of order, Madam Deputy Speaker — —

Dr NAPHTHINE — Stop the clock!

Mr Hulls — You can stop the clock if you like, it doesn't worry me. The point of order is quite clear. This matter is still before the courts. The fact is that the Leader of the Opposition — —

Dr Naphthine interjected.

Mr Hulls — The appeal period is not over, and your comments will prejudice any appeal. It is absolutely inappropriate for the Leader of the Opposition not to understand the separation of powers and to attempt to and indeed act in contempt of court by prejudicing any appeal that may well be lodged. This matter ought be ruled out of order. He should know better. The separation of powers dictates that he should not be going down this line.

The DEPUTY SPEAKER — Order! I am advised that if the appeal has not been lodged it is not sub judice. However — —

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members on both sides of the house to restrain themselves. I have not finished speaking. I

warn the Leader of the Opposition to be very careful in the way he expresses himself on this matter.

Dr NAPHTHINE — Madam Deputy Speaker, I am always careful about these matters because I understand them, although the Attorney-General obviously does not. A person was fined \$5000 and no conviction was recorded despite the fact that this person — —

Mr Hulls interjected.

The DEPUTY SPEAKER — Order! The Attorney-General!

Dr NAPHTHINE — He committed an absolutely foul act against a female member of the police — —

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

Dr NAPHTHINE — You didn't stop the clock!

The DEPUTY SPEAKER — Order! I did not stop the clock, you are correct — but when I stand you are required to sit down. When the bell goes you are also required to sit down and not keep yelling across the chamber.

I call the honourable member for Rodney.

Dr Napthine — On a point of order, Madam Deputy Speaker, the normal procedure when an honourable member takes a point of order, particularly one deliberately designed to eat up the time of the person on his or her feet, is to stop the clock. It allows the honourable member to make his or her contribution to the adjournment debate appropriately and not be disadvantaged by a point of order clearly designed to eat up the member's time for a political purpose. I ask you, Madam Deputy Speaker, in the interests of fairness to allow me an appropriate amount of time to complete my adjournment contribution.

Mr Hulls — On the point of order, Madam Deputy Speaker, not only do I submit that the point of order was not frivolous but indeed you took on board the point of order and warned the Leader of the Opposition to be very careful about the line he took in relation to the matter. That makes the point of order absolutely relevant. As a result the argument of the Leader of the Opposition that the point of order was deliberately made to run down his time has no foundation whatsoever.

Mr McArthur — On the point of order, Madam Deputy Speaker, I draw your attention to a ruling made by Speaker Plowman on 8 April 1997 when he granted

additional time to a member during the adjournment debate to make up for a point of order raised during that member's contribution. He did so on the basis that it would allow that member to complete the contribution because the point of order had been raised with the intent of disrupting the presentation.

The DEPUTY SPEAKER — Order! In response to the point of order raised by the Leader of the Opposition, I do not believe the point of order raised by the Attorney-General was an attempt to prevent the Leader of the Opposition from speaking. The Leader of the Opposition had certainly made it quite clear that the matter he wanted to raise was for the attention of the Attorney-General, and during his taking of the point of order the Leader of the Opposition was given considerable time to explain the issue again. I do not believe in this case that the point of order should be upheld.

Border anomalies: joint cabinet meeting

Mr MAUGHAN (Rodney) — I raise for the attention of the Premier a matter concerning cross-border issues. I note that there will be a joint meeting of the cabinets of the Victorian and New South Wales governments in Albury on 26 March to mark the 150th anniversary of the creation of the New South Wales-Victoria border. I welcome that demonstration of interstate cooperation. I welcome even more, however, the news that cross-border issues are at the top of the agenda for talks between the two cabinets.

As honourable members will be aware, the honourable members for Murray Valley and Swan Hill and I have regularly raised the matter of cross-border anomalies and the need for a speedy resolution of those many issues. In spite of the fact that there is a cross-border anomalies committee, the list seems to grow far more rapidly than issues can be resolved. I do not in any way wish to give the impression that nothing has been achieved — in fact, a considerable amount has been achieved in resolving some cross-border issues. However, many issues still need to be resolved.

At the top of the list must be cross-border anomalies arising from mental health and other allied health matters that severely impact on Echuca Regional Health and other hospitals on the Victorian side of the border. People living in southern New South Wales understandably seek such services from agencies along the river at, for example, Swan Hill, Echuca, Cobram and other locations. However, agencies such as Echuca Regional Health are not funded by the Victorian government to provide services to New South Wales residents, although in many cases New South Wales

residents are very generous contributors to nearby Victorian hospitals. That creates a real dilemma when the management of the hospitals must refuse services or charge fees for services delivered. The New South Wales government refuses to pay for the services provided by Victorian agencies to New South Wales residents, as it should.

I ask the Premier to ensure that the joint meeting of the two cabinets directs its departmental officers to ensure those matters are resolved in a finite and definite time frame.

Senior Citizens Week

Ms ALLEN (Benalla) — I direct my concern to the attention of the Minister for Aged Care. The Benalla electorate has a number of older people, many of whom look forward to Senior Citizens Week each year as an opportunity to participate in activities and events. That week is the one opportunity in the year for many of them to engage in activities that at other times are out of their reach, either financially or geographically.

Senior Citizens Week is a fantastic celebration of older people and their place in society. However, many country Victorians miss out on participating in the week due to the difficulties they experience in getting to Melbourne, where many of the events and activities take place. Some older members of my electorate expressed their disappointment to me after last year's Senior Citizens Week because they had been unable to make bookings on trains to Melbourne. After queuing for many hours at railway stations they were told that the trains were fully booked.

Will the minister advise the house what action is being taken to ensure that older people in the Benalla electorate have an opportunity to participate in Senior Citizens Week 2001?

Mansfield preschool

Mrs ELLIOTT (Mooroolbark) — I ask the Minister for Community Services to restore the rural funding subsidy to the Mansfield preschool centre, which is located in a small, isolated and rural area. For many years it has received the rural subsidy.

Coexisting in Mansfield is the Mansfield Rudolf Steiner School and Kindergarten, which had not been receiving government funding until the Minister for Community Services provided funding for 2001, and the Mansfield community-based preschool centre was delighted to hear about that.

They were subsequently advised by the manager of children's services in the Hume region, Ms Marj Earl, that if the kindergartens were to combine their enrolments and submit a joint application they would be given the rural subsidy. Therefore, they went ahead with budgets and set their fees for the kindergarten year. They were horrified when they received a letter saying they were not to receive the rural funding.

I have received a copy of a letter signed by Mark Fabris, the manager of the kindergarten, and the directors, Helen Bretherton and Colleen Reynolds, in which they state:

In real terms our budget will now have a shortfall of approximately \$9000. This means that our fees will be increased from \$130 a term, already too high, to \$175 minimum a term. Our groups are already too large — 27 and 23 respectively — for two staff members. There is no room for further cuts to make up for the shortfall.

This is a rural isolated preschool in an area that does not enjoy large household incomes. The average income for Mansfield families is \$21 000. The letter also states:

We have had a proud history of community support and involvement. With this community spirit we were prepared to enter into what the government called a partnership agreement with the Steiner kindergarten. We are upset at your lack —

the letter is addressed to the minister —

of support for early childhood services in our town. This budget shortfall will be the straw that breaks the camel's back and will mean the closure of the community preschool.

I call on the minister to restore the funding.

Melbourne Irish Festival Committee

Mr ROBINSON (Mitcham) — I seek an undertaking from the Minister assisting the Premier on Multicultural Affairs that he will take every step to ensure that the glorious contribution of the Irish to Victoria is highlighted and celebrated as part of ongoing activities through the government's support of multicultural affairs.

The Irish community's profound contribution to Victoria is celebrated in a number of ways each year. Many honourable members have participated in annual St Patrick's Day breakfasts on 17 March. Indeed, the Irish–Australian Chamber of Commerce puts on a spectacular breakfast, which is memorable to the point at which the Guinness kicks in — it becomes a bit foggy afterwards. A well-known annual event is staged here at Parliament House, of which a number of honourable members have many fond memories.

The trade links between the Irish community in Victoria are growing all the time, and we look forward to their development. The links are also significant in the area of horseracing. The Minister for Racing would remember when in 1993 the Irish stayer, Vintage Crop, won our most prized race — namely, the Melbourne Cup.

There are other profound links. A number of former premiers of this colony and state are of Irish descent. We would all know the old saying 'Familiarity breeds contempt', but I earnestly hope that we never grow too familiar with the wonderful contribution the Irish community has made to this state over many years. I am sure all honourable members would agree that this is something worth celebrating wholeheartedly every year.

I seek the minister's agreement that he will take every measure possible to ensure that the Irish community, its links, heritage and contribution to our great state can be properly celebrated and acknowledged.

Nursing homes: funding

Ms DAVIES (Gippsland West) — I ask the Minister for Aged Care to pressure her federal counterpart to give greater weight to community organisations that provide nursing home and hostel beds on a not-for-profit basis.

I received a letter from one of the excellent hostels in Wonthaggi, together with a copy of a letter forwarded to Bronwyn Bishop. The president of the lodge expresses deep disappointment and distress at the federal minister's refusal to fund beds at Rose Lodge, which is a community-based not-for-profit organisation.

Rose Lodge increased the number of its resident beds from 40 to 48 in the hope that it would receive extra funding, but this was refused. In a letter to me the president of Rose Lodge expressed concern that for the second consecutive year its application has been rejected in favour of a large private operator. The letter states:

We feel that in the year of the volunteer our efforts are no longer rewarded.

A similar problem exists with a hostel in Drouin, where a well-established, successful, not-for-profit hostel called Lyrebird Village recently received funding for an extra 17 residents, but the federal government forgot to grant the funding to build the beds. The Lyrebird Village people say:

We are mystified as to why the federal government will give funding to private operators and not public operators.

Funding has been provided for 120 beds for private operators in Moe and Drouin but for only 27 beds for the public operators.

I ask the Minister for Aged Care to see if there is anything that the state government can do to increase the funding availability to those very worthy hostels, and in particular to press the federal minister as to why her ideological position is hampering the excellent efforts of these local organisations.

Housing: Capil loans

Mrs SHARDEY (Caulfield) — I raise a matter with the Minister for Housing in the relation to a former Ministry of Housing home ownership loan and ask her to investigate in particular the loan for Ms Janet Latcham of Pakenham.

Ms Latcham wrote to me last year complaining that the amount due on a loan she took out in 1986 for \$51 000 has now reached \$86 689 — an enormous increase. This was a Capil loan, which was provided at a real interest rate of 3 per cent after inflation. Ms Latcham wrote to me saying she had been advised that the way the interest was calculated was being changed and complaining that she had no say in this change and certainly was not consulted about it. She said that each quarter she has been charged an amount called capital indexed interest, although she was never told about this amount when she took out the loan and was not consulted about the increase.

Ms Latcham said further that, prior to the change in the interest calculations, whenever the consumer price index increase was negative there would be a credit on her statement but that this is no longer happening. She does not accept the current calculations and believes that once again she is being misled about the amount owing according to her quarterly statement. Ms Latcham is aware that the department was able to engage legal counsel in this matter and complains that she is unable to afford her own legal counsel and therefore has been disadvantaged. She says she has been making double payments for two years but nothing has come off the principal of her loan.

I ask the Minister for Housing to investigate this matter. The minister has said that she and her officers meet regularly with home owners who have taken out loans and with consumer groups in relation to this issue and has claimed the government is looking for a systemic response. It is one and a half years down the track and the minister has not come up with any systemic

response. People writing to complain about these loans not being examined are not receiving attention or being assisted. I ask the minister to take immediate action.

Member for Doncaster: Bendigo call centre

Ms ALLAN (Bendigo East) — I ask the Minister for State and Regional Development to investigate claims made by the honourable member for Doncaster during his recent visit to Bendigo. Honourable members on this side of the house are well aware of the many claims the honourable member for Doncaster regularly makes.

As many honourable members would know, the Bendigo AAPT call centre was established following an announcement on 10 March by the Premier and the Treasurer. They travelled to Bendigo to make the announcement, with two local members and the local council, that an investment of more than \$4 million by AAPT was creating more than 400 new full-time jobs in Bendigo. As you can imagine, Honourable Deputy Speaker, jobs growth is very much needed in country Victoria.

When I picked up the local newspaper the day after the honourable member for Doncaster's visit to Bendigo I noted that he was trying to score some political points. The newspaper quotes him as saying:

The last announcement —

made in relation to call centres —

was, in fact, the AAPT call centre in March last year, which was, of course, a Kennett-initiated project.

I repeat, 'a Kennett-initiated project'. That came as a great surprise to local councillors, who contacted me and said, 'Hang on a minute, this isn't quite right'. The response of the mayor of the City of Greater Bendigo appeared in the local newspaper the following day. He said that the first contact made by AAPT with the council was in November 1999 — two months after the state election. His statement was confirmed by the minister's office, which said the first contact AAPT had with the government was in January 2000.

It comes as no surprise to honourable members on this side of the house that the honourable member for Doncaster is being a bit loose with the truth yet again. Government members are used to that, but it is absolutely outrageous that he should travel to Bendigo and around country Victoria trying to peddle a campaign of misinformation and bolster up the stocks of the former government, which are currently quite low in rural areas. Those sorts of games do not wash. We know he is loose with truth.

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

Ms Asher interjected.

The DEPUTY SPEAKER — Order! I have already called the Deputy Leader of the Opposition to order for yelling from her seat. I remind her that she is being disorderly, and I ask her to desist.

Gaming: telemarketing competitions

Mr BAILLIEU (Hawthorn) — I raise with the Minister for Gaming a matter that follows on from the previous contribution and concerns telemarketing promotions and the communications industry. I ask the minister to explain and review his decision to refuse to allow an increase in the capped entry price for telemarketing competitions.

Honourable members would know that competitions such as Mark of the Year, Big Hits and Classic Catches are run by telecommunications service providers that operate significant businesses and have a strong presence and patronage in both regional and metropolitan Victoria. Gaming regulations currently limit the entry price of such competitions to 50 cents. However, since the introduction of the GST Victoria has been the only state in Australia to refuse to allow that limit to be increased from 50 cents to 55 cents.

Despite strong representations by the Telephone Service Providers Association and the Telephone Information Services Standards Council the minister has refused to budge. Those businesses provide cutting-edge technology that has export potential, and the decision poses a threat to Victorian businesses and consumers. I ask the minister to explain and reconsider his decision.

Sunshine East Primary School

Mr MILDENHALL (Footscray) — I ask the compassionate Minister for Education to rectify a grave oversight relating to the Sunshine East Primary School, which is a proud school with a strong community spirit. It serves the communities of Sunshine East and Braybrook, a suburb where things have been tough for a number of generations. It is an active school with a wide curriculum. As a result of Bracks government initiatives it has low class sizes, and it works hard with some strategic assistance to overcome the challenges. It is also assisted by a committed and talented staff.

A number of the challenges come from the large number of students who come from non-English-speaking backgrounds, the relatively low

incomes of the surrounding demographic, and significant welfare issues in the area.

Some of the excellent programs include peer mediation and self-esteem and parenting programs, with active parent involvement and participation in the school. In September this year the school will have been operating for 50 years. It was the result of some active work by a former honourable member for Footscray, the late Ernie Shepherd, and advocacy by the then Shire of Braybrook. The school has a strong tradition and viable program, but unfortunately it has never been officially opened.

The school is enthusiastic about the centenary of Federation and would like its official opening to be a feature of those celebrations. It would like to carry out significant landscaping, multimedia presentations and other celebrations involving the generations of students who have attended the school. The school would like the minister to open the school and have the government make a financial contribution to the works and programs that will accompany the centenary of Federation celebrations in the Sunshine East area.

Eastmoor Primary School site

Mrs PEULICH (Bentleigh) — I raise a matter for the attention of the Minister for Housing. I hope she will respond more favourably and responsibly than she has done on another matter that has caused considerable community concern.

The matter I raise, which I hope is just a bad rumour rather than another example of the minister's incompetence, is the proposed establishment of a drug and rehabilitation facility in Chesterville Road, East Bentleigh. The reason for the concern among parents in particular is that the facility would be adjacent to what is called the Mentone autistic school, which was relocated to East Bentleigh following the voluntary merger of Eastmoor Primary School and the Tucker Road Primary School under the former government. It is also adjacent to the Bentleigh Secondary College.

Have honourable members heard anything more nonsensical than the establishment of a drug and rehabilitation program for older persons adjacent to an autistic school and a secondary college? Will the minister immediately clarify the plans for the site to appease the community?

Responses

Mr HULLS (Attorney-General) — The Leader of the Opposition appeared to be asking the Premier to inquire whether the Director of Public Prosecutions

(DPP) intends appealing a magistrate's decision about a number of S11 protesters who were recently convicted and fined \$5000.

I will refer the matter to the Premier for his consideration. I would have thought the Leader of the Opposition would understand the doctrine of the separation of powers and how dangerous it is for members of Parliament to stand up and — —

Dr Dean — On a point of order, Madam Deputy Speaker, as I understand it not only is the doctrine of the separation of powers, the Westminster system and sub judice getting all rolled in together — —

Mr HULLS — What is your point of order?

Dr Dean — The point of order is that when an honourable member raises the subject of sub judice in the house it is necessary to have a ruling. It is a matter of importance to the house and to you, Madam, to make sure that those matters are sorted. In particular, if an honourable member refers to a breach of the doctrine of the separation of powers — that, in effect, a member is breaching the rules of the house by interfering with the judiciary — the matter should be ruled on by the Chair.

So far the Attorney-General has suggested that for an honourable member to make an inquiry of the Director of Public Prosecutions as to whether or not he will oppose an appeal is a breach of the doctrine of the separation of powers and is also sub judice. I therefore ask you to rule on the matter in the understanding that people all over Victoria, probably including the Attorney-General, have on many occasions asked the Director of Public Prosecutions, without in any way interfering with his discretion, whether or not he intended to appeal.

To suggest in this house that it is inappropriate for a member of the Victorian community, whether parliamentarian or not, to ask the DPP whether or not he intends to appeal, is an absolute outrage. It demonstrates yet again to the house the complete ignorance of the law — —

Mr Hulls interjected.

The DEPUTY SPEAKER — Order! The Attorney-General!

Dr Dean — All honourable members understand that when the response from the Attorney-General to a point of law is, 'You're a lightweight; you don't know' and general abuse from the other side of the house the truth is that he has no idea of the point of law and abuse is his only way out.

Government members interjecting.

The DEPUTY SPEAKER — Order! The honourable member for Berwick will please stick to the point of order.

Dr Dean — The point I am attempting — —

Government members interjecting.

The DEPUTY SPEAKER — Order! All honourable members have the right to put forward their points of order, even if members of the government, including the honourable member for Springvale, do not agree. I ask honourable members to be quiet to allow the honourable member to finish his point of order.

Dr Dean — Madam Deputy Speaker, it is important to find out whether the Attorney-General is saying that if an honourable member asks the Director of Public Prosecutions whether he will appeal it is a breach of the separation of powers and sub judice. If that is what he is saying it is necessary for you to rule on whether it is or not. I put it to you that such a thing is ridiculous.

The DEPUTY SPEAKER — Order! It is unfortunate that the honourable member for Berwick was not in the house earlier when the matter of sub judice was raised. I gave a ruling then that the matter was not sub judice, and the matter proceeded.

Mr HULLS — The Leader of the Opposition in raising the magistrate's decision went on to give his view about the conduct of those people who appeared before the court. He was urging the Premier to speak to the Director of Public Prosecutions to get, in effect, the director to appeal against the decision.

Dr Dean — On a point of order, Madam Deputy Speaker, you have already ruled in relation to sub judice. It does not matter what name the Attorney-General is giving to it, he is saying that it is inappropriate for a member of this place to comment on a ruling or a decision of a magistrate. If that is sub judice and if that is what he is saying it is necessary for you, Madam Deputy Speaker, to rule on this issue, because nothing could be more absurd.

The Attorney-General also appears to be saying that the Leader of the Opposition in his request of the Premier was asking the Director of Public Prosecutions to decide one way or another on an appeal. It is necessary for you, Madam Deputy Speaker, to rule that he was not doing that because you were present in the chamber and heard what the Leader of the Opposition said. I discussed the matter with the Leader of the Opposition

and I know he was careful to ensure that he was asking the Director of Public Prosecutions whether he would appeal and not saying whether he should or should not appeal.

That is an important matter, because Victorians constantly ask the Director of Public Prosecutions whether he will or will not appeal a certain decision. I am sure the Attorney-General has asked that very question of the Director of Public Prosecutions. The matter must be cleared up because it is not appropriate for the Attorney-General to comment in that way.

Honourable members interjecting.

The DEPUTY SPEAKER — Order! I ask honourable members to cease interjecting. It does not assist in the deliberations of the Chair or improve the stature of the house for honourable members to constantly interject and scream abuse across the chamber. I ask honourable members to hear the point of order in silence.

Dr Dean — Madam Deputy Speaker, I ask you to rule on the suggestion by the Attorney-General that the Leader of the Opposition was trying to direct the Director of Public Prosecutions on how he should exercise discretion, because that would be sub judice. If the Attorney-General is suggesting that, he ought not mislead the house. It is necessary to point out to the Attorney-General that the Chair has ruled that it is appropriate to ask the Director of Public Prosecutions whether he is or is not going to appeal that decision. That is not sub judice or a breach of any doctrine of any sort. It is simply the opposition doing the work it should do. The Attorney-General needs to be told that he either has no idea or is trying to mislead the house in the usual slippery, slimy way he does day after day.

Mr HULLS — On the point of order, Madam Deputy Speaker, the nonsensical argument presented by the shadow Attorney-General in asking you to find out what is in my mind and whether I am suggesting this or that is nonsense. What I am saying is clear. I want to be given the opportunity to address the issue raised by the Leader of the Opposition in the adjournment debate. That is the role of the adjournment debate. The Leader of the Opposition asked the Premier to address an issue and I am responding on behalf of the Premier. I had barely started that response when this nonsensical point of order was taken. I am expressing a view in relation to the views raised by the Leader of the Opposition. There is no point of order and the nonsensical arguments put by the shadow Attorney-General simply demonstrate that he is in la-la land.

The DEPUTY SPEAKER — Order! I have already ruled that the matter is not sub judice. I have also already ruled that members should be careful what they say in Parliament on the matter. It is not for me to direct the Attorney-General in his response. He is aware of the sub judice rules and is required to be guided by them, as are other members of the house.

Mr HULLS — I say that in relation to politicians making requests of the DPP on whether appeals should take place, obviously politicians must be very careful not to be seen to be attempting to influence the judicial system or particular outcomes. It has been held, as the shadow Attorney-General would know — —

Opposition members interjecting.

Mr HULLS — There have been cases where politicians have made particular statements about cases and have been criticised in no uncertain terms by the courts. Politicians making requests of the DPP has the potential to be construed as attempting to influence the DPP. If that were to occur and the DPP were to appeal against a particular decision, you can bet your life — and quite rightly — that the defence counsel would raise in court the question of whether the charge had been brought as a result of political influence. So I say that politicians have to be very careful — —

Dr Dean — Further on the point of order, Deputy Speaker, because this is an answer to the Leader of the Opposition's adjournment question — —

Honourable members interjecting.

Dr Dean — It is important to know whether the comments of the Attorney-General are being cast at the Leader of the Opposition or made in a general sense about matters in the future. If they are general, even though he is answering the question, that is fine. However, if the Attorney-General is suggesting that that is what the Leader of the Opposition did, he is flouting your ruling, Deputy Speaker. It is also important to clarify, because a member of the house is entitled to know whether he is being impugned and what is being alleged against him.

Mr Robinson — Further on the point of order, Honourable Deputy Speaker, in responding to the matter the Attorney-General could not be using more careful language. He is speaking in absolutely general terms. From the moment the matter was raised by the Leader of the Opposition the Attorney-General took a point of order and stressed the importance of not raising particular matters regarding specific cases. His comments since that point have been general — about the need for politicians not to comment on specific

matters. No-one in the house understands what the honourable member for Berwick finds so specific about the comments. You could not, on any reasonable interpretation, believe the Attorney-General is commenting specifically or intending that his remarks on the matter be taken in that way.

Mr McArthur — On the point of order, as you can see, Deputy Speaker, I am standing now where the Leader of the Opposition stood when he raised the issue. While I was listening to the point of order and the Attorney-General's response I flicked through and picked up a paper which may be of some assistance to you, Deputy Speaker.

The note is in the handwriting of the Leader of the Opposition and is headed 'Premier'. If I read that to you, Deputy Speaker, it may be of some assistance. After the underlined heading 'Premier', it states:

Action by Premier to contact the office of the DPP to determine if the DPP intends to appeal against the leniency of sentences imposed on a number of S11 protesters.

I am happy to table the document because it makes it very clear that the action sought by the Leader of the Opposition was to request the Premier to inquire whether the DPP intended to appeal, not to urge the Premier to suggest or encourage the DPP to appeal.

The DEPUTY SPEAKER — Order! I do not uphold the point of order. The question of the Leader of the Opposition was addressed to the Premier, and the Attorney-General has said he will pass on that specific request to the Premier. I understood the Attorney-General to be making general comments in relation to the separation of powers and sub judice. However, I ask the Attorney-General to conclude his answer now as he has been speaking for some time.

Mr HULLS — I issue a general warning to all members of Parliament that it would be inappropriate to put pressure on or be seen to be putting pressure on the judiciary or the DPP in relation to any matter.

Opposition members interjecting.

The DEPUTY SPEAKER — Order! Members of the opposition!

Mr HULLS — It would be totally inappropriate for members of Parliament to canvass the specific facts of a particular matter and then to reflect on the adequacy or inadequacy of a particular sentence.

Therefore, although my personal view is that the Leader of the Opposition has gone well beyond his brief, it is a matter to be referred to the Premier.

Dr Dean — On a point of order, Deputy Speaker, your ruling is now being flouted and I ask you to rule on it.

The DEPUTY SPEAKER — Order! I uphold the point of order. I ask the Attorney-General to conclude his answer.

Mr HULLS — I conclude by saying that all members of this house, but particularly the Leader of the Opposition, should not only read the Queensland Fitzgerald report into the separation of powers and what that is all about, but also take the time to look at the case of the Director of Public Prosecutions against Wran, which is a very interesting case.

Dr Dean interjected.

Mr HULLS — Goose! It is important that — —

Opposition members interjecting.

The DEPUTY SPEAKER — Order! I caution the Attorney-General about the language he uses in the house. I ask members of the opposition to stop interjecting so loudly and to allow the adjournment debate to continue.

Mr HULLS — I hope any comments made by members of Parliament in relation to the case referred to by the Leader of the Opposition or any other case do not have either the aim of or the potential to prejudice appropriate justice and judicial proceedings in those cases. I am more than happy to send to the Leader of the Opposition a paper on the doctrine of the separation of powers.

The honourable member for Rodney referred the Premier to a joint meeting of the Victorian and New South Wales cabinets that will be taking place shortly in the Albury-Wodonga area. The honourable member said he hopes the meeting will address a whole range of cross-border issues and anomalies, including mental health and other allied health services. I will certainly pass that matter on to the Premier. It is an excellent initiative, as I am sure the honourable member for Rodney would agree. I am also sure the Premier would also agree that a number of those cross-border issues should be discussed.

The honourable member for Benalla raised for the attention of the Minister for Housing an issue concerning senior citizens. I will refer that matter to the minister.

The honourable member for Mooroolbark raised for the attention of the Minister for Community Services the

restoration of a rural funding subsidy to a Mansfield preschool. I will pass that on to the honourable minister.

The honourable member for Gippsland West raised a matter for the Minister for Aged Care about putting pressure on the federal government to give far greater weight to a community organisation supplying hostel beds on a not-for-profit basis. She mentioned the Rose Lodge accommodation facility in Wonthaggi. I will refer that matter to the relevant minister.

The honourable member for Caulfield raised for the attention of the Minister for Housing an Office of Housing home ownership loan for Ms Janet Latcham in Pakenham. I will refer that matter to the minister.

The honourable member for Bendigo East asked the Minister for State and Regional Development to take action on outrageous claims made by the honourable member for Doncaster during a recent visit to Bendigo. The honourable member for Doncaster alleged that the AAPT call centre — of which this government and the honourable member for Bendigo East are very proud — the \$4 million investment and the 400 full-time jobs were facilitated by the Kennett government.

On the basis of what the honourable member for Bendigo East said it seems that that is an outrageous claim. The local council said the first time it had contact with AAPT was in November 1999 — what a great time that was — and the first time AAPT had contact with the Victorian government was in January 2000. My distinct recollection is that in January 2000 we were in government and Jeff Kennett was not. In January 2001 we were still in government and in January 2002 we will still be in government!

Mr Perton — On a point of order, Madam Deputy Speaker, the matter raised by the honourable member for Bendigo East was for attention of the Minister for State and Regional Development. As the minister at the table, the Attorney-General was going to refer it to him because the Attorney-General is clearly loose with the truth.

Government members interjecting.

Mr Perton — The problem you have, Madam Deputy Speaker, is if the Minister for State and Regional Development were at the table he would refer to the fact that the AAPT call centre — —

The DEPUTY SPEAKER — Order! What are the grounds for the honourable member for Doncaster's point of order?

Mr Perton — The Attorney-General should refer the matter to the appropriate minister, the Minister for State and Regional Development, for him to tell the truth rather than have the untruthful Attorney-General trying to put his own spin on the answer to suit the honourable member for Bendigo East, who has recently had an editorial addressed to her in her local paper — —

The DEPUTY SPEAKER — Order! The member for Doncaster was in the house and he probably would have heard the Attorney-General say he was going to refer the matter to the appropriate minister. I believe he was making some general comments in passing and he will now move to the next matter.

Mr HULLS — I will refer to the Minister for State and Regional Development the query raised by the honourable member for Bendigo East as to whether the honourable member for Doncaster was telling porkies about AAPT when he was in Bendigo recently.

The honourable member for Bentleigh raised an issue about a rumour.

The DEPUTY SPEAKER — Order! The honourable member for Bendigo East is not in her seat.

Mr HULLS — Her words were she had heard a rumour which she hopes is a bad rumour.

Mrs Peulich — On a point of order, Deputy Speaker, if the Attorney-General had listened closely he would have heard that the concerns referred to were raised with me by residents and parents. Given that the Minister for Education is sitting at the table and the facility is supposedly being planned adjacent to the Mentone autistic school and the Bentleigh Secondary College it may be appropriate for her to answer.

The DEPUTY SPEAKER — Order! It is not up to the Chair to direct ministers to respond on behalf of ministers who are not in the chamber. The minister at the table has that responsibility and the Attorney-General is referring the matter to the appropriate minister.

Mr HULLS — The rumour related to a drug and rehabilitation facility at Chesterville Road, East Bentleigh. The honourable member for Bentleigh claims the site is adjacent to an autistic school and other facilities. I will refer the matter to the Minister for Housing.

Ms DELAHUNTY (Minister for Education) — I will respond to a delicious request from the honourable member for Footscray to rectify an extraordinary

anomaly. The Sunshine East Primary School has operated in the honourable member's electorate for 50 years but has never been officially opened.

The school was first proposed in 1946 and opened in 1951. It has a superb reputation in the electorate for offering excellent educational opportunities and parental support to a range of new immigrants. It provides every assistance in the settlement of new immigrants to Australia. It values education as a means of achieving life's goals and it provides a broad curriculum.

The school has requested that the Minister for Education formally open the school during this year of its 50th birthday, which coincides with the nation's 100th birthday. It has also requested a small number of dollars to create a Federation garden in its grounds. That is a superb idea. It is a way of introducing young Australians to the story of Federation — the proud narrative of a nation formed not with a war but with a vote. Children in our schools must understand the story of Federation and teachers should take that responsibility seriously.

I would be honoured to be invited to rectify the anomaly by officially opening the school 50 years after it first began to function. The government will examine the possibility of providing the dollars required to build a Federation garden.

Mr PANDAZOPOULOS (Minister assisting the Premier on Multicultural Affairs) — The honourable member for Mitcham made an enthusiastic speech relating to Australia's Irish community and heritage — nothing to do with his personal background. He is a keen enthusiast and participant in Irish culture and looks forward to the events that will occur in 16 days. His involvement has been significant, more so since the Labor Party has been in government.

The government is conscious that multiculturalism includes all immigrant groups. Many people still come from the first immigrant countries such as the United Kingdom, Ireland and New Zealand. Multiculturalism is about all communities because people have come from different cultural and ethnic backgrounds irrespective of the predominant or larger communities.

The Irish community has an interesting history in Australia. Its members came from day one during the gold rush era. The government has through the Victorian Multicultural Commission increased its grants program from \$750 000 under the former government to \$1.25 million.

The government wants to ensure that it broadens the view of the term multiculturalism. Obviously it means a variety of cultures, and various groups should be included in that. The commission has been doing some work in that area. A recent initiative is that as part of the centenary of Federation celebrations there will be an Our Nation on Parade celebration. Of course, there is a multicultural component in that, and the commission has been discussing with different ethnic communities their involvement.

The commission has worked with the Irish community to ensure that it is involved in Our Nation on Parade as part of the centenary of Federation celebrations to remind ourselves that even 100 years ago Australia had people from different cultures. Although Ireland has had a varied history — and there is no use talking about its politics — its communities keep a distinct Irish culture, as do the Welsh, Scottish and Cornish communities.

The Victorian Multicultural Commission has determined that it will provide \$80 000 through a grants program to sponsor different events. Not only will it include recent migrant communities of non-English-speaking and specific cultures, but also it will broaden it to include those of a wider range of communities that celebrate festivals and will encourage them to apply.

The honourable member for Bendigo East has been spoken to by organisers of the Bendigo Easter Fair. It has a multicultural component in its program and has applied for the same sponsorship program. I am pleased to advise the honourable member that although \$80 000 is a small amount in sponsorship to go around the whole state, the multicultural commission has agreed to fund a few events, including \$2000 for the Bendigo Easter Fair. It has also agreed to act as a sponsor and provide \$1000 to the Melbourne Irish Festival Committee to ensure that the resources available for multiculturalism are applied to the Irish community as well as other communities. The events organised by the Irish festival committee are only a few weeks away, and I look forward to participating in some of those.

I thank the Victorian Multicultural Commission. It is an — —

Mr Smith — On a point of order, Madam Deputy Speaker, does this mean that the English, the Welsh and the Scots will be getting multicultural grants as well?

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

Mr PANDAZOPOULOS — The honourable member for Glen Waverley has obviously not been listening. The point of the program is to encourage groups. I inform the house that in the annual funding round the government will support and consider applications. It wants to ensure that the community gets to appreciate and enjoy events and celebrations of all our different cultures. That is what it is all about.

I thank the Victorian Multicultural Commission. It is an independent arm of government which manages the multicultural grants program and implements government policies in the area. As I have made clear, our multicultural policy is clearly inclusive of the Irish, Scottish, Welsh and Cornish citizens and pioneers of the past. I thank the commission for the work it has been doing and also the honourable member for Mitcham for his representation to ensure that the Irish community is not forgotten. It certainly will not be.

The honourable member for Hawthorn raised the matter of trade promotion lotteries conducted over the phone. Post GST the telemarketing companies involved have approached the government about increasing the telephone entry charge from 50 cents to 55 cents as a result of the goods and services tax.

The act that governs the trade promotions lotteries sets a 50-cent limit. On advice I have received from the Victorian Casino and Gaming Authority the 50 cent limit is, in effect, to ensure that a phone call can be an option. Companies use marketing to try to get people to use this method to participate in trade promotion lotteries over the phone rather than by mail.

I am advised that there are choices. You can either fill in a coupon from a magazine and send it in, or you can do it over the phone. The advice from the Australian Taxation Office is that the charge was set on the basis that it was to be not much more than the cost of a postage stamp, because it is an alternative to sending things in the mail. However, the cost is more than the cost of a postage stamp.

The government has consulted with the industry, and representatives of the industry have written to the government about this issue. I received advice from the regulator, for whom I am responsible, who is independent under this government. I am advised there is no reason for the punter accepting the GST component, which is part of the cost of doing business.

A limit is set. Other states do not have phone call services currently available. I understand the cost of the phone call to participate in the trade promotion lottery is 55 cents. It is a form of advertising and therefore

expenses need to be accepted. That is the advice from the regulator. I do not see any good reason from discussions the regulator has had with industry representatives to change that view.

I am happy to brief the shadow minister on the advice I have received from the Victorian Casino and Gaming Authority. As with so many gaming regulation issues, I rely on its advice. I am extremely reluctant to go against the advice of the authority.

Motion agreed to.

House adjourned 5.47 p.m. until Tuesday, 20 March.

QUESTIONS ON NOTICE

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

Tuesday, 27 February 2001

Small Business: women's resource policy unit

47. **MR WILSON** — To ask the Honourable the Minister for Police and Emergency Services for the Honourable the Minister for Small Business —
1. What funding will be provided in each of the financial years 1999–2000 to 2002–03 inclusive to establish a Women's Resource policy unit within Business Victoria and how many effective full time staff will the unit comprise in each of these years.
 2. Will the unit be accessible only at Business Victoria's head office or at other sites; if so, where.

ANSWER:

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

The Unit's staff complement is still being assessed.

The Unit is being funded from within existing resources.

Women's Affairs: women's resource policy unit

48. **MR WILSON** — To ask the Honourable the Minister for Women's Affairs —
1. What funding will be provided in each of the financial years 1999–2000 to 2002–03 inclusive to establish a Women's Resource policy unit within Business Victoria and how many effective full time staff will the unit comprise in each of these years.
 2. Will the unit be accessible only at Business Victoria's head office or at other sites; if so, where.

ANSWER:

The Women's Resource Policy Unit falls within the responsibility of the Honourable the Minister for Small Business.

The Honourable the Minister for Small Business has provided a reply to this question in her reply to the identical Question on Notice no. 47.

Finance: PURIST purchases

77. **MR WILSON** — To ask the Honourable the Minister for Finance with regard to the Victorian Government Purchasing Board —
1. What percentage of Victorian Government products and services were purchased from —
(a) Melbourne; (b) regional Victorian; or (c) interstate vendors in the period from 1 July to 30 November 1999.

2. What were the top twenty 'PURIST' [Purchasing Information System] products or services and the dollar value of each purchased by the Victorian Government in — (a) 1998–99; and (b) from 1 July to 30 November 1999 from — (i) Melbourne; and (ii) regional Victorian vendors.
3. For each of the Melbourne, Central West, Gippsland, North Eastern, North Western and South Western regions respectively, what percentage of Victorian Government purchases were from — (a) the same region; (b) another region; (c) Melbourne; and (d) interstate in — (i) 1998–99; and (ii) from 1 July to 30 November 1999.

ANSWER:

I am informed that:

The accuracy of some PURIST data has recently been under scrutiny. The Procurement Branch has action in train to validate the accuracy and completeness of the purchasing expenditure being reported. Subject to the outcome of that action the response to the Honourable Member's questions are as follows:

1. Based on regional definitions used by Australia Post, during the period from 1 July to 30 November 1999, the percentage of Victorian Government expenditure on purchases from (a) Melbourne was 76.8%, (b) Regional Victoria was 12.3% and (c) interstate was 10.9%. These figures are based on the postcode of the vendor's billing address. To the extent that some rural suppliers may use metropolitan billing addresses, the Melbourne expenditure may be overstated and regional expenditure be an understatement of purchasing conducted locally.
2. The attached tables show the aggregated amounts paid to suppliers for the "Top 20" PURIST classification, with Table 1 providing amounts for the financial year 1998/1999. Table 2 provides data for the part year from 1 July 1999 to 30 November 1999.
3. Based on similar criteria and definitions, purchasing expenditure has also been tabulated by region — according to where goods and services were purchased or used and according to where they came from — during each of the periods in question. However, if purchasers or suppliers fail to record specific transaction coding identifying either the delivery address or the address for payment, metropolitan defaults are used, which inflate the Melbourne figures. Given these qualifications, the incidence of purchasing percentage is shown in Table 3.

Table 1: Aggregated Amounts Paid to Suppliers for the Top 20 PURIST Classifications (1998–1999)

RANK	Description	1998–99	
		Melbourne	Regional Victoria
1	Professional, Engineering & Technical Services (Excluding legal, accounting, auditing services and directly classified architectural, engineering and other technical services)	\$104,624,436	\$3,369,909
2	Professional Scientific & Technical Consultancy & Services (Excluding engineering, architectural & drafting services)	\$101,482,894	\$5,437,867
3	Financial Assets & Liabilities (eg. Motor vehicle registration, tax and duties)	\$70,269,348	\$1,918,316
4	Personnel Placement And Supply Services	\$52,018,695	\$3,084,318
5	Non-Residential Building Construction, Repair & Maintenance	\$54,015,585	\$5,407,901
6	Real Estate Property Rental Fees & Charges	\$53,073,865	\$3,926,306
7	Criminal Detention Or Rehabilitation Administrative Services	\$23,281,280	\$2,086,852

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RANK	Description	1998-99	
		Melbourne	Regional Victoria
8	Business Services Of A Non Consulting Nature (Excluding advertising, marketing & promotion, meetings & conferences, placement and supply of personnel, security, building cleaning, printing and utilities costs)	\$22,768,343	\$20,616,778
9	Residential Building Construction, Repairs & Maintenance	\$29,966,422	\$12,402,183
10	Rates Payment	\$25,300,797	\$15,198,873
11	Computer Services (Excluding consulting, facilities management, outsourced IT services, computer equipment maintenance and repair, other office equipment maintenance & repair, computer training and support services)	\$39,091,295	\$72,314
12	Outsourced Information Technology Services	\$25,230,264	\$157,029
13	Accommodation & Associated Expenses (Related to hotel & restaurant services)	\$16,100,669	\$2,955,597
14	Accounting, Auditing And Bookkeeping Services	\$26,549,948	\$2,132
15	Printing, Reprographic And Binding Services	\$23,614,600	\$688,703
16	Engineering, Architectural And Drafting Consulting Services	\$25,261,376	\$441,906
17	Long Term Lease Of Motor Vehicles	\$1,828,595	\$606
18	Unspecified Metallic And Non-metallic Building Materials	\$14,039,806	\$8,727,060
19	Advertising Services (Including media placement commissions and fees)	\$20,322,455	\$118,469
20	Marketing & Promotion Services (Except advertising and consulting services)	\$18,365,438	\$718,342
TOTALS		\$747,206,111	\$87,331,461

The ranking of the Top 20 Purist Codes is based on total expenditure and includes payments to suppliers with interstate billing codes.

Table 2: Aggregated Amounts Paid to Suppliers for the Top 20 PURIST Classifications (1 July, 99 to 30 Nov, 99)

RANK	Description	1/7/99-30/11/99	
		Melbourne	Regional Victoria
1	Outsourced Transport Services & Auxiliary Transport Services (eg. parking services, boat rental & hire)	\$184,931,211	\$50,986,046
2	Financial Assets & Liabilities (eg. motor vehicle registration, tax and duties)	\$50,298,336	\$457,446
3	Professional, Engineering & Technical Services (Excluding legal, accounting, auditing services, and directly classified architectural, engineering and other services)	\$38,949,763	\$1,067,011

RANK	Description	1/7/99–30/11/99	
		Melbourne	Regional Victoria
4	Professional, Scientific & Technical Consultancy Services (Excluding engineering, architectural & drafting services)	\$27,527,956	\$1,824,904
5	Personnel Placement And Supply Services	\$22,897,593	\$1,184,440
6	Real Estate Property Rental Fees & Charges	\$21,300,790	\$1,772,029
7	Criminal Detention Or Rehabilitation Administrative Services	\$9,655,411	\$84,416
8	Business Services Of A Non Consulting Nature (Excluding advertising, marketing & promotion, meetings & conferences, personnel placement and supply, security, building cleaning, printing and utilities costs)	\$15,936,042	\$3,513,080
9	Residential Building Construction, Repair & Maintenance	\$13,044,413	\$4,954,321
10	Non Residential Building Construction, Repair & Maintenance	\$15,739,776	\$1,970,271
11	Long Term Lease Of Motor Vehicles	\$583,020	\$3,017
12	Accommodation & Associated Expenses (Related to hotel & restaurant services)	\$6,468,797	\$1,249,221
13	Outsourced Information Technology Services	\$9,450,624	\$105,443
14	Motor Vehicle Fuel & Lubricants	\$11,483,889	\$85,737
15	Insurance	\$10,588,796	\$390,121
16	Unspecified Metallic And Non-metallic Building Materials	\$6,365,194	\$3,885,513
17	Internet, Email, And Post & Telecommunications	\$2,091,879	\$29,788
18	Printing, Reprographic And Bindery Services	\$8,230,110	\$335,965
19	Rates Payment	\$5,207,023	\$2,899,468
20	Engineering, Architectural And Drafting Consulting Services	\$7,645,000	\$126,650
TOTALS		\$468,395,623	\$76,924,887

The ranking of the Top 20 Purist Codes is based on total expenditure and includes payments to suppliers with interstate billing codes.

Table 3: Percentage of Goods and Services Provided by Region

Region Receiving Goods and Services	Sourced within the same region		Sourced from another region		Sourced from Melbourne		Sourced from Interstate	
	1998/99	1/7/99–30/11/99	1998/99	1/7/99–30/11/99	1998/99	1/7/99–30/11/99	1998/99	1/7/99–30/11/99
Melbourne	76.6%	77.9%	9.7%	11.3%	-	-	13.7%	10.8%
Central West	40.8%	36.3%	12.3%	14.9%	38.4%	40.8%	8.4%	8.1%
Gippsland	49.4%	46.1%	1.3%	2.2%	42.6%	46.4%	6.7%	5.3%
North Eastern	46.1%	41.6%	4.7%	7.7%	36.4%	33.8%	12.8%	16.9%

Region Receiving Goods and Services	Sourced within the same region		Sourced from another region		Sourced from Melbourne		Sourced from Interstate	
	1998/99	1/7/99–30/11/99	1998/99	1/7/99–30/11/99	1998/99	1/7/99–30/11/99	1998/99	1/7/99–30/11/99
North Western	32.1%	32.00%	8.0%	10.6%	35.2%	31.8%	24.6%	25.5%
South Western	36.3%	34.1%	5.9%	3.4%	48.9%	50.5%	8.9%	12.0%

Health: Royal Dental Hospital waiting list

88. MR WILSON — To ask the Honourable the Minister for Health —

1. How many Victorians were on the Royal Dental Hospital waiting list for treatment as at — (a) 30 June 1999; (b) 30 September 1999; (c) 30 October 1999; and (d) 30 November 1999.
2. How many of such persons reside or resided in postcode areas 3125, 3128, 3130, 3149 or 3151 at each of the dates specified.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 368, attached)

[Hansard reference: Legislative Council, Vol. 446, 2 May 2000, page 931]

Housing: waiting list

90. MR WILSON — To ask the Honourable the Minister for Housing, what was the waiting list for public housing in Victoria and the Eastern Metropolitan Region respectively as at — (a) 30 June 1999; (b) 30 September 1999; and (c) 30 November 1999.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 333, attached)

[Hansard reference: Legislative Council, Vol. 446, 2 May 2000, page 922]

Deputy Premier: designated union contacts

108. MR WILSON — To ask the Honourable the Deputy Premier —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

I am informed that:

The Department of Premier and Cabinet currently does not have staff employed specifically to act as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions. However staff are required in the normal course of their duties to liaise and negotiate with a range of organisations, including unions, on routine employer/employee matters and in the development of policy. Furthermore the Department is in the process of recruiting an Industrial Liaison Officer.

The Victorian Public Service is an Equal Opportunity Employer and does not seek information about union membership from its employees.

Health: designated union contacts

109. MR WILSON — To ask the Honourable the Minister for Health —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

1. The Department of Human Services has employed the following staff or consultants acting as a designated contact point on policy matters
 - An Industrial Liaison Officer position. (The position is currently being filled on full time ongoing basis).
 - A Consultant Industrial Liaison Officer.
2. The Industrial Liaison Officer is paid within the VPS5 band of the Victorian Public Service Classifications. The Consultant Industrial Liaison Officer is engaged on a consultancy agreement and is remunerated in the VPS4 or lower end of the VPS5 range.
3. The following services are provided by the staff and consultants:
 - The ILO has responsibility to liaise and undertake negotiations with all unions, other employee/employer representatives, staff and line management on industrial relations issues;
 - The CILO has responsibility for the coordination, convention and agreement by unions on significant industrial relations issues on behalf of the State.
4. The following are the commencement dates of the staff or consultant:
 - (a) - The position of Acting Industrial Liaison Officer commenced on a part-time basis on 31 December 1999, becoming full-time on 29 May 2000.
 - The Consultant Industrial Liaison Officer position commenced in April 1998.

(b) - Please refer to answer provided in part 4 (a) above.

5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees or consultants.

Aboriginal Affairs: designated union contacts

129. MR WILSON — To ask the Honourable the Minister for Aboriginal Affairs —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

No staff with the above duties are employed by Aboriginal Affairs Victoria and there are no Statutory Authorities responsible to Aboriginal Affairs Victoria.

Housing: designated union contacts

138. MR WILSON — To ask the Honourable the Minister for Housing —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

1. The Department of Human Services has employed the following staff or consultants acting as a designated contact point on policy matters
 - An Industrial Liaison Officer position. (The position is currently being filled on full time ongoing basis).
 - A Consultant Industrial Liaison Officer.

2. The Industrial Liaison Officer is paid within the VPS5 band of the Victorian Public Service Classifications. The Consultant Industrial Liaison Officer is engaged on a consultancy agreement and is remunerated in the VPS4 or lower end of the VPS5 range.
3. The following services are provided by the staff and consultants:
 - The ILO has responsibility to liaise and undertake negotiations with all unions, other employee/employer representatives, staff and line management on industrial relations issues;
 - The CILO has responsibility for the coordination, convention and agreement by unions on significant industrial relations issues on behalf of the State.
4. The following are the commencement dates of the staff or consultant:
 - (a) - The position of Acting Industrial Liaison Officer commenced on a part-time basis on 31 December 1999, becoming full-time on 29 May 2000.
 - The Consultant Industrial Liaison Officer position commenced in April 1998.
 - (b) Please refer to answer provided in part 4 (a) above.
5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees or consultants.

Aged Care: designated union contacts

139. MR WILSON — To ask the Honourable the Minister for Aged Care —

1. Does the Minister's Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister's Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister's Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

1. The Department of Human Services has employed the following staff or consultants acting as a designated contact point on policy matters
 - An Industrial Liaison Officer position. (The position is currently being filled on full time ongoing basis).
 - A Consultant Industrial Liaison Officer.
2. The Industrial Liaison Officer is paid within the VPS5 band of the Victorian Public Service Classifications. The Consultant Industrial Liaison Officer is engaged on a consultancy agreement and is remunerated in the VPS4 or lower end of the VPS5 range.

3. The following services are provided by the staff and consultants:
 - The ILO has responsibility to liaise and undertake negotiations with all unions, other employee/employer representatives, staff and line management on industrial relations issues;
 - The CILO has responsibility for the coordination, convention and agreement by unions on significant industrial relations issues on behalf of the State.
4. The following are the commencement dates of the staff or consultant:
 - (a) - The position of Acting Industrial Liaison Officer commenced on a part-time basis on 31 December 1999, becoming full-time on 29 May 2000.
 - The Consultant Industrial Liaison Officer position commenced in April 1998.
 - (b) Please refer to answer provided in part 4 (a) above.
5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees or consultants.

Deputy Premier: ministerial appointments

143. MR WILSON — To ask the Honourable the Deputy Premier —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

I am informed that:

The time and resources required to provide you with a response to this question would unreasonably divert the resources of the department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Health: ministerial appointments

144. MR WILSON — To ask the Honourable the Minister for Health —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.

4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 338, attached)

[*Hansard reference: Legislative Council, Vol. 446, 2 May 2000, page 922*]

Community Services: ministerial appointments

154. MR WILSON — To ask the Honourable the Minister for Community Services —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 347, attached)

[*Hansard reference: Legislative Council, Vol. 446, 2 May 2000, page 924*]

Aboriginal Affairs: ministerial appointments

164. MR WILSON — To ask the Honourable the Minister for Aboriginal Affairs —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

I am informed that:

The time and resources required to provide you with a response to this question would unreasonably divert the resources of the department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Housing: ministerial appointments

173. MR WILSON — To ask the Honourable the Minister for Housing —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 363, attached)

[*Hansard reference: Legislative Council, Vol. 447, 9 May 2000, page 1144*]

Aged Care: ministerial appointments

174. MR WILSON — To ask the Honourable the Minister for Aged Care —

1. What was the name of each Ministerial appointment made to Boards, Commissions, Committees of Government Business Enterprises, Statutory Authorities or the Department between 18 September 1999 and 29 February 2000.
2. What expressions of interest and selection processes were used in each such case.
3. What date was each such person appointed and on what date does his or her office expire.
4. What daily or half day sitting fees and other remuneration is expected to be paid in 1999–2000 to each such appointee.
5. Have any changes been made to remuneration arrangements for any such appointees since their appointment; if so what are the details.

ANSWER:

The time and resources required to provide you with a response to this question would unreasonably divert the resources of the department.

Should you wish to ask a more specific question on this matter, I will endeavour to provide you with a response.

Community Services: Christmas 1999–New Year 2000 holidays

179. MRS ELLIOTT — To ask the Honourable the Minister for Community Services — what was the total cost to the Minister’s departmental budget of the three additional public holidays gazetted during the Christmas Day, Boxing Day and the New Year’s Day period in December 1999 and January 2000.

ANSWER:

The Government gazetted two, not three, additional public holidays to allow Victorian families to celebrate the new millennium: Boxing Day, Sunday 26 December 1999 and New Years Day, Saturday 1 January 2000. No additional public holiday was gazetted for Christmas Day by this Government. The previous Government gazetted Tuesday 28 December 1999 as a substitute holiday for the Christmas Day Saturday.

The Government decided to declare the two public holidays in a special, one-off arrangement in recognition of the unique nature of the new millennium. This decision was consistent with the approach taken by every other state in Australia and allowed Victorian families to enjoy the new millennium celebrations in the same way as families in every other part of Australia.

Negotiations were commenced under the previous Government on special payments for employees required to work during the millennium New Year’s celebrations prior to the declaration of the additional two public holidays.

Aged Care: Christmas 1999–New Year 2000 holidays

180. MRS SHARDEY — To ask the Honourable the Minister for Aged Care — what was the total cost to the Minister’s departmental budget of the three additional public holidays gazetted during the Christmas Day, Boxing Day and the New Year’s Day period in December 1999 and January 2000.

ANSWER:

The Government gazetted two, not three, additional public holidays to allow Victorian families to celebrate the new millennium: Boxing Day, Sunday 26 December 1999 and New Years Day, Saturday 1 January 2000. No additional public holiday was gazetted for Christmas Day by this Government. The previous Government gazetted Tuesday 28 December 1999 as a substitute holiday for the Christmas Day Saturday.

The Government decided to declare the two public holidays in a special, one-off arrangement in recognition of the unique nature of the new millennium. This decision was consistent with the approach taken by every other state in Australia and allowed Victorian families to enjoy the new millennium celebrations in the same way as families in every other part of Australia.

Negotiations were commenced under the previous Government on special payments for employees required to work during the millennium New Year’s celebrations prior to the declaration of the additional two public holidays.

Health: Christmas 1999–New Year 2000 holidays

183. MR WILSON — To ask the Honourable the Minister for Health — what was the total cost to the Minister’s departmental budget of the three additional public holidays gazetted during the Christmas Day, Boxing Day and the New Year’s Day period in December 1999 and January 2000.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 334, attached)

[Hansard reference: Legislative Council, Vol. 446, 2 May 2000, page 922]

Housing: waiting list

184. MRS PEULICH — To ask the Honourable the Minister for Housing — what is the profile of all public housing waiting lists by region for each month since 30 June 1999.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 260, attached)

[Hansard reference: Legislative Council, Vol. 446, 4 April 2000, page 615]

Housing: loan schemes

185. MRS PEULICH — To ask the Honourable the Minister for Housing with reference to the Home Opportunity Loan Scheme and the Shared Home Ownership Scheme — what are the number of loans — (a) in each scheme; (b) in arrears; and (c) which have been terminated and the reasons for termination.

ANSWER:

As at 31 December, 2000 there were:

- (i) 2,398 HOLS Fixed, Indexed & Variable loans and 1,325 SHOS Indexed loans. A total of 3,723 loans
- (ii) 343 of these loans are in arrears by less than 1 monthly instalment*.

291 loans are 1 monthly instalment or more in arrears. Of these, 125 have made an ‘arrangement’ to repay the arrears.

* Arrears of less than 1 instalment are considered as ‘late payments’ rather than arrears of instalments.

- (iii) 12,869 HOLS/SHOS loans have been discharged since inception of the scheme.

The reasons for discharge have only been recorded since July 1994. Since that time 8,203 discharges have occurred with the following reasons and percentages of discharges in this period.

Totals (Number of Loans) by Reason Codes

Property Sold	2,198	26.79
Refinanced	3,135	38.22
Voluntary/Involuntary Sale	695	8.47
Repaid	2,023	24.66
Transfer to another HOLS Product	140	1.71
No reason given	12	0.15

Housing: asset sales

186. MRS PEULICH — To ask the Honourable the Minister for Housing with reference to the Labor Party policy guaranteeing that all public and community housing assets will be retained within the housing system —

1. What stock has been identified as being no longer required by the Ministry of Housing by region.
2. How many units have been offered for sale by region.

3. How many public housing or community assets have been disposed of or offered for tender since 18 September 1999.
4. What asset sales have occurred since 18 September 1999 and what revenue will be received by the Ministry of Housing or responsible agency within the Department.

ANSWER:

1. Housing Stock No Longer Required

The Office of Housing's (OOH) asset management strategy requires housing stock owned by the Director of Housing to be appropriate for the provision of housing assistance in terms of quality and location. Housing stock is considered as no longer required when the properties are too expensive to maintain or do not adequately satisfy public tenant housing demand. The OOH continues to focus on better targeting the profile of the housing stock base to meet housing needs for eligible tenants.

The regional breakdown of housing stock considered for disposal, or disposed of (including sales to tenants, sales and demolitions), between 18 September 1999 and 30 June 2000 is as follows:

Region	Housing stock considered for disposal 18/9/99 to 30/6/00
Barwon–South West	81
Eastern Metropolitan	40
Gippsland	50
Grampians	31
Hume	38
Loddon–Mallee	53
Northern Metropolitan	71
Southern Metropolitan	203
Western Metropolitan	71
Total	638

2. Housing Units Offered for Sale

Between 18 September 1999 and 30 June 2000, 337 housing units were offered for sale. The regional breakdown of the number of housing units offered for sale since 18 September 1999 is as follows:

Region	Housing units offered for sale 18/9/99 to 30/6/00
Barwon–South West	50
Eastern Metropolitan	20
Gippsland	46
Grampians	31
Hume	31
Loddon–Mallee	33
Northern Metropolitan	40
Southern Metropolitan	53
Western Metropolitan	33
Total	337

3. Public Housing or Community Assets Sold

Public Housing and Community Assets, including vacant land, sold in the period 18 September 1999 to 30 June 2000, includes those assets identified for sale, but not sold, prior to 18 September 1999.

The regional breakdown of number of public housing and community assets sold (settled and not settled) from 18 September 1999 to 30 June 2000 is as follows:

Region	Public Housing and Community Assets Sold 18/9/99 to 30/6/00
Barwon–South West	110
Eastern Metropolitan	21
Gippsland	132
Grampians	79
Hume	65
Loddon–Mallee	68
Northern Metropolitan	69
Southern Metropolitan	60
Western Metropolitan	98
Total	702

4. Revenue from Asset Sales

From 1 July 1999 to 30 June 2000 revenue from asset sales totalled more than \$62 million. All revenue from asset sales, as required by the Commonwealth State Housing Agreement, is re-invested in the acquisition or upgrading of public housing.

Housing: current stock

187. MRS PEULICH — To ask the Honourable the Minister for Housing — (a) what is the current level of the Ministry of Housing stock; and (b) how many units have been acquired since 18 September 1999 by each region.

ANSWER:

The regional breakdown of stock numbers at 30 June 2000 and stock acquired since 18 September 1999 is as follows:

Region	Total Units as at 30 June 2000	Units Acquired from 18 September 1999 to 30 June 2000
Barwon–South West	5,761	80
Eastern Metropolitan	6,007	194
Gippsland	3,986	58
Grampians	3,478	44
Hume	4,791	85
Loddon–Mallee	5,157	150
Northern Metropolitan	14,160	387
Southern Metropolitan	15,286	303
Western Metropolitan	12,849	259
Total	71,475	1,560

Health: advertisements

189. MR WILSON — To ask the Honourable the Minister for Health with reference to the advertisement in the *Herald Sun* on 5 February 2000 regarding Community Health Centre boards —

1. Whether the Minister or his personal staff approved the advertisement.
2. Whether the Minister approves of the explicit reference, in a taxpayer funded advertisement such as this, to ‘the Labor government’.
3. Will future advertisements by the Department of Human Services or on behalf of the Minister explicitly mention the political allegiance of the government.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 265, attached)

[*Hansard reference: Legislative Council, Vol. 446, 2 May 2000, page 897*]

Arts: digital media projects

191. MR PERTON — To ask the Honourable the Minister for Arts with reference to Question 66 on the Legislative Assembly Notice Paper — whether there was duplication between Cinemedia and Arts Victoria in digital media projects in the 1998–1999 and 1999–2000 financial years; if so, why did the Minister mislead Meaghan Shaw of the *Age* on 25 November 1999 indicating that she would remove such duplication.

ANSWER:

I am informed that:

The Honourable member's question was comprehensively dealt with in the answer to Question on Notice #66.

[*Hansard reference: Legislative Assembly, Vol. 446, 1 March 2000, page 239*]

Community Services: preschool intakes

193. MR DIXON — To ask the Honourable the Minister for Community Services —

1. What were the participation rates for four-year-olds in preschools in the 1999 and 2000 intakes.
2. What was the number of such children for each intake whose parents or guardians were holders of Health Care Cards.

ANSWER:

1. The participation rate for four year old preschool children in 1999 was 91.8%. The participation rate for four year old preschool children as at August 2000 was 97%, an increase of 5.2%.
2. In 1999, 17,097 (28.2%) four year old children whose parents held Health Care Cards attended preschool. As at August 2000, 18,541 (30.14%) four year old children whose parents held Health Care Cards attended preschool, an increase of 1.94%.

Housing: reviews and task forces

197. MRS PEULICH — To ask the Honourable the Minister for Housing whether the Minister or the Department has established any reviews or task forces since 18 September 1999; if so — (a) what is the number of each; (b) what are the terms of reference for each; and (c) what is the membership of each.

ANSWER:

The following housing reviews or taskforces have been established since 18 September 1999:

- The Review of the Segmented Waiting List
- The Rental Housing Support Program Review
- The Review of Public Housing Eligibility Criteria
- The Review of the Residential Tenancies Act 1997
- The development of a Women's Housing Policy

- The development of a Housing and Local Government Affordable Housing Policy
- The development of the Victorian Homelessness Strategy
- The Social Housing Innovations project

REVIEW OF THE SEGMENTED WAITING LIST

Terms of Reference

Review the impact of the introduction of the Segmented Waiting List particularly in relation to:

- changes in public housing access patterns for low income households;
 - changes in public housing access patterns for different household types;
 - changes in public housing access patterns in different geographical areas;
 - the effect on access patterns of changing from Priority to Segmented Waiting List criteria;
 - changes in tenant transfer patterns; and
 - whether the categories for the Segmented Waiting List are directing assistance to households with high needs (eg. households affected by domestic violence, at risk of homelessness or with support needs);
1. Identify options for and benefits of enhanced waiting list mechanisms;
 2. Examine the implications for waiting list mechanisms of concurrent policy work undertaken by the Office of Housing on wait list broadbanding;
 3. Examine, with a view to enhancing, existing and developing links between public housing and the provision of support and other related services;
 4. Ensure that the review of the Segmented Waiting List takes account of other relevant reviews and policy development projects currently under way (Victorian Homelessness Strategy, Eligibility Review, Women’s Housing Policy);
 5. Investigate any other matters considered relevant to the efficient operation of the public housing waiting list such as tenancy retention times and the effects of targeting allocations to high need tenants; and
 6. Make recommendations to the Minister for Housing & Aged Care on proposed amendments to the public housing waiting list policies and procedures.

Community Reference Group

Ann Barker MP	Chairperson
Ken Downie	Office of Housing
Chris Asquini	DHS Western Region Mgr Direct Care
Astrid Reynolds	Ecumenical Housing
Richard Watling	Tenants Union Victoria
Rhonda Cumberland	Women’s Domestic Violence Crisis Service
Bryan Lippmann	Wintringham
Tony Miller	Supported Housing Development Foundation
Ken Marchingo	Loddon Mallee Housing Service
Bev Murray	Aboriginal Housing Board of Victoria
Deb Tsorbaris	Council to Homeless Persons
Janice Peterson	Southern Metro Domestic Violence Outreach Service
Glen Menner	City of Darebin
Lyn McKenzie	City of Yarra (Mental Health)
Gayle Christie	Dight/Abbotsford/Collingwood/Clifton Hill Tenants Association (DACHTA)

Community Reference Group

Anne Jennings	Outer East Public Tenants Group
Jo McInerney	Office of Housing (Secretariat)

REVIEW OF THE RENTAL HOUSING SUPPORT PROGRAM

Terms of Reference

The terms of reference for the review are:

1. To provide advice on possible roles and responsibilities of Tenant Groups, RHSP providers and other key agencies to achieve well targeted and coordinated services to public tenants and applicants, and to make recommendations on resource implications.
2. To determine an agreed definition of community development and make recommendations on requirements and suitable models for delivering community development services.
3. To provide advice on the potential role of ongoing research and analysis as part of the future RHSP, within the context of design and evaluation of effective community development strategies as policy feedback.
4. To make recommendations on appropriate strategies to achieve effective and positive communications between all stakeholders, thereby improving services and information to tenants.

Advisory Group Members

Catherine Upcher	Rural Housing Network
Mark O'Brien	Tenants Union of Victoria
Stephen Nash	Bedford Street Tenancy Advice Service
Maurice Braat	Victorian Public Housing Tenants Assoc
Victoria Negron	North Melbourne Tenants Assoc
Bernard D'Ormay	North Fitzroy Public Residents Assoc
Leanne Butson	Maribymong City Council

EX OFFICIO

Debbie Connell	Office of Housing
Richard Kean	Office of Housing
Justine Smith	Office of Housing

Ms Julie Goodall, from Thomson Goodall Associates Pty Ltd, has been contracted as a consultant to this review.

REVIEW OF PUBLIC HOUSING ELIGIBILITY CRITERIA

Terms of Reference

The Terms of Reference for the review of public housing eligibility criteria are:

1. Examine the level of access to public housing delivered by current eligibility criteria for different household types by region;
2. Examine the impact of introducing income limits linked to Centrelink rent assistance, in terms of the total number of potentially eligible applicants and the effect on demand;
3. Assess the impact of standard income limits across regions with widely differing housing costs and any equity considerations;
4. Examine other options for establishing eligibility criteria, including:
 - a. other models operating in other states and overseas including their operational implications and equity impacts;

- b. issues surrounding individual versus household approaches to eligibility;
5. Consider other matters in relation to public rental eligibility criteria including the local and community impacts of such limits;
6. Make recommendations to the Minister on public rental eligibility criteria.

Community Reference Group

Ken Downie (Chair)	Office of Housing
Mike Berry	RMIT
Dimity Fifer	VCOSS
Marion Harper	Reservoir Public Tenants Group
Stephen Nash	Bedford Street Tenancy Advice Services
Mark O'Brien	Tenants Union of Victoria
Barry Pullen	Good Shepherd Youth and Family Services
Astrid Reynolds	Ecumenical Housing
Catherine Upcher	Rural Housing Network Ltd
Cathy Walker	Bethany Family Support
Peter Leigh	Office of Housing (Secretariat)

REVIEW OF THE RESIDENTIAL TENANCIES ACT 1997

Terms of Reference

The terms of reference for the Review of the *Residential Tenancies Act 1997* are to:

1. Review the impact of changes to the RTA on the level of tenure certainty for public and private tenants;
2. Examine fair rents mechanisms to review unreasonable rent increases to minimise the possibility of exploitation in the rental market;
3. Identify areas to improve the efficiency of the Victorian Civil and Administrative Tribunal (VCAT) Residential Tenancies List, and in the operation of the Victorian Residential Tenancies Bond Authority (VRTBA);
4. Examine, with a view to enhancing, the regulation of rental housing standards to decrease to incidence of substandard rental accommodation;
5. Examine the structure of the Act, with a view to improving its useability;
6. Investigate any other matters considered relevant to the efficient operation of the RTA by the Review Working Group and agreed between Ministers and the Attorney General; and
7. Provide advice to Ministers and the Attorney General on proposed amendments to the *Residential Tenancies Act 1997*.

Working Group

Jacinta Allan MP	Chairperson
Mark McDonald	Real Estate Institute of Victoria
Richard Watling	Tenants Union of Victoria Ltd
Ken Dyson	Shelter Victoria
Chris Momot	Statewide Women's Community Housing Service
Rose Banks	Port Phillip Private Hotels Association
Phil Redmond	Victorian Caravan Parks Association
Steve Bevington	Community Housing Federation of Victoria Inc
Diana Haward	Brotherhood of St Laurence
Janine Mayhew	Springvale Community Aid and Advice Bureau
John Chryssomallos	Newlands Public Tenants Association
Michael Horn	Hanover Welfare Services

Working Group

Brian Beecham	Consumer and Business Affairs Victoria
Michael Levine	Victorian Civil and Administrative Tribunal
Louise Johnson	Department of Infrastructure
Ken Downie	Office of Housing (Secretariat)
Claire Brown	Office of Housing (Secretariat)

WOMEN'S HOUSING POLICY

Terms of Reference for the Ministerial Advisory Committee

To assist in the development of a Women's Housing Policy that is focused on appropriate and achievable outcomes in the provision of housing services for women by:

1. providing advice on the housing and support needs of women from diverse cultures, backgrounds and socioeconomic groups;
2. providing advice on the housing and related issues faced by women with support needs;
3. providing input into the Victorian Homelessness Strategy on the particular issues of women's homelessness;
4. providing comments on the appropriateness of existing housing options for women, with particular regard for issues relating to access, affordability and sustainability;
5. identifying innovative strategies to widen the housing options of women;
6. contributing to the development of coordination processes between housing assistance and support services for women;
7. advising on, and assisting with, community consultation on the Women's Housing Policy and dissemination of information about the Policy; and
8. providing regular feedback on the achievements of the Women's Housing Policy and on any need for its further development.

Women's Housing Policy Ministerial Advisory Committee

Karen Overington, MP	Chair
Melba Marginson	Inner West Migrant Resource Centre
Billi Clark	Mary Anderson Lodge Women's Refuge
Judith O'Neill	Abbeyfield Housing
Marija Groen	Housing Resource Support Service
Karen Ahern	Aboriginal Housing Board, Victoria
Chris Momot	Statewide Women's Community Housing Service
Wendy Gilbert	SAAP Regional Advisor, Gippsland
Deborah Tsorbaris	Council to Homeless Persons
Melanie Coutts	Public Housing Tenant
Carmel McCormack	Real Estate Institute of Victoria
Michelle Marven	Tenants Union of Victoria
Karen Taylor	Flat Out
Cate Nunan	Victorian Women's Housing Association
Jane Wager	City of Greater Geelong
Vicki-Lee Thomas	Grampians Housing Network
Libby Timcke	Office of Housing (Secretariat)
Kate Wait	Office of Housing (Secretariat)

HOUSING & LOCAL GOVERNMENT AFFORDABLE HOUSING POLICY

Terms of Reference for the Affordable Housing Steering Committee

1. In consultation with the major stakeholders, identify and research the major issues and opportunities associated with the complementary roles of state and local government in affordable housing.
2. Develop a framework comprising a range of policies and options through which State and Local Government can increase their involvement in promoting locally appropriate affordable housing. This will include an examination of the opportunities and constraints in the land-use planning system. The policies and options considered should contribute to the development of sustainable communities and contribute to economic and regional growth.
3. Develop *policy protocols* through which State and Local Government can establish relationships and support the proposed framework and *strategies* to increase locally appropriate and diverse affordable housing.
4. Provide advice to the Minister for Housing on the means through which State and Local Government can work together to increase affordable housing development.

The Affordable Housing Steering Committee

Cr Henry Barlow (Wyndham)	Chairperson
Kate Wait	Department of Human Services (Housing Policy)
Gina Pearson	Department of Human Services (Community Programs)
Stuart Jacklin	Department of Human Services (Western Region)
Verity Harris	Department of Infrastructure (Local Government)
Peter McEwan	Department of Infrastructure (Planning)
Ruth Speilman	City of Whittlesea
Cr Bernie Millane	City of Whitehorse
Lindsay Merritt	City of Warrnambool
Clare Hargreaves	MAV
Sally Isaac	VLGA

VICTORIAN HOMELESSNESS STRATEGY

Project goals

The goal of the Strategy is, within available resources, to develop a clearly articulated framework to assist in the prevention of homelessness in Victoria and to provide assistance to people who are experiencing, or at risk of, homelessness by:

1. Improving community understanding of homelessness, the causal factors, and its impact on individuals and the community.
2. Identifying the key strategies, across the breadth of Government activity, and for communities, to prevent homelessness.
3. Identifying strategies for quantifying the extent and range of need in the short, medium and longer term.
4. Identifying the range and nature of responses required to address homelessness, including in particular, those with multiple or complex needs.
5. Integrating planning and funding arrangements across Government programs to optimise the value of assistance for people who are homeless.
6. Increasing performance, knowledge and skills in addressing homelessness.

Ministerial Advisory Committee

Netty Horton	Chairperson
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Ministerial Advisory Committee

Jane Barnes	Salvation Army Crossroads Adult Services
Jan Berriman	Rural Housing Network
Anna Burchell	Tenancy Support and Consultancy Service
Susan Campbell	Society of St Vincent de Paul
Rev Ray Cleary	Melbourne City Mission
Rev Tim Costello	Baptist Union of Australia
Bryan Lippmann	Wintringham
Vicky Matthews	Hume City Council
Tony Nicholson	Hanover Welfare Services
Ven Andrew Oddy	Anglican Archdeacon of Geelong

SOCIAL HOUSING INNOVATIONS PROJECT

In response to the Government's commitment of an additional \$94.5m over three years for social housing, the Social Housing Innovations Project was established in May 2000 to provide advice to government on innovative funding models and partnership arrangements.

Project Objectives

This project's purpose is to identify innovative social housing models which will maximise the benefits of the additional expenditure while remaining consistent with a number of broader policy objectives including:

- increased participation by local government, church and community groups in the development and provision of affordable housing;
- attracting capital contributions from local government, private, church and other community partners through joint ventures;
- attracting private investment in social housing through schemes which are financially viable;
- implementing more appropriate forms of housing for low income households in areas of relatively high housing need;
- facilitating environmentally and socially sustainable communities for low income households, and
- enhancing the capacity and sustainability of the community housing sector.

Mr Hal Bisset was contracted as consultant manager for the Social Housing Innovations Project.

Major Projects and Tourism: Canada 3000 airline

206. MR WILSON — To ask the Honourable the Minister for Major Projects and Tourism — (a) whether the Government has had any discussions since 19 October 1999 with the airline Canada 3000 to begin services to Melbourne from either Toronto, Vancouver or Honolulu; and (b) what marketing support, if any, has the Government offered.

ANSWER:

The Victorian Government has been in discussions with Air Canada and Canada 3000 and positive talks are continuing.

Housing: public notices

- 212. MR WILSON** — To ask the Honourable the Minister for Housing with reference to the advertisement placed in the *Herald Sun* of 29 July 2000 on page 19, by the Morwell Director of Housing, regarding household goods left by a Mrs Moira Tucker at the Newborough Office of Housing Unit —
1. What was the cost of the advertisement.
 2. Why was a display advertisement taken out in the *Herald Sun* for the auction.
 3. Were any advertisements regarding the same goods placed in the *Gazette* (circulated in Warragul and Drouin), *La Trobe Valley Express*, the *Traralgon Journal* or any other newspapers; if so, on what date or dates and at what cost.
 4. What were the net proceeds from the auction of Mrs Tucker's goods on Sunday 30 July 2000 by the Traralgon Auction House.
 5. Will the Department investigate more cost-effective ways of giving notices of similar future public auctions such as by insertion in 'public notices' sections of local newspapers only.

ANSWER:

1. The cost of the advertisement in the *Herald Sun* was \$1626.00.
2. Section 392 of the *Residential Tenancies Act 1997* requires such advertisements to be placed in a newspaper circulating generally throughout Victoria.
3. No advertisements were placed in local newspapers as these are not required under the *Residential Tenancies Act 1997*.
4. The net proceeds from the auction of Mrs Tucker's goods on Sunday 30 July 2000 by the Traralgon Auction House were \$652.80.
5. The Office of Housing consistently seeks the most cost-effective means of ensuring that advertisements in relation to abandoned goods comply with the requirements of the *Residential Tenancies Act 1997*.

Transport: special projects fund

- 214. MR WILSON** — To ask the Honourable the Minister for Transport with reference to the Department of Infrastructure's 'special projects fund' — (a) what organisations have received funding for community buses since September 1999; (b) how much did each such organisation receive; (c) for what purpose will each bus be used; (d) what amount remains in the fund for 2000–2001 for — (i) community buses; and (ii) other purposes; and (d) what criteria will be applied to any 'other purpose' grants in 2000–2001 and to what use will such funding be applied.

ANSWER:

The only community bus project that has received funding since September 1999 is the community bus services for the Bayside Community Health service.

Following representations from Mr Geoff Leigh, Member for Mordialloc, and Ms Jenny Lindell, Member for Carrum, about the need for improved bus services in this area an amount of \$49,981 was approved for this project which was paid to the City of Kingston.

There are no separate projects funded for community buses, however as the Minister for Transport, I do approve from time to time funding for transport related projects which provide community and social benefits.

Aged Care: public notices

- 216. MR WILSON** — To ask the Honourable the Minister for Aged Care with reference to the advertisement placed in the *Herald Sun* of 5 August 2000 on page 21, by the Department of Human Services, regarding applications for positions on the proposed Red Cliffs Nursing Home and Sunraysia Hostel for the Aged Community Advisory Board —
1. What was the cost of the advertisement.
 2. Why was a display advertisement taken out in the *Herald Sun* for this proposed Board.
 3. Were any advertisements regarding this matter taken out in the *Sunraysia Daily* or any other newspapers; if so, on what date or dates and what was the cost.
 4. How many telephone inquiries have been received by the Department following the advertisements.
 5. Will the Department investigate more cost-effective ways of giving the public notices of such proposed Boards such as by insertion in ‘public notices’ sections of local newspapers.

ANSWER:

1. The cost of the advertisement was \$2,662.20
2. To ensure broad coverage across the area and to encourage responses from a broad range of community members.
3. The advertisement was taken out in the local press *Sunraysia Daily* — \$210.60 and bordering newspapers because of the location of Red Cliffs close to NSW and South Australia. *The Australian* — \$3,215.16 and *Adelaide Advertiser* — \$1,723.68 were utilised for this purpose. Advertisements were placed in the papers of 5 August, 2000.
4. Approximately 23 inquiries have been recorded.
5. The Government is committed to community involvement in public sector facilities and the strengthening of rural communities. To this end it is important that people from a variety of community backgrounds, with appropriate skills are recruited to Community Advisory Boards. The Department of Human Services aims to ensure that effective ways of advertising for Membership of Community Advisory Boards are maintained.

Health: Royal Dental Hospital waiting list

- 218. MR WILSON** — To ask the Honourable the Minister for Health — how many Victorians from postcode areas 3125, 3128, 3130, 3149, and 3151 were on the Royal Dental Hospital waiting list for treatment at 31 December 1999, 31 March 2000, 30 June 2000 and 31 July 2000.

ANSWER:

I refer to my response to the Honourable P. A. Katsambanis in the Legislative Council to question on notice no. 946. Copy is attached.

[*Hansard reference: Legislative Council, Vol. 448, 24 October 2000, page 776*]

Housing: waiting list

- 219. MR WILSON** — To ask the Honourable the Minister for Housing — what was the waiting list for public housing at 31 December 1999, 31 March 2000, 30 June 2000 and 31 July 2000 in — (a) Victoria; and (b) the Eastern Metropolitan Region.

ANSWER:

Public Housing Waiting List for Victoria and Eastern Metro Region

	Dec-99	Mar-00	Jun-00	Jul-00
Eastern Metro Region	5,833	5,562	5,592	5,568
Total Victoria	41,680	41,001	40,969	41,039

Note : Public housing includes the Rental General Stock and Movable Units programs

Transport: patronage, revenue and expenditure

222. MR WILSON — To ask the Honourable the Minister for Transport —

1. What is the forecast patronage in millions of passenger boardings for 2000–2001; and what was the forecast and actual patronage for 1999–2000 for each of — Bayside Trains, Connex Melbourne, Swanston Trams, Yarra Trams, V/Line Passenger, metropolitan bus operators, Ballarat Transit, Bendigo Transit, Geelong Transit, Shepparton Transit and local bus services in the La Trobe Valley.
2. What was the total revenue for each metropolitan rail, metropolitan tram, metropolitan bus, Ballarat Transit, Bendigo Transit, Geelong Transit, Shepparton Transit, local La Trobe Valley bus operators on scheduled route services in 1999–2000 and 2000–2001.
3. What was the Department of Infrastructure’s expenditure on replacement or new buses in 1999–2000 and what is the forecast expenditure for 2000–2001 for each metropolitan bus operator, V/Line Passenger, Ballarat Transit, Geelong Transit, Shepparton Transit and local La Trobe Valley bus services.

ANSWER:

Question 1

PATRONAGE (millions passenger boardings)

	Forecast Financial Year 1999–2000	Estimated Actual Financial year 1999–2000	Forecast Financial year 2000–2001
Bayside Trains	67.40	70.00	73.00
Connex Melbourne	51.40	54.20	56.00
Swanston Trams	68.30	68.70	70.70
Yarra Trams	48.70	53.23	54.50
V/Line Passenger – Trains	7.30	7.90	8.00
V/Line Passenger – Buses	0.30	0.32	0.38
Metropolitan Buses	91.60	91.60	91.60
Ballarat Transit	1.75	1.69	1.69
Bendigo Transit	1.32	1.28	1.28
Geelong Transit	2.93	2.87	2.87
Shepparton Transit	0.18	0.18	0.18
Latrobe Valley Local Bus Services	0.81	0.77	0.78

Question 2

REVENUE (\$ million)

	Financial year 1999–2000		Financial year 2000–2001
Bayside Trains	88.00	(1)–(7)	(8)
Connex Melbourne	68.30	(1)–(7)	(8)
Swanston Trams	41.20	(1)–(7)	(8)

	Financial year 1999–2000	Financial year 2000–2001
Yarra Trams	30.20 (1)–(7)	(8)
Metropolitan buses	45.30 (1)–(7)	(8)
Ballarat Transit	1.35	(8)
Bendigo Transit	1.02	(8)
Geelong Transit	2.55	(8)
Shepparton Transit	0.21	(8)
Latrobe Valley local bus services	1.00	(8)

Notes:

- (1) The figures shown above are the distributed MetCard ticket revenue pool from 1/7/99 to 30/6/00.
- (2) Contractual subsidy payments are not included.
- (3) Ticket revenues from the operators' own tickets are not included.
- (4) Revenue share is calculated using the initial allocation apportionment factors.
- (5) The figures shown are subject to adjustment for changing allocation factors and other adjustments by the Revenue Clearing House.
- (6) Payments were made to private operators for the period from 29 August 1999 and to the Rail Corporations prior to this period. For metropolitan bus operators the total allocation is paid to DOI and is not disbursed to individual operators.
- (7) Revenue for August 1999 is assumed to occur evenly throughout the month for the purposes of determining the cut off of public operation.
- (8) Revenue figures for 2000/01 not yet available.

Question 3

EXPENDITURE ON REPLACEMENT/PURCHASE OF NEW BUSES (\$ million)

	Actual Financial year 1999–2000	Forecast Financial year 2000–2001
V/Line Passenger – Buses	0.10	0.15
Metropolitan buses	2.90	3.70
Ballarat Transit	0.08	0.15
Bendigo Transit	-	-
Geelong Transit	0.16	0.37
Shepparton Transit	-	0.07
Latrobe Valley local bus services	0.03	0.15

Transport: concession tickets

224. MR WILSON — To ask the Honourable the Minister for Transport with reference to surveys to determine the proportion of Melbourne metropolitan public transport users travelling on concession tickets —

1. How many surveys — (a) were conducted in 1999–2000; and (b) are planned to be conducted in 2000–2001.
2. On what date or dates did or will each survey cover.

3. Who were awarded the contracts for such surveys and what was the total cost to the Department of Infrastructure, the Public Transport Corporation or any other Victorian Government Department or Agency in 1999–2000, and the expected cost to each in 2000–2001.
4. What proportion of survey costs are paid by — (a) rail; (b) tram; and (c) bus franchisees or operators.
5. How many people were surveyed in each survey in 1999–2000.
6. What percentage of passengers were found by each survey from 1999 to date to be travelling on concession on Melbourne metropolitan — (a) rail; (b) tram; and (c) bus services, and how many of these were travelling on two hour and all day concession with — (i) children's; (ii) Seniors Card; and (iii) pensioner tickets.
7. How does the percentage of passengers in (6) above vary between zones 1, 2 and 3.
8. What percentage of passengers on Melbourne metropolitan — (a) rail; (b) tram; and (c) bus pay a full adult fare in the form of — (i) 2 hour; (ii) all day; (c) monthly; and (d) yearly tickets.

ANSWER:

The confidentiality agreements under which the Revenue Clearing House was established currently constrain the release of information relevant to this question.

Police and Emergency Services: Connex train incident

225(a). MR WILSON — To ask the Minister for Police and Emergency Services —

With reference to an incident between youths allegedly fighting each other with 'ninja sticks' on Friday 1 September 2000 on board the 22:41 Belgrave-to-Flinders St Connex rail service —

1. Can the Minister give advice about the nature and extent of the incident.
2. Did the driver of the train lock himself in his cabin upon arrival at Ringwood as a result of this disturbance.
3. What time were calls for assistance regarding this matter logged by either Victoria Police or the Transit Police unit.
4. What was the response time in minutes.
5. How many Transit or Victoria Police officers attended.
6. What was the delay in minutes to this Connex rail service.
7. Were any other Connex services affected; if so what delay in minutes did each have.
8. How many people were — (a) questioned; and (b) arrested due to this incident.
9. Will the Minister provide a copy of the railway 'Items' for Friday, 1 September 2000 and Saturday, 2 September 2000 that are distributed to a number of staff of the Department of Infrastructure, Connex and Bayside Trains and which list all incidents causing delays on the metropolitan rail network.

ANSWER:

I am informed that the alleged incident related to a large group of youths who had left an under age disco and moved towards the Ringwood Railway Station late on Friday 1 September 2000. Incidents allegedly involving the youths in question, including the presence of a number of youths on the railway tracks with poles or sticks, were logged between 10.48 p.m. and 11.09 p.m. I am informed that the job was dispatched at 10.54 p.m. and that two

police units from Ringwood Police arrived at the scene at 11.15 p.m. At present the identity of the alleged offenders is unknown.

The Government is committed to increasing the number of police officers on the streets and to improving the security of all public places including railway stations. A number of significant reforms have already been implemented by the Government to reduce crime levels and increase the safety of all Victorians. In addition, the Government is introducing new measures to address the illegal use of a range of weapons to further increase public safety.

I note that the other matters raised relate to the transport portfolio and are most appropriately addressed by the Honourable the Minister for Transport, the Hon Peter Batchelor MP.

Transport: Connex train incident

225(b). MR WILSON — To ask the Minister for Transport —

With reference to an incident between youths allegedly fighting each other with ‘ninja sticks’ on Friday 1 September 2000 on board the 22:41 Belgrave-to-Flinders St Connex rail service —

1. Can the Minister give advice about the nature and extent of the incident.
2. Did the driver of the train lock himself in his cabin upon arrival at Ringwood as a result of this disturbance.
3. What time were calls for assistance regarding this matter logged by either Victoria Police or the Transit Police unit.
4. What was the response time in minutes.
5. How many Transit or Victoria Police officers attended.
6. What was the delay in minutes to this Connex rail service.
7. Were any other Connex services affected; if so what delay in minutes did each have.
8. How many people were — (a) questioned; and (b) arrested due to this incident.
9. Will the Minister provide a copy of the railway ‘Items’ for Friday, 1 September 2000 and Saturday, 2 September 2000 that are distributed to a number of staff of the Department of Infrastructure, Connex and Bayside Trains and which list all incidents causing delays on the metropolitan rail network.

ANSWER:

I have been advised by Connex that:

- As the 22:41 train from Belgrave approached Ringwood Station, the driver noticed 100 youths fighting in “the pit”, the area of track between the platforms. The driver sounded the whistle and slowed the train and the youths climbed onto the platform.
- The youths then boarded the rear carriage of the train. Rocks were thrown at the train from outside the station.
- The driver contacted the train controller and requested emergency police assistance. He then locked the doors to the driver cabin. The police attended and diffused the situation.
- The driver behaved in accordance with prescribed procedures.
- Damage was sustained to the door windows and passenger windows of the rear carriage.

- Due to the damage the Lilydale–Ringwood train which had arrived at Ringwood at 11:01 p.m. continued the journey arriving at Flinders Street some 17 minutes late. During the trip to Flinders Street doors were held open and forced open on a number of occasions.
- Two other train services were affected. The 23:26 Flinders Street–Belgrave service which reached Belgrave 8 minutes late and the 23:59 Flinders Street–Glen Waverley train which reached its destination 3 minutes late.

The information in the last paragraph is available in abbreviated form in the Daily Metrol report as are all delays to and cancellations of services.

It is understood that Victoria Police will provide advice on the police response to the incident.

Transport: V/Line Passenger

229. MR LEIGH — To ask the Honourable the Minister for Transport with regard to the — (a) Ballarat; (b) Bendigo; (c) Geelong; and (d) Traralgon train lines —

1. What is the subsidy per passenger paid by the Government to V/Line Passenger on each line.
2. What is the total payment by the Government to V/Line Passenger for the operation of each line.
3. How many passengers travel per day on each line.
4. How many passengers travel using a concession card per day on each line.
5. How many services operate per day on each line.

ANSWER:

1. & 2. You have asked about the subsidy per passenger and the total payments made to V/Line Passenger in relation to services on each of these lines.

Under the V/Line Passenger Franchise Agreement payment an annual subsidy amount is payable. This is not broken down for services on a line by line basis.

3. Passenger numbers reported to the Department of Infrastructure by V/Line Passenger for the June Quarter for each of the routes about which you have requested information are:

Route	Notes	Passenger Numbers June Quarter 2000
Ballarat	includes passengers on Melbourne–Bacchus Marsh/Ballarat services	385,701
Bendigo	includes passengers on Melbourne–Sunbury/Kyneton/Bendigo/Echuca/Swan Hill services	542,602
Geelong	excludes passengers on West Coast Rail services	496,206
Traralgon	includes passengers on Melbourne – Warragul, Melbourne–Traralgon and Melbourne–Sale services	216,893

4. The Department of Infrastructure does not have the information you seek in relation to the number of concession travellers.
5. The number of V/Line Passenger services on each route is:

Number of V/Line Passenger Trains on Each Route Per Day

Route	Notes	Mon–Friday	Saturday	Sunday
Ballarat	includes Melbourne–Bacchus Marsh/Ballarat services	50	17	12
Bendigo	includes Melbourne–Sunbury/Kyneton/Bendigo/Echuca/Swan Hill services	50	20	15
Geelong	excludes West Coast Rail services	45	31	18
Traralgon	includes Melbourne–Warragul, Melbourne–Traralgon and Melbourne–Sale services	26	13	8

Transport: bus tickets

230. MR WILSON — To ask the Honourable the Minister for Transport with reference to the Melbourne metropolitan bus services operated by the National Bus Company, a subsidiary of National Express, and the Lilydale, Mount Evelyn and Seville bus services operated by Martyrs Bus Services —

1. When will Metcards be able to be validated on board.
2. What revenue loss is estimated for 2000–2001 by — (a) Revenue Clearing House Pty Ltd; (b) One Link; (c) National Bus Company; (d) Martyrs Bus Service; and (e) the Department of Infrastructure due to unvalidated Metcards being accepted for travel.
3. When are — (a) paper tickets; and (b) scratch tickets expected to be withdrawn.

ANSWER:

1. Martyrs Bus Service operates between Lilydale and Warburton providing Metcards compliant with the Automated Ticketing System to the Met fare boundary. A local operator only ticket applies to trips beyond the Met fare boundary from Allsops Road, Woori Yallock to Warburton.

The functionality required to permit the National Bus Company to be included in the Automated Ticketing System is being developed and refined by OneLink Transit and is the subject of a variation order to the OneLink Transit Service Contract. It is anticipated that the National Bus Company will be fully operational on the Automated Ticketing System early in 2001.

2. As Martyrs Bus Service is compliant with the automated ticketing system there is no revenue loss.

No revenue loss occurs on a National bus through the lack of validating equipment where:

- (a) a ticket which has already been validated elsewhere is presented for travel; or
- (b) if the passenger subsequently travels on another bus, train or tram where ticket validating equipment is available.

Should an unvalidated ticket not be presented for travel on another OneLink compliant service some revenue will be lost, however it is not possible to accurately estimate the amount of the loss without undertaking costly surveys. Anecdotally the loss is not significant.

3. When are (a) paper tickets; and (b) scratch tickets expected to be withdrawn.

These tickets will be progressively withdrawn once the Automated Ticketing System is operational across all modes.

Health: publishing consultant

- 231. MR WILSON** — To ask the Honourable the Minister for Health with reference to the position of publishing consultant advertised in the *Age* at page 34 on 9 September 2000 that identified a specific officer in the Department of Human Services —
1. Why did the advertisement for the position fail to state that the successful applicant would be employed or paid by the Department of Human Services, and fail to include the Victorian Government crest or logo.
 2. What was the cost of the advertisement.
 3. Was the position advertised in any other publications and if so — (a) in which publication; (b) on what date; and (c) at what cost
 4. What annual or monthly salary or consultancy fee applies to this position and how long will the successful applicant's term be.
 5. Will the successful applicant be regarded as — (a) a full time permanent employee; (b) a part time employee; (c) a casual employee; or (d) consultant or contractor.
 6. Do other benefits such as the provision of a motor vehicle apply to this position and, if so, what is the nature and anticipated annual cost of such benefits.
 7. Will the costs relating to this position be met by the Corporate Communications Branch of the Department's Portfolio Services Division and if not; which Division or Branch in Human Services or another Department or Agency will be meeting any costs associated with the position.
 8. Are those who have accepted a redundancy package from the Victorian Government prohibited from applying for this position and if so — (a) for what period; and (b) why did the advertisement in the *Age* fail to state this.

ANSWER:

1. The role was advertised without references to the Department or the Victorian Government in order to attract a large, quality field of applicants following unsuccessful attempts to recruit to this area using the standard procedure for advertisements.
2. The cost of the advertisement was \$2,019.11.
3. The position was also advertised:
 - (a) In Ad News, a communications and marketing publication
 - (b) On 8 September 2000
 - (c) At a cost of \$864.30.
4. The salary range for this position is \$47,118 to \$66,448 per annum. The position is an ongoing position.
5. The appointee will be regarded as a full-time, ongoing employee.
6. Other benefits, such as provision of a motor vehicle, do not apply to this position.
7. The costs relating to this position will be met by the Corporate Communications Branch of the Department's Portfolio Services Division.
8. Those who have accepted a voluntary departure package from the Victorian government are prohibited from applying for this position

- (a) For three years.
- (b) The advertisement did not include a statement regarding voluntary departure packages so that it was not identified as a Victorian Government position, with the aim of attracting a large, quality field of applicants.

Corrections: Melbourne Custody Centre

233. DR DEAN — To ask the Honourable the Minister for Corrections with reference to the Melbourne Custody Centre over the last three months — (a) how many persons were housed per day; (b) what was the average length of stay per person; (c) how many persons were housed at the centre for longer than three weeks; (d) what programs were available for people housed longer than three months in their underground cells; and (e) is overcrowding caused by a problem at Melbourne Assessment Prison at Spencer St.

ANSWER:

Question 233 was directed to me in my capacity as Minister for Corrections. As the Melbourne Custody Centre is within my portfolio responsibilities as Minister for Police and Emergency Service, I submit the following response in that capacity:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Multicultural Affairs: Victorian Interpreting and Translating Service

234. MR KOTSIRAS — To ask the Honourable the Minister for Multicultural Affairs with reference to the Victorian Interpreting and Translating Service — what was the total expenditure for 1999–2000 and proposed expenditure for 2000–2001 for — (i) business promotion; (ii) entertainment; and (iii) consultants.

ANSWER:

I am informed that:

Actual total expenditure for 1999–2000 was (i) \$84,478.00 for business promotion; (ii) \$2,426.00 for entertainment; and (iii) \$7,280.00 for consultants.

With regard to proposed expenditures in 2000–2001, it is normal practice not to release any forecast material in relation to Government Business Enterprises, especially where they are in a competitive market environment.

Manufacturing Industry: FYROM

235(a). MR KOTSIRAS — To ask the Honourable the Minister for Manufacturing Industry —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

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

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

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

Treasurer: FYROM

235(b). MR KOTSIRAS — To ask the Honourable the Treasurer —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

A determination regarding the language spoken by people living in or originating from the Former Yugoslav Republic of Macedonia (FYROM) was made by the Human Rights and Equal Opportunity Commission on

8 September 2000. As a result of this determination, the Secretary of the Department of Premier and Cabinet directed all Victorian Public Service Departmental heads to distribute within their organisations instructions withdrawing the previous government's 1994 directive on the use of the term Macedonian (Slavonic) with reference to the language.

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

Arts: FYROM

235(c). MR KOTSIRAS — To ask the Honourable the Minister for the Arts —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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

State and Regional Development: FYROM

235(d). MR KOTSIRAS — To ask the Honourable the Minister for State and Regional Development —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

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

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

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

Education: FYROM

235(f). MR KOTSIRAS — To ask the Honourable the Minister for Education —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed as follows:

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

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

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

Women's Affairs: FYROM

235(g). MR KOTSIRAS — To ask the Honourable the Minister for Women's Affairs —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

Guidance on the revised policy was drawn from nomenclature utilised by the Commonwealth, including use of the terms Former Yugoslav Republic of Macedonia (FYROM) and Slav Macedonian in describing the country and

people of that region. With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Energy and Resources: FYROM

235(h). MR KOTSIRAS — To ask the Honourable the Minister for Environment and Conservation representing the Minister for Energy and Resources —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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

Environment and Conservation: FYROM

235(j). MR KOTSIRAS — To ask the Honourable the Minister for Environment and Conservation —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

Guidance on the revised policy was drawn from nomenclature utilised by the Commonwealth, including use of the terms Former Yugoslav Republic of Macedonia (FYROM) and Slav Macedonian in describing the country and people of that region. With reference to the language itself, and in the absence of a definitive precedent in

Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Consumer Affairs: FYROM

235(k). MR KOTSIRAS — To ask the Honourable the Minister for Corrections representing the Minister for Consumer Affairs —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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

Police and Emergency Services: FYROM

235(l). MR KOTSIRAS — To ask the Honourable the Minister for Police and Emergency Services —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

No.

Attorney-General: FYROM

235(m). MR KOTSIRAS — To ask the Honourable the Attorney-General —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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

Local Government: FYROM

235(n). MR KOTSIRAS — To ask the Honourable the Minister for Local Government —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Ports: FYROM

235(o). MR KOTSIRAS — To ask the Honourable the Minister for Transport representing the Minister for Ports —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

A determination regarding the language spoken by people living in or originating from the Former Yugoslav Republic of Macedonia (FYROM) was made by the Human Rights and Equal Opportunity Commission on 8 September 2000. As a result of this determination, the Secretary of the Department of Premier and Cabinet

directed all Victorian Public Service Departmental heads to distribute within their organisations instructions withdrawing the previous government's 1994 directive on the use of the term Macedonian (Slavonic) with reference to the language.

With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Transport: FYROM

235(p). MR KOTSIRAS — To ask the Honourable the Minister for Transport —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Planning: FYROM

235(q). MR KOTSIRAS — To ask the Honourable the Minister for Planning —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Health: FYROM

235(r). MR KOTSIRAS — To ask the Honourable the Minister for Health —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

The above answer was provided in the Legislative Council (refer to Question no. 1169, attached)

[*Hansard reference: Legislative Council, Vol. 449, 14 November 2000, page 1392*]

Sport and Recreation: FYROM

235(s). MR KOTSIRAS — To ask the Honourable the Minister for Gaming representing the Minister for Sport and Recreation —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

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

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

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

Major Projects and Tourism: FYROM

235(t). MR KOTSIRAS — To the Honourable the Minister for Major Projects and Tourism —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

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

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

withdrawing the previous government's 1994 directive on the use of the term Macedonian (Slavonic) with reference to the language.

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

Small Business: FYROM

235(u). MR KOTSIRAS — To ask the Honourable the Minister for Police and Emergency Services representing the Minister for Small Business —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

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

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

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Industrial Relations: FYROM

235(v). MR KOTSIRAS — To ask the Honourable the Minister for Local Government representing the Minister for Industrial Relations —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

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

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

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Gaming: FYROM

235(w). MR KOTSIRAS — To ask the Honourable the Minister for Gaming —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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Workcover: FYROM

235(x). MR KOTSIRAS — To ask the Honourable the Minister for Workcover —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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people of that region. With reference to the language itself, and in the absence of a definitive precedent in Commonwealth practice, Departments and Agencies have been advised to consult among their clients within the communities concerned to identify and adopt appropriate descriptors for future use.

Finance: FYROM

235(y). MR KOTSIRAS — To ask the Honourable the Minister for Finance —

Will the Minister issue a directive or instruction to their department and its agencies as to the terminology to be used when making reference to the language spoken by people originating from or associated with the former Yugoslav Republic of Macedonia; if so, what will that instruction or directive be.

ANSWER:

I am informed that:

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

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

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Education: Elsternwick Primary School pool

237. MS ASHER — To ask the Honourable the Minister for Education what are the estimated costs, including land and staff time, associated with Elsternwick Primary School's proposed swimming pool.

ANSWER:

I am informed as follows:

Elsternwick Primary School's proposed swimming pool will be built by a private developer at an approximate cost of \$600,000, no school staff will be involved in its operation.

Health: Barwon Health board

239. MR PATERSON — To ask the Honourable the Minister for Health to provide — (a) the recommendations for appointment to the board of Barwon Health from — (i) the Barwon Health Board; and (ii) the Barwon South West region; and (b) any reasons for deviation from the recommendations from these bodies as reflected in the final appointments to the Barwon Health Board.

ANSWER:

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

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

Transport: tram ticket revenue

240. MR LEIGH — To ask the Honourable the Minister Transport to provide a list of the total revenue collected from ticket sales on the tram system for each of the years from 1994 to 1999 inclusive.

ANSWER:

I am informed that:

Point of sale data income is available for the 4 years to 1998 from the Public Transport Corporation management accounts and this information is as follows:

Year Ended 30 June	1995	1996	1997	1998
Tram on Board Sales \$(m)	48.8	49.2	50.4	52.3

For the year ended 30 June 1999, there is no breakdown of ticket sales income for sales on the tram system.

Data is only available as provided in the annual reports of Yarra Trams and Swanston Trams for that year, being total Passenger Revenue but point of sale information is not provided.

Passenger Revenue for the year ended 30 June 1999 as shown in these accounts is \$63.6m.

Agriculture: carbon taxes

241. MR STEGGALL — To ask the Honourable the Minister for Agriculture, in view of the warning from Professor Snow Barlow that Australia’s grazing industries could face carbon taxes if they do not reduce their contribution to greenhouse gases, what program has he put in place to assist farmers to do this.

ANSWER:

I am informed that:

There is a clear need to pursue programs and initiatives that reduce Victoria’s greenhouse gas emissions and the Government is committed to developing and implementing a comprehensive Victorian Greenhouse Strategy to ensure Victoria plays its part in national and international efforts to reduce greenhouse gas emissions.

This Strategy is currently under development and will be comprehensive, dealing with the full range of emission sources as well as carbon sinks. Programs which might be developed to assist the agriculture sector to identify and reduce emissions would focus on activities where potential productivity gains and multiple environmental benefits make them a high priority for action at the farm level.

The development of further strategic initiatives will be considered in the development of the Victorian Greenhouse Strategy. Existing programs include ‘Growing Victoria’s Greenhouse Sinks’, a program that provides \$9 million over 3 years for long-term environmental plantings that promote biodiversity outcomes and reduce land and water degradation, while at the same time enhancing the carbon absorption capacity of Victoria’s rural lands. The ‘Energy Smart Agribusiness’ program provides specialist technical advice and information to farmers and other agricultural businesses regarding energy efficiency.

Agriculture: organic farming

242. MR STEGGALL — To ask the Honourable the Minister for Agriculture what programs he has made available in the Budget to expand the scientific knowledge base for best practice organic agriculture and to provide technical support for farmers choosing this alternative system of farming.

ANSWER:

I am informed that:

The 2000/01 Victorian budget included the Naturally Victorian initiative involving funding of \$7m over 4 years. Within this initiative, a Sustainable Organics Production Systems project has been commenced with the broad objectives of

- boosting organic food production and exports
- defining non chemical weed and pest management strategies for both organic and conventional farmers
- undertaking comparative economic analysis in conventional and organic production systems

More specifically, the project will involve

- establishing two scientific research sites (one broad acre, one horticulture) to demonstrate the sustainability of organic production systems
- publishing weed and pest management strategies
- publishing market and economic analyses together with production and sustainability data.

This project will expand the scientific knowledge base for best practice organic agriculture and will provide greater technical support to farmers. It represents a significant commitment to promote organic production, in line with ALP agriculture policy. Total funding of \$830,000 over three years has been allocated under the naturally Victorian initiative to complete the project.

Agriculture: land management

243. MR STEGGALL — To ask the Honourable the Minister for Agriculture what budgetary arrangements he has made to follow New South Wales's lead in developing and implementing biodiversity, salinity, carbon credit and nutrient management packages for land-holders.

ANSWER:

I am informed that:

There are a number of new policy frameworks for each of these natural resource management issues including:

- Victoria's Salinity Management framework — Restoring our Catchments and
- Victoria's Draft Native Vegetation Management Framework, with associated regional catchment plans.

The State Government is committed to investing in information and incentive packages to assist landowners implement works to achieve biodiversity, salinity and nutrient management benefits for their catchment.

The development of policy, incentives and information packages for carbon credit trading is currently being undertaken through the development of the Greenhouse Strategy discussion paper which was launched this year, and the introduction of amendments to the Forestry Rights Act.

Agriculture: cell grazing

245. MR STEGGALL — To ask the Honourable the Minister for Agriculture what budgetary allocation has been made to enhance knowledge and understanding of cell grazing and increase the uptake of this sustainable and profitable grazing management system by pastoralists.

ANSWER:

I am informed that the Department of Natural Resources and Environment considers sustainable and profitable grazing management systems to be a high priority and has a number of projects under way that actively promote this technology to the livestock producers of Victoria. These include projects like PROGRAZE, BeefCheque, Triple P and Target 10.

I am pleased to report that these projects are well supported by Victorian livestock producers and they are having a significant impact on grazing management practices on farms. For example, around 1350 meat producers from very small to very large operators have now completed a PROGRAZE course with 96 percent stating that PROGRAZE has or will help improve the productivity and sustainability of their pastures. More importantly, 46 percent revealed that they had adopted or refined rotational grazing strategies as a result of attending this course.

In addition to these extension projects, my department also has an extensive research and development program that aims to generate new knowledge about more sustainable and profitable grazing management systems. This program includes a number of projects like the sustainable grazing systems key project, nutrient loss from pastures, grazing management for woolgrowers and high rainfall agricultural production systems.

They are all strongly supported by industry, both in terms of project delivery and financial support. The State allocation in 2000–2001 of some \$1.134 million for R & D and \$0.987 million for extension activities is therefore supplemented by an additional \$1.743 million from industry.

Agriculture: soil biology

246. MR STEGGALL — To ask the Honourable the Minister for Agriculture how many positions he has allocated for soil microbiologists to develop the expanding science of soil biology and knowledge in the farming community about its relationship to crop and pasture productivity.

ANSWER:

I am informed that:

Soil Biology is the new frontier of science in agronomy and natural resource management. The Department's research in this field is mainly conducted at Agriculture Victoria — Rutherglen which is actively building critical mass and resources.

Agriculture Victoria — Rutherglen currently employs 2.5 Full Time Equivalent soil microbiologists and a PhD student. The appointment of another senior soil microbiologist is in the process of being finalised. These microbiologists are recognised leaders both nationally and internationally in soil biology and are currently supported by both rural industry research and development corporations and state government initiatives. Two of these scientists have international research experience.

The current portfolio of projects at Rutherglen addresses a broad range of productivity issues related to increasing the understanding of the role of microbes in soil fertility and plant performance. Another important focus is the impact of soil constraints such as acidity, alkalinity, sodicity, salinity, waterlogging and compaction on beneficial microbial processes.

Agriculture: biotechnology

247. MR STEGGALL — To ask the Honourable the Minister for Agriculture how much of the \$42 million set aside for agriculture in the Budget will be spent on the development of biotechnology and will he please specify details of government contracts with Monsanto, Aventis and others for biotech research at the Victorian Institute of Dryland Agriculture, Walpeup and Tatura.

ANSWER:

I am informed that:

Of the \$42 million State Vote and Initiative budget allocated to research and development against the agriculture output of "Next Generation Technologies for Sustainable Agriculture", \$6.987m (16.6%) will be spent during 2000/2001 on biotechnology in the areas of gene discovery, cell transformation and marker assisted breeding. This funding also leverages \$5.96m of external funding including from the Commonwealth through various Rural Industry Research Corporations and Co-operative Research Centres. The breakdown of the total investment from all parties is:

- Pasture (for the dairy industry) 60.3%
- Livestock 27.3%
- Grains 10.1%
- Horticulture 2.3%

Currently, there are 2 commercial contracts for biotechnology research, both at VIDA Horsham. The contracts with Monsanto and Aventis also involve other State Departments of Agriculture and the Grains Research and Development Corporation and are targeted at breeding genetically modified herbicide tolerant canola using adapted Australian germplasm and proprietary gene technology from each company. Both projects are fully funded by the companies involved covering all project costs. The contracts do not provide any exclusive access to Australian germplasm and NRE is separately maintaining a conventional breeding canola program.

Agriculture: land management

248. MR STEGGALL — To ask the Honourable the Minister for Agriculture, that in view of the Federal Government discussion paper 'Managing natural resources in rural Australia for a sustainable future', which calls for "quite fundamental changes in land use and management practices" over the next ten to fifteen years, what Budgetary allocation has been made for research into the issues covered in this paper.

ANSWER:

I am informed that:

The discussion paper was released for comment and has not been adopted by either the States or the Commonwealth at this stage. Victoria generally supported the concepts on natural resource management that were put forward in the discussion paper and many of these reflect Victoria's policies and practices.

The Commonwealth has recently announced funding support of \$700 million over seven years for a "National Action Plan for Salinity and Water Quality". Implementation of this Plan was endorsed by all States at the recent Council of Australian Governments meeting. Victoria is currently negotiating an agreement and accreditation for existing catchment plans with the Commonwealth. The model that is highlighted under the National Action plan is largely based on the Victorian model of integrated catchment management.

Treasurer: Brighton payroll tax

250. MS ASHER — To ask the Honourable the Treasurer with reference to businesses located in postcodes — (a) 3186 (Brighton); and (b) 3187 (Brighton East) in 1999–2000 —

1. How many businesses were levied with — (a) payroll tax; (b) land tax; and (c) stamp duty on property transfers.
2. What was the total value of (a) payroll tax; (b) land tax; and (c) stamp duty for each postcode.

ANSWER:

I am informed that:

There were 74 registered employers within postcodes 3186 and 3187 in the period July 1999 to June 2000. Of that number, 65 employers paid payroll tax amounting to \$8,708,152.22. Nine employers were registered but paid no tax during that period.

5,881 properties were levied with land tax and the total value was \$4,355,480.

The State Revenue Office does not collect the information requested on stamp duty that would enable me to provide an accurate response.

Treasurer: Brighton land tax

251. MS ASHER — To ask the Honourable the Treasurer with reference to properties located in postcodes — (a) 3186 (Brighton); and (b) 3187 (Brighton East) —

1. How many properties are expected to have land tax levied on them in 2000–2001.
2. What is the total expected value of land tax in each of these postcodes for 2000–2001.

ANSWER:

I am informed that:

1. Number of properties expected to be levied is 6,091 for the listed postcodes.
2. Total expected value is \$4,802,766.

Premier: open source code

258. MR PERTON — To ask the Honourable the Premier — does the Government have a position on open source code, as distinct from proprietary forms of software, as it applies to the public sector's information technology procurement activities.

ANSWER:

The matter that you have raised relates to the portfolio responsibilities of the Minister for State and Regional Development. You may wish to redirect your question to that Minister.

Premier: Lotus Notes

259. MR PERTON — To ask the Honourable the Premier with reference to the use of Lotus Notes software in the public sector — (a) what efforts have been made to gauge the effectiveness of Lotus Notes — (i) in comparison to other products on the market; and (ii) as a tool for improving or enhancing Government business; and (b) what analysis has been made — (i) of the adequacy of the system to handle the business of the public sector; and (ii) to ascertain its impact on productivity levels.

ANSWER:

The matter that you have raised relates to the portfolio responsibilities of the Minister for State and Regional Development. You may wish to redirect your question to that Minister.

QUESTIONS ON NOTICE

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

Wednesday, 28 February 2001

State and Regional Development: Indonesian food aid program

53. MR WILSON — To ask the Honourable the Minister for State and Regional Development —

1. What total Government funding will be provided in each of the financial years 1999–2000 to 2002–03 inclusive for Victoria’s food aid program to Indonesia.
2. Will the Government continue funding assistance to enable distribution of the Vita Victoria high protein biscuit in Indonesia; if so, how many Indonesians are expected to be assisted in each of these financial years.
3. Will the Victorian Government office in Jakarta remain open and how much funding will be provided in each of these financial years.

ANSWER:

The total Victorian Government funding for the Food Aid Program in 1999/2000 was \$895,592. The program has now ceased. Funding will not continue in this financial year.

The Victorian Government Business Office will remain open and actual expenditure for 1999/2000 was \$547,000. The budget for 2000–2001 is \$489,000. At this stage, budgets have not been established beyond June 2001.

Community Services: designated union contacts

119. MR WILSON — To ask the Honourable the Minister for Community Services —

1. Does the Minister’s Department employ either staff (whether casual, full or part time) or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.
2. If so, provide the name of each such employee or consultant and at what annual salary or annual contracted rate each is employed.
3. Which union(s) does each such employee or contractor have responsibility for.
4. As at 31 December 1999, how many staff were employed in the above capacity by — (a) the Minister’s Department; and (b) all statutory authorities or Government business enterprises responsible to the Minister’s Department.
5. Of those employees, how many were members of each specified union.

ANSWER:

1. The Department of Human Services (DHS) does not employ either staff or consultants whose duties or contracts have included, or currently include, acting as a designated contact point on policy matters with individual unions, the Victorian Trades Hall Council or the Australian Council of Trade Unions.

DHS does have an Industrial Relations Branch which reports to the Assistant Director for Industrial Relations, whose primary duty is to manage all industrial issues on behalf of the Department including that of the Industrial Liaison Officer.

In addition, DHS employs on a contract, a liaison officer to coordinate communication and resolve industrial issues that arise with health unions.

2. Staff of the Industrial Relations Branch are either paid within the VPS or Executive Band 3 range. The health union liaison officer is remunerated at the lower end of the VPS 5 range. Payments to industrial relations staff and the contractor are consistent with remuneration levels under the previous Government.
3. The key duties of the DHS Industrial Relations Branch are to develop strong and cohesive relationships with key stakeholders, to provide expert industrial relations advice to Ministers, Department Head and management and to effectively manage negotiations with all unions, other employee/employer representatives, staff and line management on industrial relations issues. All staff in the DHS Industrial Relations Branch perform a role in achieving these objectives.
4. As at 31 December 1999, eleven staff were employed in the above capacity in the Department of Human Services Industrial Relations Branch, plus one contractor was employed to manage issues in relation to health unions.
5. The Victorian Public Service is an Equal Employment Opportunity Employer and does not seek information about union membership from its employees or consultants.

Youth Affairs: regional committees

217. MR WILSON — To ask the Honourable the Minister representing the Minister for Youth Affairs with reference to the 15 Regional Youth Committees—

1. What is — (a) the name of each person appointed; and (b) the date of appointment.
2. What is the name of each of the seven Youth Liaison Officers recently appointed and which committee or committees does each have responsibility for.
3. What payments and/or other benefits do members receive for each day or half-day the committees sit.
4. How often does each committee meet.

ANSWER:

I am informed as follows:

1. (a) A list of all 15 Regional Youth Committee Chairs is attached for your reference, and is accurate to 31 August 2000.

There are over 150 Regional Youth Committee (RYC) members. The names of individual members of RYCs are not provided in the interests of protecting their privacy. Individual membership lists can be sought through the Chairperson of each Committee, names will be released only on the agreement of the individual member.

Terms of appointment shall normally be for two years, with current members appointed from 3 July 2000.

(b) Terms of appointment shall normally be for two years, with current members appointed from 3 July 2000.

2. The following is a list is of officers appointed to the Youth Liaison Officer positions (YLOs) and their respective DEET regions and Regional Youth Committees. They are:

Ms Alison Drysdale	Eastern and Southern Metropolitan Regions Eastern Metropolitan RYC
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Ms Cathy Meynell-James	Southern Metropolitan RYC. Northern and Western Metropolitan Regions Northern Metropolitan RYC Western Metropolitan RYC Inner City RYC.
Ms Leonie Saundry	Barwon–South Western Region Barwon RYC South Western RYC.
Mr Vincent Sully	Central Highlands–Wimmera Region Central Highlands RYC Wimmera RYC.
Ms Tamara Mulherin	Goulburn–North Eastern Region Goulburn RYC North Eastern RYC.
Mr Neil Smith	Gippsland Region Central Gippsland RYC East Gippsland RYC.
Ms Sue Renn	Loddon Campaspe–Mallee Region Loddon Campaspe RYC Mallee RYC.

- No member of a committee or subcommittee shall receive any payment for his or her services as a member. However, Committee members who are not government members may be eligible for reimbursement for travel and other legitimate Committee expenses.
- How often Regional Youth Committees meet varies per region. Generally metropolitan Committees meet on a monthly basis, while rural Committees tend to meet on a bi-monthly basis.

SOUTHERN METROPOLITAN REGIONAL YOUTH COMMITTEE

Dave Glazebrook

NORTHERN METROPOLITAN REGIONAL YOUTH COMMITTEE

Ainslie Hannan

EASTERN METROPOLITAN REGIONAL YOUTH COMMITTEE

Di Childs

INNER CITY REGIONAL YOUTH COMMITTEE

Jack Melbourne

WESTERN METROPOLITAN REGIONAL YOUTH COMMITTEE

Sally James

BARWON REGIONAL YOUTH COMMITTEE

Frank O'Neil

SOUTH WESTERN REGIONAL YOUTH COMMITTEE

Francis Broekman

GIPPSLAND EAST REGIONAL YOUTH COMMITTEE

Paul Harper

GIPPSLAND CENTRAL REGIONAL YOUTH COMMITTEE

Peter Craighead

WIMMERA REGIONAL YOUTH COMMITTEE

Christine Harrison

CENTRAL HIGHLANDS REGIONAL YOUTH COMMITTEE

Dianne Noyce

NORTH EASTERN REGIONAL YOUTH COMMITTEE

Julie Rawson

GOULBURN REGIONAL YOUTH COMMITTEE

Rowena Allen

LODDON CAMPASPE REGIONAL YOUTH COMMITTEE

Kerry Watson

MALLEE REGIONAL YOUTH COMMITTEE

Cheryl Gray

Environment and Conservation: Torquay–Anglesea foreshore committees

238. **MR PATERSON** — To ask the Honourable the Minister for Environment and Conservation in respect of the proposed merger of the Torquay and Anglesea Foreshore Committees, will the Minister advise as to who allegedly informed me about the merger proposal as quoted in the *Geelong Advertiser* on 12 October 2000.

ANSWER:

I am informed that:

The issue of the appointment of Committees of Management in the Surf Coast Shire and their future structures was discussed when you were briefed by the Victorian Coastal Council regarding the review of the Victorian Coastal Strategy.

Environment and Conservation: remnant vegetation

244. **MR STEGGALL** — To ask the Honourable the Minister for Environment and Conservation what budgetary allocation exists for stewardship programs and management agreements which would reflect the long term private and public costs and benefits involved in conserving remnant vegetation on private land.

ANSWER:

I am informed that work has commenced on designing a trial of auction based funded land management agreements to achieve biodiversity and native vegetation benefits on private land. Future funding commitments will be dependent on the outcomes of the trials.

Environment and Conservation: seed supply

249. **MR STEGGALL** — To ask the Honourable the Minister for Environment and Conservation, with reference to the government's Draft Vegetation Plans and the massive expansion in seed supply required to execute these plans, what resources will the Minister allocate to support regional seed banks and the seed collection program across the state.

ANSWER:

I am informed that:

The availability of indigenous seed is increasingly recognised as an important native vegetation management issue. Current seed supply capacity varies across the State and reflects a range of factors including historical activities, the establishment of large-scale revegetation projects and demand generated by the success of direct seeding.

A range of seed supply operations currently exist across Victoria including —

- community run seed banks,
- larger scale indigenous seed collecting operations supported by Greening Australia Victoria through their NHT funded Bushcare Support role in conjunction with the Department of Natural Resources and Environment and increasingly the Catchment Management Authorities,
- private commercial operations, and
- indigenous plant nurseries/contractors collecting seed for the production of seedlings

Whilst it is recognised that the demand for seed is increasing, a strategic approach to addressing the problem is needed to ensure that longer term opportunities for commercial developments are not precluded by Government subsidised operations. NRE, in conjunction with Corangamite CMA, is facilitating the development of commercial opportunities for land-holders with native grasses.

The Catchment Management Authorities have been requested to provide my Department with an assessment of current seed supply facilities and operations in their regions and options for addressing future demands. Decisions on resource allocation will be guided by the information in the reports.

Environment and Conservation: Irukandji jelly fish

252. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation — Noting the recent discovery of the *Carukia barnesi*, better known as the Irukandji jelly fish in Port Phillip Bay, what steps has the Minister taken to fund research with a view to minimising the spread and impact of these jelly fish in Victorian coastal waters.

ANSWER:

I am informed that:

In November 1999 a leading Victorian newspaper ran an article with the heading ‘Deadly jellyfish in bay’. The article was based on a *New Scientist* report on research into stinging jelly fish. The report referred to a person who was admitted to Geelong hospital with symptoms similar to Irukandji syndrome, a syndrome with symptoms ranging from nausea to heart failure. The Geelong incident was very unusual, and this is why it was included in the report.

Surf Life Saving Australia and Australian and United States scientists have a major study in place to better understand the stinging animals that live in the seas around Australia. Stingers are most common in the northern and warmer seas of Australia and this is where the study has started. Scientists involved in the study have advised that the stinging jellyfish, *Carukia barnesi* could not survive in Port Phillip Bay, as suggested by the November media article.

Environment and Conservation: Black Rock sea wall

253. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the collapse of a section of the seawall opposite 325 Beach Road, Black Rock —

1. What has been the historical approach of her Department in relation to the maintenance and repair of comparable sea walls around Port Phillip Bay.
2. In what other circumstances over the past 20 years has a contribution been sought from a local council.
3. What is the current budget allocation for such projects.
4. What are the administrative criteria against which requests by councils, such as the City of Bayside in this instance, are assessed.

ANSWER:

I am informed that:

1. The normal approach adopted by the Department in relation to the maintenance and repair of seawalls (and other similar hard structures such as groynes) around Port Phillip Bay is to negotiate with the respective coastal managers on a case by case basis for a modest funding or in kind contribution to the works.

Some recent examples where a funding contribution has been sought and received from a local council include:

- Rye Groyne: Mornington Peninsula Shire Council contributed \$27,612 to the total cost of \$179,612.
- Sandridge Beach Renourishment and Groyne Construction: City of Port Phillip contributed \$300,000 to the total cost of \$3.7 million.
- Hampton Beach Renourishment and Groyne Construction: Bayside City Council contributed \$300,000 to the total cost of \$3.3 million.

Both the City of Greater Geelong and the City of Port Phillip fund the routine repair and maintenance of seawalls.

2. The aim of the collaborative arrangements is to ensure cooperation between the State and local management authorities to achieve outcomes for the benefit of the community. Any contribution by the local managing authority is negotiated and assessed on a case by case basis.
3. The government has announced a new Coastal Conservation and Management Program (CCMP). Work on the first priority of the program, the development of the strategic plan, is progressing. Other elements, including funding allocations, will follow once the direction is set by the strategic plan.

The Coastal Rehabilitation element of the program will deal specifically with a range of issues relating to risk and maintaining coastal infrastructure, such as seawalls, groynes and beaches.

4. The administrative criteria against which coastal managers, including councils such as the City of Bayside, are assessed in relation to the provision of State Government funding to undertake maintenance and repairs to seawalls (and other similar hard structures such as groynes) include:
 - Risk management;
 - Public amenity and access;
 - Capacity of the coastal manager to contribute funding and/or in kind assistance; and
 - Other statewide priorities

Environment and Conservation: swimmer safety

- 254. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — Noting the recent fatal shark attacks in South Australia, what steps has the Minister taken to review coastal safety measures for Victorian coastal swimmers and surfers.

ANSWER:

There is no correlation in the incidence of shark attacks in the coastal waters of State jurisdictions. However, in relation to coastal safety measures, the Government:

- is implementing the policy commitment to identify 20 “Family Friendly Beaches”;
- is implementing a Beach Signage Initiative to improve safety information at both popular and remote beaches;
- has provided \$1.3m funding to improve beach cleaning, particularly in relation to syringes on beaches – arising from the Government’s Safe beaches Report released in June this year;

- is committed to working with water safety organisations, life saving clubs, local government, foreshore managers and the community to provide improved life saving;
- is committed to funding Search and Rescue organisations to improve capability, and
- has recently announced boating facilities grants of \$1 million to improve access.

Environment and Conservation: EPA consultant/contractor

- 255. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Environment Protection Authority —
1. Whether a Steve Watson is or was employed by the Environment Protection Authority or any other Government agency, and if so was Mr Watson — (a) a former Mayor of Yarra; or (b) a Councillor of the City of Yarra.
 2. Whether Mr Watson is or was a consultant or contractor to the Environment Protection Authority or any other Government agency and if so — (a) what are the terms of such consultancy or contract; (b) on what date was he appointed; and (c) what are the terms of his employment.
 3. Was the position advertised and if so — (a) where was it advertised; and (b) how many other applicants were there.

ANSWER:

I am informed that:

1. Mr Steve Watson is employed by the Environment Protection Authority and was previously employed by the Departments of: Property and Services; Premier and Cabinet; Industry, Technology and Resources; and the Major Projects Unit.
 - (a) Mr Watson is a former mayor of the City of Yarra.
 - (b) Mr Watson is a councillor of the City of Yarra.
2. Mr Watson is not, and has not been, a consultant to the Environment Protection Authority or any other Government Agency.
3. The position was advertised in *The Age*, *The Australian*, *The Financial Review* and on the EPA's Internet site. There were a total of 71 applicants for the position.

Environment and Conservation: EPA working parties

- 256. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation what working parties have been set up since 1 January 1999, including within the Environment Protection Authority, to assess solutions to noise pollution problems in Victoria.

ANSWER:

I am informed that:

A Noise Working Party has been established by the Department of Infrastructure to develop noise standards for the airport rail link. EPA is providing assistance to the working party.

EPA is also working closely with local government on a range of issues. Currently draft noise criteria for industrial and commercial operations in regional Victoria are undergoing consultation. This process will provide criteria that can be given effect to through Planning and EPA approvals. Other existing noise guidelines (for issues such as

scareguns and construction noise) that assist in local complaint resolution are being updated after consultation with local government last year.

Other specific noise issues are often dealt with as part of a range of environmental issues discussed by community consultative committees established to promote improved environmental performance of industry and to provide a forum for community input into the quality of their local environments. A recent example is the community liaison committee for the Eastern Freeway extension. Issues discussed included the potential noise, air and water quality impacts of the proposed freeway extension.

EPA is also working to develop a strategy addressing traffic noise, which includes design criteria as well as noise from individual vehicles. The work of various national committees such as the Motor Vehicle Environmental Committee, upon which Victoria has representation, and the National Road Transport Commission are also relevant to the development of the traffic noise strategy.

Environment and Conservation: rainfall losses

260. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the research by Professor Daniel Rosenfeld and Australian Management Consolidated Pty Ltd into rainfall losses in Victoria caused by air pollution — what steps has the Government taken to — (a) act upon the findings of the research; and (b) fund further research on this issue with a view to restoring rainfall in Victoria.

ANSWER:

I am informed that:

- Since this issue was brought to the attention of the Government by Mr Aron Gingis of Australian Management Consolidated Ltd who represents Dr Rosenfeld in Australia, the Government has consulted extensively with relevant experts from CSIRO Atmospheric Research and the Bureau of Meteorology (and with an independent consultant with relevant expertise).
- CSIRO has a long history of cloud seeding in Australia, and provides advice to Commonwealth and State Governments on this issue
- Within the Bureau of Meteorology, a number of experts from the Bureau of Meteorology's Research Centre and the National Climate Centre have examined the issue of whether there are any trends in rainfall data in detail, in dialogue with Prof. Rosenfeld.
- Based upon the advice received, it is clear that it is not generally accepted by the scientific community that there has been a demonstrated reduction in rainfall.
- Because there is debate within the scientific community regarding Dr Rosenfeld's findings, NRE and EPA have developed a collaborative proposal with CSIRO Atmospheric Research, the Bureau of Meteorology and Prof. Rosenfeld (and his agent Mr Aron Gingis) to examine these issues further. Funding for the proposed study is actively being sought from a range of State and Commonwealth departments and from Victorian water authorities.

Environment and Conservation: stormwater and litter control

261. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation — noting the Australian Labor Party's 1999 environment policy commitment to the development of an extensive stormwater and litter control program aimed to reduce litter by 20 per cent —

1. What funding has been committed for the program for the financial year 2000–2001.
2. What benchmarks have been established to evaluate the fulfilment of the policy.

3. What is the progress to date of policy implementation and litter reduction.
4. What beaches and waterways into Port Phillip Bay have had a 20 per cent reduction in litter since October 1999.

ANSWER:

I am informed that:

1. The Government has committed \$22.5 million from 1999–2000 to 2002–2003 to reduce stormwater pollution, including litter and other gross pollutants. \$5 million of this funding commitment has been allocated for distribution in the 2000–2001 financial year.
2. Performance measures and benchmarks are to be established within both the urban stormwater and litter programs. The Victorian Stormwater Action Program and the Victorian Litter Action Alliance are currently developing these measures.
3. The Government's policy commitment is being implemented as follows:

The *Victorian Stormwater Action Program* (VSAP) is designed to improve the environmental management of urban stormwater in Victoria through stakeholder partnerships:

- EPA is developing and managing the Program in close consultation with local government, Melbourne Water Corporation, community representatives, Catchment Management Authorities and other key stakeholders represented on the recently formed Victorian Stormwater Advisory Committee (VSAC).
 - The Program supports the development of urban stormwater management plans by councils in accordance with the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999), particularly in regional Victoria where there are very few plans to date.
 - Government funding will be distributed through a grant program. Grants will be made primarily to councils to assist with the implementation of their urban stormwater management plans. The plans will facilitate the adoption of best practice to reduce and prevent stormwater pollution on a local scale.
 - At least six regional councils have already initiated the preparation of an urban stormwater management plan. Twenty two metropolitan councils have also demonstrated commitment to improving urban stormwater pollution by developing a plan or in some cases starting implementation.
 - The Victorian Litter Action Alliance (VLAA) has been formed to integrate stakeholder programs, as well as to establish partnerships that will bring about a reduction in litter.
4. The Government continues to support the Beach Report program, which raises awareness of the impact of urban pollution on water quality, and provides the public with an opportunity to become involved in the monitoring and prevention of litter on our beaches.

The Beach Report program for 1999/2000 included a systematic evaluation of litter at Port Phillip Bay beaches. Similar programs were running during the 1998/99 season, although fewer beaches were surveyed and the frequency with which each was monitored was lower.

By comparing the beaches common to both seasons' surveys, it is possible to make cautious statements about which beaches have had 20 percent reductions in litter between the two surveys. Specifically, the following beaches achieved the respective reductions in the average amount of litter found:

- Rye Beach dropped by 54% [from approximately 46.5 pieces (1998/99) to 21.4 pieces (1999/2000)].
- Williamstown dropped by 40.9% [from approximately 74.5 pieces (1998/99) to 44 pieces (1999/2000)].
- Seaford dropped by 35.5% [from approximately 63.5 pieces (1998/99) to 40.95 pieces (1999/2000)].
- Eastern Beach dropped by 31% [from approximately 24.8 pieces (1998/99) to 17.1 pieces (1999/2000)].

- Mt Martha dropped by 34.2% [from approximately 21.3 pieces (1998/99) to 14 pieces (1999/2000)].

Beach Report 2000/2001 will involve a similar litter survey program to Beach Report 1999/2000 and so more accurate comparisons can be made as to the effectiveness of litter reduction programs. This will also allow time for the effect of the Stormwater Management Plans to be recognised.

Environment and Conservation: bathing boxes

262. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation —

1. How many bathing boxes are there around Port Phillip Bay and Corio Bay at 30 June 2000.
2. What is the location and numbers of the bathing boxes around Port Phillip Bay and Corio Bay by municipality or suburb.
3. What is the present policy of the Government regarding the reinstatement or rebuilding of a bathing box that is destroyed or damaged through vandalism, storm damage or other cause.
4. What is the aggregate number of bathing boxes on Victoria’s coastline by number per municipality.

ANSWER:

I am informed that:

1. There were 1,847 bathing boxes and similar structures on public land around the shores of Port Phillip and Corio Bays on 30 June 2000.
2. The following shows the number of bathing boxes within each of the municipalities around Port Phillip and Corio Bays:

Mornington Peninsula Shire:	1,340
Frankston City:	61
City of Kingston:	199
City of Bayside:	81
Port Phillip City:	0
Hobsons Bay:	0
Wyndham	144
Greater Geelong:	22
TOTAL	1,847
3. Damaged or destroyed bathing boxes may be rebuilt on the same building footprint, provided the site is not vulnerable to erosion and coastal processes or required for public access or other public purposes.
5. Statewide, there are approximately 1,927 such structures in total on Victoria’s coastline. As well as the 1847 in Port Phillip and Corio Bays there are:
 - 75 in Glenelg Shire and
 - 5 in South Gippsland Shire Council.

Environment and Conservation: sewerage treatment processes

263. MR THOMPSON — To ask the Honourable the Minister for Environment and Conservation with reference to the recent report to the Environment Protection Authority on sewerage and waste water treatment —

1. What is the number of unsewered properties in — (a) metropolitan Melbourne; and (b) the eastern suburbs of Melbourne, in particular the area administered by the Yarra Ranges Water Authority.

2. What is the Government's policy towards sustainable alternatives to sewerage treatment such as the Westwick project within the municipality of Moreland.
3. What Government resources are currently directed towards the analysis and review of alternative sewerage treatment processes.

ANSWER:

I am informed that:

1. (a) There are about 41,000 properties in residential areas in metropolitan Melbourne (including fringe urban areas such as the Dandenong Ranges, Yarra Valley and the Mornington Peninsula), that are not provided with sewerage and which cannot contain waste water onsite. These can be described as "unsewered properties", that require the provision of sewerage.
- (b) There is no "Yarra Ranges Water Authority". Yarra Valley Water Ltd is the water authority charged with providing water and sewerage services to the eastern suburbs of Melbourne, extending out to the Upper Yarra Valley.
2. Reticulated sewerage schemes involve more than just treatment of waste water and disposal of the treated effluent: wherever practicable, they should reuse the treated effluent by applying it to land in a sustainable fashion. The Government's objective is that reticulated sewerage schemes should be sustainable.

Reticulated sewerage is provided when systems serving individual households cannot reliably protect public health and environmental values, as is normally the case in closely settled urban areas. Nonetheless, the Government is willing to consider sustainable alternatives to reticulated sewerage, as long as they are truly sustainable, and protect public health and the environment with risk levels equal to (or less) than that associated with conventional reticulated sewerage schemes. Where property owners can demonstrate this, the Government would accept their installation, subject to the normal local government approvals being obtained.

3. EPA's resources are used to review proposed waste water treatment processes as follows:
 - proposed systems to treat 5,000 litres or less per day of domestic waste water ("septic tank systems") require EPA approval before local government can permit the installation of individual systems
 - systems treating more than 5,000 litres per day of domestic waste water are subject to individual approval and licensing by EPA

Both of these categories include conventional waste water treatment processes and a range of alternatives.

Also, Government has directed that a consultative process be used to evaluate the need for improved arrangements in unsewered townships, and, when improvement is required, to assess options to upgrade waste water management. The resources of the water industry, EPA and local government are used to identify waste water management options and to assess how effectively these would meet environmental and public health needs: these options may include conventional reticulated sewerage and a range of alternative processes. This process is described in the Department of Natural Resources and Environment's publication *Improved Wastewater Management in Small Towns: A Process for Community Involvement*.

