

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY  
FIFTY-FOURTH PARLIAMENT  
FIRST SESSION**

**17 October 2002  
(extract from Book 3)**

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Lady SOUTHEY, AM

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**FIFTY-FOURTH PARLIAMENT — FIRST SESSION**

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Batchelor, Mr Peter	Thomastown	ALP	McCall, Ms Andrea Lea	Frankston	LP
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Bracks, Mr Stephen Phillip	Williamstown	ALP	Maclellan, Mr Robert Roy Cameron	Pakenham	LP
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Carli, Mr Carlo	Coburg	ALP	Mildenhall, Mr Bruce Allan	Footscray	ALP
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Languiller, Mr Telmo	Sunshine	ALP	Wilson, Mr Ronald Charles	Bennettswood	LP
Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

<sup>1</sup> Resigned 3 November 1999

<sup>2</sup> Elected 11 December 1999

<sup>3</sup> Resigned 12 April 2000

<sup>4</sup> Elected 13 May 2000



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**Thursday, 17 October 2002**

**The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 9.34 a.m. and read the prayer.**

## INDIGENOUS AFFAIRS

### Report

**Mr HAMILTON** (Minister for Aboriginal Affairs) — By leave, I move:

That there be presented to this house the *Report on Indigenous Affairs* for the period November 1999 to October 2002.

**Motion agreed to.**

**Laid on table.**

## SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

### Regulation review

**Ms GILLET** (Werribee) presented annual report 2001, together with appendices.

**Laid on table.**

**Ordered to be printed.**

## PAPERS

**Laid on table by Clerk:**

Auditor-General — Performance Audit Report — Mental health services for people in crisis — Ordered to be printed

National Parks Advisory Council — Report for the year 2001–02

*Parliamentary Committees Act 1968* — Response of the Minister for Health on the action taken with respect to the recommendations made by the Public Accounts and Estimates Committee's report on the Department of Human Services — Service Agreement for Community, Health and Welfare Services.

## BUSINESS OF THE HOUSE

### Adjournment

**Mr BATCHELOR** (Minister for Transport) — I move:

That the house, at its rising, adjourn until Tuesday, 29 October 2002.

**Motion agreed to.**

## MEMBERS STATEMENTS

### Bali: terrorist attack

**Mr DOYLE** (Leader of the Opposition) — I wish to make a suggestion to the Premier. In recent days the floral tributes placed on the front steps of the Parliament have been a moving reminder of our community's reaction to the horror and tragedy of recent events in Bali. There will come a point in time when those tributes will be cleared away. I believe it would be a great pity if we lost the sentiments contained in the cards that also accompany many of those floral tributes. I was particularly struck by one obviously very young person, Caitlin Cassidy, who simply wrote, 'Let's prove to these bad men Australia is better than them'.

The sentiments contained in those cards are worthy of preservation. It would be a pity to lose them. I suggest to the Premier that we could collect the cards from the floral tributes, display them in Queen's Hall so that people could come and read the messages from our community, and when that display is complete incorporate the cards in one of the commemorative books the Premier has arranged to be placed throughout the community. They would then become a permanent reminder of our sympathy for the Bali victims at this terrible time and our determination to remain a strong and coherent society and community.

### Bali: terrorist attack

**Mr BRACKS** (Premier) — I welcome the suggestion from the Leader of the Opposition. I thank him for the bipartisanship which I would have expected and which has been enjoyed over this issue. I welcome this particular suggestion because, as the Leader of the Opposition said, there are many messages from many people from many walks of life, including messages from people involved in the tragedy, and their families and friends, and from young people who are trying to absorb the shock and horror of the events in Bali.

In taking up the Leader of the Opposition's suggestion I will seek to discuss with you, Mr Speaker, and with the President in the other place the appropriate collection of those cards and their display in Queen's Hall, and with the support of the Leader of the Opposition I will seek to have that occur in the future.

There have also been suggestions on what can be done with the flowers following the day of commemoration on Sunday. They have included that the flowers be delivered appropriately to hospitals around Victoria and to some of the people who might be in need of them.

That will be determined as well, and I will also inform the Leader of the Opposition of that. I thank him for his suggestion.

With your indulgence, Mr Speaker, and that of the President, we will proceed to implement the suggestion of the Leader of the Opposition.

### Schools: maintenance

**Mr KILGOUR** (Shepparton) — I want to report to the house the sad situation with our schools because of the government's having welshed on maintenance money for them. We are four and a half months into this financial year, and what do schools have for maintenance money? Not a thing — zero for maintenance money. Honourable members will remember that when the coalition came to government in 1992 following the Cain–Kirner era we were 14 years behind in cyclic maintenance. Yes, we fixed that. Yes, we introduced the physical resources management system, which was very successful so long as it was funded. But is this government going to fund it? No, it is not. Our schools are desperate to spend money on fixing problems with their buildings such as painting, carpets and all the usual things that go wrong.

When I ask the schools, 'What is going to happen with your maintenance money?', they say to me, 'We haven't got any maintenance money, there has been no maintenance money provided for this financial year'. They have no indication whether they will get any maintenance money. We are going back to the bad old days, folks! This government is as bad as the governments of the Cain–Kirner era. It is not going to look after our schools. It will ensure that our schools go back to the level they were at when we became the government in 1992 — and our schools are going to wake up to this.

If there is any money in the kitty for maintenance I call on the government to advise schools as soon as possible on when they are likely to get it.

### Molly Hadfield

**Ms DELAHUNTY** (Minister for Planning) — Today in Northcote the *Women's Web* will be launched. It is a story for women, one of whom is Molly Hadfield, a local Darebin resident and a fantastic community activist.

In 1940 Molly joined the Progress Association, and one of the first things she did was campaign very successfully to get a school bus for those kids who were walking a mile to the station in all sorts of weather. She raised funds for money to build a community centre

and a kindergarten. She was also involved as a long-time member of the Union of Australian Women. It was all voluntary work, and she was always the activist. Molly got involved in the Older Persons Action Centre, the Consumer Forum for the Aged and the Housing for the Aged Action Group. She has been in everything.

Molly was one of the many brave women who stopped the train intended to break the Maritime Union of Australia picket line in 1998. Molly is not a young woman, but she was there with a whole range of brave women when they stood against that train.

I will quote Molly:

I have been protesting for over 50 years now. I had better stop, I suppose, but no, I don't want to stop. I am not going to stop while I have breath in my body and a working head to think about it all. There have always been worries and struggles — it is just that they come in a different package.

Molly Hadfield, we salute you. Your story is celebrated today by Adele McBride at Women's Health in the North.

### Water: infrastructure funding

**Mr MULDER** (Polwarth) — The Bracks Labor government's \$218 million cuts to water infrastructure spending since coming to office have been identified as the major reason behind the proposed 20 per cent-plus increase in household water costs to Victorians.

Victoria's peak water body, the Victorian Water Industry Association, has identified ageing infrastructure as the prime reason behind the massive hikes in household water prices, with country Victorians expected to be hit the hardest. Country Victorians have watched in disbelief and despair as the Bracks Labor government has procrastinated, delayed and hidden behind a raft of reports and committees instead of getting on with the job of building Victoria's critically needed water infrastructure.

Is it that the Bracks Labor government has something to hide? Has the surplus left behind by the Kennett government disappeared without a major water infrastructure project being started in this state? It is critical at this point that the government kick start vital water infrastructure projects in rural areas to assist rural communities fight off the ravages of drought.

It is not good enough that country Victorians should bear the brunt of the Bracks Labor government's inability to advance projects. As in business you only stop buying or spending when you have one problem,

and that is when you run out of money. That is exactly what has happened!

### Parthenon Marbles

**Mr PANDAZOPOULOS** (Minister for Employment) — I express my extreme disappointment that at the Commonwealth Parliamentary Association Victorian branch annual general meeting last night the Liberal and National parties used their numbers to not support a request from the Premier that the CPA Victorian branch rules be amended to include an additional requirement on members of Parliament on study tours to raise the issue of the return of the Parthenon Marbles with British parliamentarians when visiting the British Parliament and with the CPA secretariat in London.

For a long time this has been a bipartisan issue. The previous Premier has done some very good work, as has the Prime Minister, and the honourable member for Caulfield has run petitions on this matter. Those who have been campaigning for the return of the Parthenon Marbles know it is a world issue requiring a world effort, and they have been asking for more practical support from members of Parliament. They appreciate the moral support they have been given by people lending their names, writing letters and signing petitions, but they have asked for more practical support. And when on government-funded study tours in the United Kingdom what more practical support could members of Parliament give than to raise the issue with those who have direct influence on the decisions — that is, British parliamentarians?

I am disappointed that the Liberal and National parties used their numbers to not support this issue. I call on them to ensure that there is ongoing bipartisan support in the future. This is an important world issue and parliamentarians should be supporting it.

### Parthenon Marbles

**Mr HONEYWOOD** (Warrandyte) — I am appalled that the minister would question the bipartisan support on this issue when virtually every member of the parliamentary Liberal Party and parliamentary National Party have supported the return of the Parthenon Marbles to Greece, and that the government would use a political stunt on an independent parliamentary body, the Commonwealth Parliamentary Association, to try to railroad its own political agenda.

The fact remains that virtually all members of the Victorian Parliament, including you, Mr Speaker, support the return of the Parthenon Marbles, and we

will be raising that issue voluntarily when we meet with British parliamentarians, but it is a Big Brother tactic in the extreme for the Premier of the day to require members of Parliament to support a government policy as such. There is such a thing as the separation of powers.

We will not be fooled by this government trying to play Big Brother. As members of Parliament we will independently stand up for the rights of Greece and for the return of the Parthenon Marbles. It is not good enough for this minister to go running off to his Greek media straight after the Commonwealth Parliamentary Association meeting to whinge on behalf of Labor Party policy.

Where was the Labor Party on the Macedonian issue? It refused to support the then government on that issue. The Labor Party has egg all over its face on that issue, and it knows it. It is too late for it to try to use the Commonwealth Parliamentary Association as its political plaything.

### Australasian Study of Parliament Group

**Mrs MADDIGAN** (Essendon) — Last Friday and Saturday I had the pleasure of attending the annual Australasian Study of Parliament Group conference, held in this chamber on the subject of privileges attached to Australian parliaments — a current topic not only for parliaments around Australia and New Zealand but particularly for this one in relation to the upper house activities at the moment. It was an excellent conference, attended by over 80 people from parliaments all around Australia and New Zealand. It went off extremely well. There were excellent papers and many members learnt a great deal from it.

I would particularly like to thank the parliamentary staff involved in the organisation of the conference; they did a great job. In particular I thank Stephen Redenbach, who is attached to the upper house; our own Serjeant-at-Arms, Gavin Bourke; and our education officer, Karen Dowling, as well as the attendants who worked here on the day under the inestimable control of Warren Smith, who made the Victorian Parliament available and was welcoming to our guests from interstate. I also thank the Premier for organising a reception for the delegates in the Melbourne Room on Friday night. I know they were most appreciative of that.

It was a great opportunity for members of Parliament and parliamentary staff from a wide number of parliaments to talk together on issues of great importance of the moment, and privilege is certainly

one of those. I congratulate all the people involved in the conference held at the weekend. It was a great occasion for all involved.

### **Drought: public response**

**Mr KOTSIRAS** (Bulleen) — In times of hardship and adversity Australians have a unique ability to come together. Victoria's drought has had a devastating effect on our farmers. Farming families are struggling to put food on the table or provide the basic necessities for their children, but they are not alone. Victorians from right across the state, including Melbourne, have come to their assistance. Many of those people have never lived on farms but understand the hardship and suffering that many of our farmers are experiencing. Even my 12-year-old son, seeing the dramatic images of land in desperate need of rain, asked: what are we doing to help? Those concerns, fears and sincerity are an illustration of how Victorians unite to comfort and assist others.

We owe gratitude to the people who have stepped in to offer much-needed assistance to our farmers. We must thank those people. We must thank newspapers like the *Herald Sun* that launched the biggest-ever appeal for farmers. We must also pay tribute to the executives who have formed a foundation to tackle the drought by giving \$4.5 million to help farmers. We must also thank Australia's best-known performers for uniting for a drought relief concert later this month.

Australians continue to assist those in need, believing in a fair go for all, always ready to lend the hand of mateship. No matter whether they live in metropolitan Melbourne, the outer suburbs, regional centres or country Victoria, they have shown compassion and empathy, and for that we thank them.

**The SPEAKER** — Order! The honourable member for Geelong has 1 minute and 20 seconds.

### **Greater Geelong: garbage collection**

**Mr TREZISE** (Geelong) — On behalf of the ratepayers of Geelong, especially the elderly and the frail, I raise concerns about a new garbage collection system being introduced by the City of Greater Geelong.

The city has recently retrenched more than 50 of its garbage collection employees and hired a private contractor to perform the garbage collection service. The contractor will utilise the services of one employee driving a truck that has an automated collection arm to pick up and empty the bins.

The problem with this system is that the automated truck can only pick up bins on relatively straight sections of road. Therefore if you live in a court, as thousands of people do, the council has told people that they must wheel their bins to a designated point at the end of the court. That suggestion is absolutely ludicrous, arrogant and uncaring but typical of the City of Greater Geelong. It is typical of a council that treats its ordinary ratepayers with absolute contempt. This council expects elderly or frail people to load up their three bins and in some instances wheel them 100 metres down the road.

I therefore call on the City of Greater Geelong to immediately review this soon-to-be-introduced service and ensure that its contractors employ extra staff on the garbage collection rounds specifically to collect bins from the front of homes where automated trucks cannot provide that service.

## **CONTROL OF WEAPONS AND FIREARMS ACTS (SEARCH POWERS) BILL**

### *Second reading*

**Debate resumed from 12 September; motion of Mr HAERMEYER (Minister for Police and Emergency Services).**

**Government amendments circulated by Mr HAMILTON (Minister for Agriculture) pursuant to sessional orders.**

**Mr WELLS** (Wantirna) — It gives me a great deal of pleasure to join the debate on the Control of Weapons and Firearms Acts (Search Powers) Bill and to give notice that the Liberal Party opposition will be supporting this piece of legislation because it is consistent with the Liberal Party's policy on being tough on law and order.

I firstly thank the minister for the briefings he gave to me and to the committee and for the time he took to organise briefings on the house amendments, which were gratefully accepted.

I guess the first thing we need to say on this bill is that the Bracks Labor government is struggling with the issue of crime in this state. There is no doubt about that. Crime in this state has increased under this government, especially violent crime, and it has taken a long time for this government to act. It is interesting to look at its policy on community safety when it was in opposition. The policy was brought out about three years ago, in September 1999. Under 'Community safety, knives and dangerous weapons' it says:

Since 1993–94 offences committed with a weapon have increased by nearly 50 per cent, offences committed with a knife have increased by a massive 59 per cent.

I agree that is totally and utterly unacceptable. But then it goes on:

Labor recognises that the proliferation of knives and other dangerous weapons must be addressed. Labor will develop innovative strategies to address this problem including:

banning the sale and display of knives and other weapons that have no legitimate occupational, ceremonial or sporting occupation;

banning the sale of knives to under 18-year-olds;

tough new restrictions on the marketing of knives and weapons in a way that encourages violent behaviour or in any way suggests a violent application;

a limited period amnesty on knives and other illegal weapons; and

sufficient flexibility to provide appropriate exceptions to bona fide collectors, antique dealers, hunters, fishermen and legitimate supervised youth organisations like scouts, guides, et cetera.

A Labor government will address this increase in the proliferation of knives and other dangerous weapons in our community.

Three years later the government brings in a bill which addresses only part of what it set out to do in 1999. I guess this is typical of a do-nothing government — it is fantastically high on rhetoric, but when it comes to delivering on law and order it is sadly lacking.

I go back to one particular point. I agree with this statement in the Labor Party's policy in 1999:

Since 1993–94 offences committed with a weapon have increased by nearly 50 per cent, offences committed with a knife have increased by a massive 59 per cent.

As I said, that is totally unacceptable. However, let's look at that. A 59 per cent increase in six years is unacceptable, so what is the minister now saying — that in the last 12 months, in just one year, knife attacks have increased by 33.1 per cent?

In its pre-election policy the government bitterly complained about knife attacks over a six-year period being up by 59 per cent. I admit that that is unacceptable, but what the government has done in its reign is totally unacceptable and shows its contempt for law and order.

Let's look at some of the increases in crimes over the past 12 months. The figures for weapons used in assaults in 2001–02 are: bottles and glass, up by 48.4 per cent; firearms, up by 46 per cent; bats or bars,

up by 36.7 per cent; and — as I said — knives, up by 33.1 per cent. So the use of weapons in assaults over the past 12 months is up by 37.8 per cent. They are not Liberal Party figures; they are from the Victorian Police provisional crime statistics for 2001–02.

I will take that one step further and look at violent crime, which over the three years of the Bracks Labor government has increased by 24.7 per cent. In 1999–2000 there were 29 694 violent crime offences — that is: homicide, rape, robbery, assault, abduction, arson and aggravated burglary. In 2001–02, on the last official police statistics, this figure jumped to 37 023 — an increase of 24.7 per cent. If other offences such as the use of weapons and explosives are included, that figure increases to 25.9 per cent.

I know the minister is keen to talk about how overall crime has decreased, but I am still not sure whether that is actually correct. What does the Victorian community expect from the government? We are concerned, for example, about the theft of bicycles, but is it not more important to focus on offences against the person and other violent crimes, part of which involves the use of knives?

In 1999 the government set out a plan of what it would do. Three years later it has introduced a bill which addresses only part of what it promised. This is typical of the do-nothing Bracks government, which has total contempt for law and order.

I suppose the trigger that pushed this government to take some sort of action was the horrific deaths in South Yarra. I will refer to a couple of wire reports on that. A report by the AAP *Australian General News* of 8 July 2002 under the headline 'Vic: man stabbed to death in South Yarra' states:

A man was stabbed to death during an altercation in inner Melbourne earlier this morning.

Homicide squad detectives have closed off Chapel Street in South Yarra between Toorak Road and the northern end of the Church Street bridge while investigations are under way.

...

'Investigators believe an altercation left a man suffering mortal wounds', a police said ...

The dead man is yet to be identified.

Then the story became a lot worse. Another wire report states:

... the man was attacked with something similar to a machete, a sword or a meat cleaver at about 3.15 a.m. ... He says the death followed an altercation that began at licensed premises in Daly Street and continued along Chapel Street to Alexandra Avenue, where the man died.

Men were running for their lives. Another report of the same day, headed 'Vic: one dead, two feared drowned after nightclub fight', states:

A fight in a suburban Melbourne nightclub has led to one man being hacked to death while another two men may have drowned in the Yarra River.

The fight happened almost exactly a year after another man was fatally stabbed in a nightclub in the same South Yarra street.

Police say the unidentified man killed overnight suffered horrendous injuries from a meat cleaver, sword or machete.

His body was found in Alexandra Avenue in South Yarra at 3.15 a.m.

Police believe he was involved in a fight in a nightclub —

and the story goes on, as we all remember it. Knives and machetes seem to be the things that gang members carry these days. Hopefully this legislation will go some of the way to addressing this totally and utterly unacceptable culture that has developed among some gangs.

I refer to some of the purposes of the bill, which include enhancing police powers and other measures to search for and detect dangerous weapons and firearms. To achieve this aim the bill proposes to lower the belief/suspicion threshold required by a police member to justify a lawful search without warrant for weapons and firearms that are controlled or prohibited under the Control of Weapons Act 1990 or Firearms Act 1996. I will come back to that and give some examples.

The belief threshold for undertaking a search without warrant changes from one of 'reasonable grounds for belief' to one of 'reasonable grounds for suspicion'. The legal interpretation of 'reasonable grounds for suspicion' is recognised by the courts as having a lower evidentiary criteria.

The use of 'reasonable grounds for suspicion' will bring the threshold test in Victoria into line with similar legislation in the United Kingdom and most other Australian states and will be consistent with the threshold applying for drug searches under the Drugs, Poisons and Controlled Substances Act 1981.

To assist police to make a decision on whether there are reasonable grounds for suspicion to justify a search without warrant, the fact that a person/s is present in a location with a high incidence of violent crime will be of relevance, although not a sufficient justification in its own right.

The bill provides for a number of counterbalancing measures designed to minimise the potential abuse of

power and the police victimisation of individuals.

These safeguards include ensuring a police member states his name, rank, place of duty, providing evidence of being a police officer; requiring a police member to make a record of search; allowing for a person searched to obtain a copy of the police record of the search; and requiring the chief commissioner to report to the police minister on the details of searches without warrant. The bill also enables regulations to be made pertaining to search procedures and record keeping. We have been assured by the minister's office and departmental staff that the opposition will be kept informed about the development of these regulations.

Police will be provided with the power to demand production of firearms licences or an approval to carry prohibited weapons where there is reasonable suspicion that an offence has been or is about to be committed. Police will also be provided with the power to demand production of any article suspected of being a prohibited or controlled weapon or firearm. This is designed to maximise the safety of police officers with their now having to carry out more intrusive searches.

Other provisions of the bill include Department of Natural Resources and Environment officers being provided the same powers as police to search threshold criteria — obviously in national parks; the creation of a new offence of hindering or obstructing DNRE officers in their search powers; and extending police search for weapons powers to non-government schools. Searches without warrant under the Control of Weapons Act 1990 are currently limited to public places and of course would exclude Catholic schools, for example. This amendment addresses that point.

I will go to the crux of the bill as I see it — that is, lowering the threshold from one of reasonable belief to one of reasonable suspicion. Not being a lawyer, 'having reasonable belief' and 'reasonable suspicion' seem the same to me.

**Mr Cooper** — We always knew you were a decent man.

**Mr WELLS** — There is some hope for us accountants.

**Mr Hamilton** — You just blew it; you were going well for a minute.

**Mr Wynne** — We need you once a year.

**Mr WELLS** — Once a year at tax time — yes, I know!



Let's look at the issue of the distinction between reasonable grounds for belief and reasonable grounds for suspicion. We have relied on the Victorian Bar Council, and I thank them for their input into this. It is important that we get this reported in *Hansard* so we can demonstrate to the house and to the people who read it what the court's interpretation is of the difference and why the Victorian police force is being given greater powers to search for prohibited or controlled weapons.

The Victorian Bar Council says:

The distinction between 'reasonable grounds for belief' and 'reasonable grounds for suspicion' was made clear by the High Court of Australia in *George v. Rockett and Another* (1990) 93 ALR 483. That case concerned the validity of a warrant to search property, and the duty of a justice to be satisfied of certain matters before issuing such a warrant.

The relevant legislation required that a justice be satisfied that there are reasonable grounds for believing that a specified thing will afford evidence as to the commission of an offence and that there are reasonable grounds for suspecting that the specified thing exists and is in any house, place etc.

The court held that, for there to be reasonable grounds for a state of mind — including suspicion or belief, there must exist facts which are sufficient to induce that state of mind in a reasonable person. The court said that a 'suspicion' that something exists is more than a mere idle wondering whether it exists or not; it is a positive feeling of actual apprehension or mistrust amounting to a slight opinion, but without sufficient evidence. A 'belief' is an inclination of the mind towards assenting to, rather than rejecting, a proposition and the grounds which can induce that inclination of the mind may, depending on the circumstances, leave something to surmise or conjecture. The difference between the two states of mind is this: 'suspicion' is a state of conjecture or surmise where proof is lacking, whereas 'belief' is a state of clear inclination towards the existence of the subject matter based on the existence of some evidence short of actual proof.

Can I make it any clearer? That is a clear and precise definition of reasonable suspicion versus reasonable belief.

We also support the bill because it is now consistent with the search powers for when a police officer searches for drugs. Under the Drugs, Poisons and Controlled Substances Act 1981 a police officer only has to have reasonable grounds for suspicion that the person is in possession of drugs. This is a lower threshold than is required for a search for weapons, so the new legislation makes the two acts consistent.

The Victorian Bar Council argues that because it exists in one part of legislation it does not necessarily need to flow to another part of legislation. However, the opposition disagrees with that. We believe consistency between the two is important: that you can search the

same way for drugs as you can for prohibited or controlled weapons.

It is important to put on record some of the examples of what are prohibited and controlled weapons. For example, a prohibited weapon, one that you cannot hold or carry without a permit, are things like the following: knuckle knife, double-end knife, push knife, thrown blade, ballistic knife, shark dart, knuckleduster, weighted or studded glove, slingshot used with an arm brace and crossbow capable of being concealed and used with one hand. A cat-o'-nine-tails is also a prohibited weapon.

On the other hand, a controlled weapon is a spear gun, a sword, a bayonet or a cattle prod. They are defined as controlled weapons because if a farmer is carrying a cattle prod he would not be committing an offence because he is using it in his day-to-day business. If he works in a cattle yard he would need a cattle prod in the same way as you would expect a farmer to have a pocketknife.

The legislation also mentions that searches would be more likely to take place in a situation where there is a high incidence of violent crime. That makes sense. Chapel Street is a nightclub and entertainment precinct, so you would expect the police would focus on that area especially after what happened in July this year with the knife attacks. You would hope and expect the police would be able to go into these areas and identify and search to ensure the crime rate is reduced. We welcome that part of the legislation.

There are some concerns that people will be targeted but it is fair that you focus where there is a high incidence of violent crime and that the police are moved in there to make it safer.

The Victoria Police Association has some concerns that under the legislation there is now a mandatory requirement for a police member to inform a person being searched of his or her rank and place of duty in all cases regardless of whether the information has been requested. The association believes this is unnecessary. Police members are always under an obligation to reveal their identity on request and all police officers in uniform are required to wear identifying name tags. The Police Association also believes that requiring a member, if not in uniform, to provide evidence that he or she is a police member is unnecessary in terms of a specific legislative clause for the reasons already provided.

I can understand the concerns of the Police Association. If they are doing a search of someone in a high

incidence crime area, and the person being patted down has not requested the name of the police officer, is it necessary to provide the name, rank and place of work every time a search is done?

The opposition believes in the overall principles of the bill, which is why it will not move any amendments. We raise the issue in debate on behalf of the Victoria Police Association, but we will look at how this works in practice and if it is totally impractical we will return to it.

We believe this is good legislation. It has been a long time coming. Three years ago the Bracks Labor government said something about it in opposition, but it has taken an ugly incident in Chapel Street before the government moved towards implementing part of its policy. It is bordering on disgraceful that it has taken three years to take action.

I will finish on this note: the opposition supports this piece of legislation. It is consistent with the Liberal Party's policy of being tough on law and order. Of course this particular piece of legislation has the support of the Crime Victims Support Association. I received a letter from its president, Noel McNamara, in which he writes that he believes that people should be searched. He says that if they do not have a lawful reason for having weapons their weapons should be confiscated and they should be charged forthwith. He points to items such as hammers, iron bars, acids, and various chemicals in all their aspects. His association believes that in all other aspects police should be:

... given every possible piece of modern technology by way of equipment, to search any person, or persons suspected of having on their person any weapon considered dangerous to members of the public.

I think that is a fair point.

In regard to the latest house amendments that are being proposed this morning, the government wants to broaden the definition of illegal weapons to include dangerous articles. We had a briefing yesterday afternoon, and we believe they are commonsense amendments. We were not aware of the latest phase of the use of weapons by a lot of gang members — that is, they steal shopping trolley bars and fill the handles with cement, and because the bars are plastic and not metal they cannot be detected by metal detectors. The departmental people who talked to us made the point that there have been 20 000 shopping trolley handles stolen over the last few years. As I said, they are filled with cement, and these people can put them under their jackets and use them as immediate weapons.

I just cannot believe the mentality of these sickos. They cannot use the argument that it is self-defence. We are not going to accept that argument. It is totally unacceptable for our young people when they go to a nightclub or to a party to be in fear that someone is going to have something under their jacket and that if a bit of pushing and shoving comes around someone can immediately pull out one of these shopping trolley handles filled with cement. Honourable members can imagine the amount of damage that would cause.

The opposition agrees strongly with the house amendment that has been circulated. The inclusion in the bill of a reference to dangerous articles will enable the police to ensure community safety, which is of paramount importance. As I said, it is disappointing it has taken so long for us to get to this stage, given that over the last 12 months the use of knives in assaults has increased by 33.1 per cent. That is totally unacceptable. The opposition supports the bill, because it is consistent Liberal Party policy to be tough on law and order.

**Mr KILGOUR** (Shepparton) — I rise on behalf of the National Party to speak on the Control of Weapons and Firearms Acts (Search Powers) Bill. I say at this initial stage that the National Party will not be opposing this bill. It is a good piece of legislation that has been brought in, albeit a little late, because of changes in the ways that people act in our society. We need to change our legislation to ensure that the issues that come up are acted upon.

According to the second-reading speech this bill will be:

... providing our police with a greater capacity to search people for dangerous weapons and firearms.

That is a good thing. We need to ensure that we can get into the marketplace anything that supports our police. We need to give the police as much support as we can. I am sure the honourable members for Wantirna and Mornington, among others, will have been absolutely appalled at the way the police have been treated in regard to the S11 protesters. Some of those people used dangerous articles but not necessarily controlled weapons. They threw nuts and bolts at the police, in many cases missing by just fractions of an inch. Those articles could have taken out the eyes of police or caused seriously broken jaws or similar injuries.

We find that the police are in trouble because of excessive use of batons yet these people were allowed to spit in their faces and throw condoms full of urine at them. It was appalling behaviour. I would wonder why the police would not simply say at the end of the day, 'Well, what are we here for? What is it all about?' So it

is good to see at least that we now have legislation that is going to help police with the way that they work and give them a better opportunity to more easily search people to detect items.

When I looked at the legislation I thought that we should contact some of the people who may be affected by it, people who would have an interest in the control of weapons and in people who hide weapons on their bodies or around them.

The Victorian Amateur Pistol Association wrote:

We have no comments on the proposed legislation, except to say that this association is fully supportive of any measures taken to remove illegal firearms from general circulation.

I also contacted the Sporting Shooters Association, and I received a very interesting reply. I had sent the association a copy of the bill and a copy of the second-reading speech, and I had asked if it would like to make any comments to me before I spoke about it in the Parliament. Their reply was very interesting. It states:

Please also accept our gratitude for posting to us a copy of the Control of Weapons and Firearms Acts (Search Powers) Bill and second-reading speech. We have been appalled —

say the sporting shooters —

that even though we have been in regular contact with both the minister's and Department of Justice staff, nobody ever mentioned it to us, and when I mentioned the bill and speech —

and I want to make this quite clear, Mr Acting Speaker —

to the minister's adviser, David Youssef, he claimed to know nothing about it!

Here is a bill that was already in the Parliament, with the second-reading speech having been given by the minister, yet his own department knew nothing about it. Who is running the department? Who is running this issue? What is the Minister for Police and Emergency Services doing if his own staff do not even know there is a bill in the Parliament.

**Mr Cooper** — Who is in charge of it?

**Mr KILGOUR** — I wonder who is in charge of the situation.

The Sporting Shooters Association further state that they have since made it clear to the:

... Labor Party officials about stakeholders regularly being left out of all consultation in relation to these matters.

This is a government that says it consults the people and consults the stakeholders when it brings forward legislation! Not only was the Sporting Shooters Association not contacted — it has absolutely got an interest in this issue of people concealing guns on their bodies — but when it asked the ministerial staff they did not know anything about the bill coming through.

I then contacted the Police Association and, while it was certainly generally satisfied with the proposed legislative change, particularly the amendment from 'belief' to 'suspicion', given the courts have held that belief requires a higher degree within the minds of police members than suspicion, it said:

... we are of the view that a mandatory requirement for a police member to inform the person being searched of his or her name, rank and place of duty in all cases, regardless of whether or not the information is requested, is unnecessary.

The police are saying that if they are requested to give their name, place of work, et cetera, then they should be able to do that, but they do not believe it is necessary unless it has been asked for.

The Police Association goes on to say:

Police members are already under an obligation to reveal their identity on request and all police officers in uniform are required to wear identifying name tags. We also believe that requiring a member, if not in uniform, to provide evidence that he or she is a police member, is also unnecessary in terms of a specific legislative clause for the reasons already provided. It is clear that police members are required to produce evidence of their identity when out of uniform. This requirement is already within existing policy.

It goes on to say:

The association also has some concern in terms of limiting the power to direct the removal of items of clothing to coats, jackets, hats and gloves. We understand that the use of metal detectors in assisting our members to conduct searches for prohibited weapons is a useful tool in our work but in the event that a metal detector does detect what could be a prohibited weapon on the person of someone being searched, it is important that our members be provided with all legislative approval to conduct a full body search. If our members have a reasonable suspicion that a weapon is hidden in a body cavity or other personal space, the search should be undertaken by a qualified medical practitioner.

I think one would support the Police Association in those comments. I ask the minister to take note of that.

I turn to the amendments put before the house yesterday — and I thank the Minister for Police and Emergency Services for providing us with a briefing yesterday afternoon. This came in at a fairly late stage. Basically, what it does is expand the situation as far as a weapon is concerned and bring into the legislation a

new type of weapon called a dangerous article, and there are many of those around.

We already have prohibited weapons and controlled weapons, and we now have dangerous articles. A prohibited weapon is generally specifically designed to harm, with little or no legitimate use in the community. The law requires an approval from the Chief Commissioner of Police to import, possess or sell a weapon of this type. The onus is on the seller to check the purchaser's approval and identity. They are clearly prohibited weapons which everyone understands to be prohibited.

We then get to controlled weapons, which generally have potential to harm but have broad legitimate use in the community. The law requires a lawful excuse for possession, use or sale of these weapons.

Prohibited weapons are things like some crossbows, flick-knives, daggers, trench knives, throwing blades — or many types of large knives — and also knuckledusters, extendable batons, studded gloves, maces, and whips with metal lashes. Controlled weapons can be used in the community and include things like, as the honourable member for Wantirna said, a cattle prod, which could be very well used in a saleyard, but if you get a cattle prod in a busy nightclub it could cause mayhem and awful damage. It then becomes a controlled weapon. If you use a cattle prod not to prod cattle — not in that sort of area — but to prod people then it very well should be a controlled weapon, and police should be able to take it away from people.

This new category of dangerous articles is an interesting one, and one that people probably have not thought about very much. It is very good to see it being brought into this legislation, because there are things that are used that become dangerous and that we need to look at, and some of them are very simple things. For instance, a screwdriver that has been put on an emery wheel and made into a pointed object becomes a weapon. As the honourable member for Wantirna said, an incredible number of supermarket trolley handles have been taken off the trolleys, filled with concrete — some of them still have a chain attached — and used as weapons, but because of the type of material they are made of they are not detected with a metal detector. An item like this becomes a dangerous article, and while not itself a weapon that should be treated as prohibited or controlled, if it is used in that way it certainly is a dangerous article.

So there are a number of things that could be used as dangerous articles that this piece of legislation will

cover. If a person has them on their body they can be searched if the police believe they are using them to harm people.

It is unfortunate that weapons-related offences in Victoria have risen alarmingly in recent years. A weapon was used, threatened or displayed in an average of 14.2 per cent of reported personal offences in 1996–97, and the figure has risen to 20.4 per cent in 2000–01. So quite clearly the message is there that we need to do something about this. I hope that this legislation will go a long way towards the police being better equipped to find these sorts of things on people. The trend certainly justifies the police being better equipped to find these things on people, maybe before an offence can be committed.

This bill brings in a few other things that have been needed in our community and it is pleasing to see them introduced. There certainly can be problems when authorised officers of the Department of Natural Resources and Environment (DNRE) are doing their job. This bill creates a new offence of hindering or obstructing an authorised officer in the exercise of their duty without reasonable excuse if they demand the production of a licence or something similar. There will be an increase in the penalty to a maximum of 30 penalty units for that offence.

We need to beef this up a little bit because there have certainly been areas where people have been obstructed in their duty, for example RSPCA officers moving onto a property where horses have not been fed and look emaciated in their paddock. Some of those situations have not been very nice and officers have been obstructed in their duty. I hope this bill will make better provision for these officers to carry out their duties.

Then we had the anomaly as far as searches were concerned that police or authorised officers could go into a government school at the request of or in association with the principal of the school, and conduct a search to see whether students in that school actually had weapons in their bags or concealed in their property. Previously, this was not allowed in non-government schools. We now have an extension which solves the problem that the warrant could only be exercised in a public place, defined in the Summary Offences Act, and it did not include non-government schools. This created an anomalous situation where searches could be conducted in government schools but not in non-government schools. Therefore the definition of a non-government school has been included in the bill. This now allows police to exercise their increased search powers in non-government schools, but more importantly does not undermine non-government

schools' status as private places. So whilst public schools are certainly public places, non-government schools remain non-public places but the availability to search is there.

In the second-reading speech quite a bit was made of the introduction of metal detectors. When you look at the bill you notice metal detectors are not actually mentioned, but almost a page of the minister's speech is taken up in talking about the opportunity now for police to use metal detectors in the course of their duty. So this bill which allows increased search powers will facilitate the use of that equipment across the state, although metal detectors are not actually mentioned in the bill.

This bill with its increased search powers will make it mandatory for a police officer to inform a person to be searched of the officer's name, rank and place of duty. As I said earlier, the Police Association has some concerns about that and in regard to a member who is not in uniform presenting evidence, whether they have been asked for it or not. The bill also provides for the Chief Commissioner of Police to provide an annual report to the minister on the details of searches without warrant. I hope that annual report will at least give the police department and the government an opportunity to have a look and see how this legislation works.

Overall the main point about this part of the bill is that it lowers that standard of conviction required by a member of the police force to justify, without warrant, searches for prohibited or controlled weapons. As we see the proliferation of these dangerous articles being carried in bags, hidden on bodies or carried in coat pockets then the police must be given extra powers to ensure that if they believe somebody is carrying a weapon they can carry out a search without having to get a search warrant and it can be done on the spot. Any reduction in the threshold for searches without a warrant under the Control of Weapons and Firearms Acts (Search Powers) Bill 2002 must, of course, be accompanied by an amendment to the Firearms Act because this obviously involves firearms as well. This is being done in this legislation.

I think that the reasonable grounds for suspicion provision will bring the threshold test into line with that adopted in other legislation around Australia and in the United Kingdom and most other jurisdictions in Australia. It will make the standard of conviction necessary to conduct a search for weapons and firearms without a warrant consistent with those applying to a search for drugs. This means the police will not have to think very much about what legislation they are involved in when they are conducting a search for drugs or a search for a weapon.

I congratulate the minister on introducing this bill. Any legislation that supports the work of our police and makes it easier for them to perform their duties and help keep the community safe is good. I wish the bill a speedy passage through Parliament and hope it is not too long before the police have these extra search powers, which will mean a safer community.

**Mr WYNNE (Richmond)** — I rise to support the Control of Weapons and Firearms Acts (Search Powers) Bill 2002. In doing so I would like to acknowledge the contribution of the honourable member for Wantirna and the honourable member for Shepparton in their opening addresses on behalf of their respective parties. It is pleasing that this legislation enjoys bipartisan support.

We well remember the horrendous attack in Chapel Street, Prahran some months back which the police subsequently investigated — and matters are afoot — which involved the use of dangerous weapons.

The government has responded to the issue. Over the past five years there has been a significant increase in weapon use in reported personal offences. Indeed, a weapon was used, threatened and/or displayed in an average of 14.2 per cent of reported personal offences in 1996–97 and that had risen to 20.4 per cent in 2000–01, which is a disturbing trend. It is important that the government address this trend and it is doing that through the legislation. The trend highlights the need to increase the capacity of the police to detect and remove weapons before any offence is committed.

The government has a comprehensive policy for crime prevention. Indeed, it is a counterpoise against the position of the opposition parties, which essentially hold to a position centred around mandatory sentencing. The government believes there should be a comprehensive response to these issues and argues that mandatory sentencing, in whatever guise, is not the way to go forward. We support the separation of powers between the Parliament, the executive and the judiciary. We particularly support the judiciary in its most onerous task of properly dealing with people who come before the courts and ensuring appropriate sentences are enacted for crimes.

Apart from the legislation before the house today, the government's strategy includes a weapons community education program. I am sure honourable members have heard the effective radio advertisements that have been run recently about the dangers for people who are detected carrying illegal weapons. They highlight the illegality and the dangers of carrying illegal weapons.

It is important to indicate that the government undertook extensive consultations regarding the framing of this bill. I was reminded by my colleague the honourable member for Sunshine that he attended a large community forum auspiced by the Victorian Multicultural Commission and attended by people of more than 100 nationalities to discuss the Control of Weapons Act and the Firearms Act and the implications for the community generally. This is a hallmark of the way the government approaches not just this legislation but its obligation to engage and consult the community about the key policy initiatives it is seeking to implement. The control of weapons and firearms legislation is a good example of where the government has thoroughly explained what it is seeking to do.

The purpose of the bill is to amend the Control of Weapons Act 1990 and the Firearms Act 1996 to provide police with a greater capacity to search people for dangerous weapons and firearms and to provide additional safeguards against the potential abuse of increased search powers. It addresses the question of searching while ensuring there are checks and balances. I think we would all agree it is important to ensure that balance is in place.

A key element of the bill is that the lowering of the standard of conviction required by a police member to justify a search without a warrant from having reasonable grounds of belief to having reasonable grounds for suspicion that an offence is being or is about to be committed. The courts have held that the word 'belief' denotes a higher standard of conviction than the word 'suspicion'. This was made clear by the High Court of Australia in *George v. Rockett and Another* (1990) 93 ALR 483, where it was held that suspicion was a state of conjecture or surmise where proof is lacking, whereas belief was based upon the existence of some evidence but short of actual proof. This change to the words 'reasonable grounds for suspicion' will bring the threshold test in Victoria into line with that adopted in comparable legislation in the United Kingdom and in most other Australian jurisdictions.

It also makes the standard of conviction necessary for a search for weapons without a warrant consistent with the search for drugs under the Drugs Poisons and Controlled Substances Act 1981. We now have consistency between those two search powers. Concerns have been raised that the reasonable grounds of a suspicion provide the opportunity for circumstances such as being in a location with a high incidence of violent crime to be elevated above other considerations. The government believes this is not

likely to occur as the wording of the provision includes 'may be taken into account' and a court would not consider that this fact alone could ever be sufficient for a police member to form a reasonable suspicion. It is important to understand that location may only be taken into account.

These increased search powers come, as I indicated earlier, with additional safeguards against any potential abuse, including the requirement for the police member to advise their name, rank and place of duty to the person being searched, and if not in uniform to provide evidence of membership of Victoria Police.

Another important safeguard is that the Chief Commissioner of Police must provide an annual report to the minister on the details of searches without warrant. In our view this will provide an effective accountability measure and assist in the evaluation and effectiveness of these reforms over a period.

The Labor government, a year ahead of time, has put an extra 800 police on the beat. It has ensured adequate resources are available to the police. In the context of this bill the government has funded 420 new hand-held metal detectors and complementary technology to assist them in undertaking searches. The metal detectors are less invasive to the person being searched and are safer for the police as there is no need to have direct physical contact with the person. As well as increasing the number of police in Victoria, following the savage cuts under the former government, we are ensuring that the police are better equipped. I think that in almost every aspect — the new pay deal, the new metal detectors and the protective gear available to members — Victoria has one of the best police forces in the country.

I refer to some issues raised by the honourable member for Shepparton, including the amendments. The bill contains an anomaly in the definition of public place. It has been taken from the Summary Offences Act and does not include non-government schools. Clause 3 allows police to exercise their increased search powers in non-government schools as well as in government schools. Clause 4 extends this provision to provide that it is an offence to carry a dangerous article without a lawful excuse in non-government schools.

Staff, parents, students and visitors at non-government schools will have the same protection under the legislation as those in government schools. Obviously we are picking up an anomaly here.

A new power introduced in clause 5 of the bill enables police to demand evidence that a person has approval to carry a prohibited weapon if reasonable grounds exist

for that suspicion. The penalty for being unable to produce such an approval will be the same as the maximum penalty for failing to produce a firearms licence.

Obviously a limited number of groups are exempt from the requirement relating to carrying a prohibited weapon. The police and correctional officers will be exempt from having to produce such documentation — that would be self-evident.

A house amendment to clause 7 provides for differing fee levels to be set for approvals to possess, use or carry a prohibited weapon. This will allow a lower fee to be set for applicants already in possession of a firearms licence. Those provisions clean up a number of the anomalies that have existed.

The final thing I shall touch on is a house amendment which has been canvassed quite appropriately by the honourable member for Wantirna and the honourable member for Shepparton in their contributions to the debate. This is an amendment to further define ‘dangerous article’ within the meaning of this bill. I guess we all learn things as we go along — certainly I have in my period of time working as the parliamentary secretary in the justice area. You certainly learn things about the community that you did not know before.

**Mr Langdon** interjected.

**Mr WYNNE** — Indeed, as my colleague says, some things that perhaps we did not want to know. But clearly this notion of people being able to take the handles off shopping trolleys, fill them up with concrete, attach a chain to them and use them, clearly, as dangerous articles would not have been captured in the existing legislation. So the amendment that has been put in the bill captures those sorts of weapons within the purview of the legislation. Clearly all of us on both sides of the house would support a prohibition on all these sorts of items.

It is hard to imagine — but clearly this is the case — circumstances where people are going to nightclubs and venues armed with these weapons, for want of a better word — and they are weapons — to do harm to others. So any assistance that we can provide by broadening the scope of this legislation to pick up those sorts of anomalies is welcomed by both sides of the house.

I conclude my contribution by saying that this is an important response by the government to a quite disturbing phenomenon. There has been a significant increase in the number of offences recorded where weapons have been used. We have broadened the scope of what is regarded as a weapon under this legislation,

but we have ensured there are appropriate checks and balances in there to safeguard against potential abuse of these increased search powers. In this respect I think the government has actually got in place the right policy position.

I welcome the fact that this legislation is supported by both sides of the house, and I wish it a speedy passage.

**Mr COOPER** (Mornington) — By arrangement I will make my contribution very brief. I join the honourable member for Wantirna in stating that the Liberal Party will be supporting this legislation and the amendments that will be brought into the house at a later time. Usually this sort of legislation, the basis of control of weapons, is reactive; it is not proactive. It is very difficult to be proactive in regard to these matters, and the government has very correctly reacted to circumstances that have been occurring in recent times in our community. To that extent certainly we on this side of the house believe it has done exactly the right thing.

As the honourable member for Richmond stated, and before him the honourable member for Wantirna and the honourable member for Shepparton, there are circumstances occurring in our community now with dangerous weapons that one would not even imagine would have been available or been used in times gone by. But I think the shopping trolley handles description has captured the imagination of those who have been listening to this debate, because that is really the terrible extension of the sorts of things that are going on in places like nightclubs around Melbourne and elsewhere.

We on this side of the house note that since 1999 violent crime in Victoria has increased by 24.7 per cent. That is a figure that would startle and alarm the community. Members of the community would be saying, ‘Whatever happened to the 1999 promise that was made prior to the general election by the Labor Party when it said it had “a comprehensive plan to combat crime”?’ It appears that the comprehensive plan may well have failed comprehensively. When you look at a 24.7 per cent increase just in violent crime alone, you have to start asking questions about just what this government is doing.

I take it to a more local level. Let us look at the official Victoria Police statistics on offences recorded by postcode. I have three postcodes in my electorate, and they are the postcodes that cover Mount Martha, Mornington and Mount Eliza. In the period 1998–99 and 2000–01, which are the latest statistics that are available from the Victoria Police — I would expect the

2001–02 figures to be available soon, but they are not available now — in Mount Martha recorded offences have gone up by 29 per cent; in Mornington by 6.5 per cent, and in Mount Eliza by 49.1 per cent. So overall in my electorate, as it will be after the next election, recorded offences have gone up by a shade under 19 per cent.

This alarms my community because it is a community that comprises young families and a lot of older, senior Victorians. Of course in the case of the latter, the senior Victorians, they feel very vulnerable not only in their own homes but when they walk down the street. We have an increasing number of bag-snatching and similar crimes occurring in supermarket car parks, so therefore the apprehension of the community in regard to crime is one that is felt, one that is real and one that must be reacted to.

This bill deals with one section of that — that is, the section regarding the offences committed by use of dangerous weapons of all kinds. It seeks to control weapons and provide increased powers to the police in regard to searching. They are all very welcome indeed and they are all very important, but other aspects of crime need to be dealt with. They are the kinds of crimes that are impacting on people on an hour-by-hour, day-by-day basis in places like Mornington, Mount Martha and Mount Eliza, and on sections of the community that feel vulnerable, that are apprehensive, and that very clearly do not believe that enough is being done by this government; and they are asking for more to be done.

While I welcome this bill, and I do not do so in any kind of way other than to say it is very welcome, I would not like the government to believe this is the end of the line. It needs to do a lot more and it certainly needs to keep the commitment it gave in 1999 to introduce a comprehensive plan to combat crime — a promise it made in 1999 prior to an election, and a promise which it has still failed to keep.

**Mr LANGUILLER (Sunshine)** — I rise today in support of the Control of Weapons and Firearms Acts (Search Powers) Bill. The purpose of the bill is to amend the Control of Weapons Act 1990 and the Firearms Act 1996. Given the arrangement agreed between the parties in respect to the amount of time members will be allowed to speak in this debate, I wish to make some very brief points.

It is important to put on the record the fact that these amendments are part and parcel of this government's strategy to deliver to the people of Victoria in relation to community safety issues. When Labor came into

office members on this side made it clear that we would do everything we could in a range of jurisdictions in order to ensure that community safety standards and the quality of life of Victorians were improved. Minor as these amendments might be, they are very important and they are part and parcel of that commitment.

I commend the government and the Minister for Police and Emergency Services for their readiness to consult with a range of communities. I participated in a very important forum conducted and organised by the Victorian Multicultural Commission to bring together people from more than 100 ethnic groupings and backgrounds in the Victorian community. It was one of the best examples of engagement of the community in the process of developing legislation and taking into account the community's views. I commend the community leaders who attended those workshops for their contributions. I further commend the community leaders, because if there was a common thread in their contributions it was that while this issue is fundamentally the responsibility of the government in relation to legislation, they recognise that community leaders, members of the media, educators and parents have a responsibility to play an active role on a day-to-day basis in changing the culture of violence and the use of weapons because it is simply not warranted or accepted.

The contributions made by those community leaders reminded me of one of the most successful public campaigns we have had in relation to drink-driving, if I may draw that parallel. Legislation can be pushed through the Parliament. That is fundamental and very important, but it must be accompanied by education and a change of culture in the community. Government has a responsibility to promote this change by bringing debate into this chamber and taking debate and education back into the community. However, it is also the responsibility of the community. As a parent I think it is my responsibility to ensure that the value standards of my children and those of my friends and others are such that weapons become an intolerable and unacceptable medium in our community. That is why I draw a parallel with the campaign on .05 — that if you drink then drive, you are a bloody idiot. I reckon that had some of the things we should continue to work with.

While I do not wish to entertain recent events given the time restrictions in this debate, in light of those events we need to reflect on the importance and responsibility of not only governments — I believe governments have the primary responsibility — but also sections of the media, educators, parents and community leaders in relation to the issue of the use of weapons and firearms



in our community, particularly by youth, and indeed children, as reports appear to indicate.

I commend the government for undertaking this commitment and delivering on its promises to the community of Victoria. I also put on the record that this bill has received the support of all parties in this chamber. I wish these changes a speedy passage.

**Mr LUPTON (Knox)** — In rising to support this bill I would like to make mention of the amendments to be introduced in the committee stage in relation to dangerous articles. The description of a dangerous article given in the briefing is ‘any device or article whatsoever that has been adapted to be a weapon or is carried with the intention of being used as a weapon’. One of the examples given was that of baseball bats, which people can carry and use later on.

One of the concerns I have with this particular definition is that I wonder whether it will include ball bearings and fish hooks — the type of things used against members of Victoria Police in the S11 demonstrations. The fish hooks may have been adapted but the ball bearings were not, yet they were used against Victoria Police officers in the manner of what I believe to be very serious weapons. I wonder whether the dangerous articles definition will go far enough to capture those items. We must ensure, if there is another situation like that, that police have the protection of the law in dealing with anybody using ball bearings, fish hooks, condoms filled with urine, et cetera. I hope that definition satisfactorily captures those items.

This is a reactionary bill, but that is only fit and proper, because I do not think anybody in this legislature could ever have imagined that some of the weapons being used by people in the community would be used. As a result this is a reactionary bit of legislation. The government should be commended for taking the steps it has. I particularly return to the dangerous articles amendment that is to be proposed because of the initiative shown by certain elements of our community in converting various items into weapons. I do not think that anybody in this place or the bureaucracy could ever have imagined some of the things these young people are using as weapons. The legislation is good, it is reactionary and it is attempting to address the issues which have been raised.

It is regrettable that the murder of a young man who was hacked to death in South Yarra and the drowning of two others has led to this legislation being introduced. I am concerned about this because even when the Kennett government was in power we were

looking at controlling weapons. At that time a great argument was put up about people who want to wander down the street with a machete or a meat cleaver. For the love of me I cannot in any way, shape or form imagine anybody in this world who would be walking around the streets of Melbourne or anywhere in Victoria with a machete or meat cleaver for any legal reason — it has to be used for either self-protection or to harm somebody.

The legislation is doing the best it can. I congratulate the government, particularly on the dangerous articles amendment. That is a great step forward. However, I am concerned about the requirement for Victoria Police officers to identify themselves and give their work location before they can conduct a search on suspicion. That may be a little bit over the top, particularly in a dangerous situation. I have a real concern about police officers putting themselves in that sort of position. I commend the bill to the house.

**Debate adjourned on motion of Mr HOWARD (Ballarat East).**

**Debate adjourned until later this day.**

## NATIONAL PARKS (BOX-IRONBARK AND OTHER PARKS) BILL

### *Second reading*

**Debate resumed from 16 October; motion of Ms GARBUTT (Minister for Environment and Conservation); and Mr MAUGHAN's amendment:**

That all the words after ‘That’ be omitted with the view of inserting in place thereof the words —

‘this bill be withdrawn and redrafted to provide for the development of management plans for new parks and reserves and additions to parks and reserves proposed within this bill and incorporate a range of other matters that were referred to in the second-reading speech’.

**Further government amendment circulated by Mr HULLS (Attorney-General) pursuant to sessional orders.**

**Mr HOWARD (Ballarat East)** — I am pleased to rise to speak in support of the box-ironbark legislation. In doing so I should outline why we have come to this point. It is because across the north of this state there are significant areas of box-ironbark forest in various states of repair or disrepair. These areas identify a particularly significant habitat type for the Australian landscape. There are 73 different vegetation types within the overall box-ironbark forests and woodlands, including some 1500 species of flowering plants and

over 250 vertebrate species. Of those at least 297 plant species and 53 faunal species are now classified as extinct, threatened or near threatened. That has taken place because over the last 100-plus years large areas of those box-ironbark forest and woodlands areas have been diminished through clearing for agricultural purposes, through the harvesting of timber and through a range of other activities that have taken place.

That is an issue that has been recognised right across this state. It was the former Kennett government that set in place the Environment Conservation Council (ECC) to consult widely across the regions and to determine and evaluate how best we could protect those box-ironbark woodlands areas. We know that there was a regional forest agreement (RFA) process whereby state forests across Victoria were evaluated and determinations were made about the logging that should continue in those areas into the future. The box-ironbark areas were accepted as being of such importance as to be taken out of the RFA process and considered separately.

The Environment Conservation Council considered this matter for quite some time, and while that was continuing there was a change of government. The Bracks government certainly supported the ECC, and it wanted to see the evaluation of our box-ironbark areas continue. The terms of reference asked the ECC to identify and evaluate the extent, condition, values and uses of the box-ironbark forests and woodlands areas in northern Victoria; to make recommendations on the balanced use of these areas; to have regard to the economic and social value of any existing and proposed development or use of the land or resources; and lastly to have regard to nationally agreed criteria for a comprehensive, adequate and representative parks and reserves system.

The ECC spent six years deliberating over these issues. We know its report was released last year, and since that time the government has further had consultations with groups across those areas. We recognise the environmental significance of the box-ironbark woodlands and the importance of retaining them and ensuring that we do not further endanger the plants and faunal species in those areas. We also recognise that they have a social significance to those communities, both economically and in terms of cultural and recreational values. Those have clearly been taken into account. I cannot recall a more extensive process of consultation with a range of interest groups across the communities that have interests in the box-ironbark woodlands.

The government has essentially supported the recommendations of the ECC in establishing an extensive system of parks and reserves within that area to ensure the ongoing survival of those ecosystems and in some cases their reinstatement. What will these parks provide? I get a bit concerned when I hear some people say that we are locking these areas away. As somebody who has done a lot of bushwalking over the years and enjoyed recreating in our natural environment, I have never seen a national park that has been locked away. In fact I have appreciated doing a lot of walking in a broad range of our Victorian national parks. These parks are places for visitors to enjoy the diversity of the box-ironbark country. They cater for a wide range of recreational activities, and they can and will provide added stimulus for tourism.

I am aware that this will not create a rush of tourism into these areas, but given the range of parks available there are a lot of opportunities for communities living nearby to build tourism into their economic development opportunities for their regions. It will not happen overnight, and there will not be a great influx in a lot of those areas, but there are certainly opportunities to build upon.

What will be allowed in these areas? The answer is most ranges of recreation, including walking, picnicking, camping, car touring, birdwatching and all of those sorts of things, plus orienteering, rogaining, horseriding, mountain climbing, trail bike riding and so on. Prospecting and car rallying are among other activities that will be permitted, subject to the protection of park values. All of these uses will be provided for and will ensure a balance of community use and community appreciation of these parks systems.

Certainly the government, following on from the ECC report, has continued with a very extensive range of consultations — a list starting from 30 June last year when the draft report of the ECC was brought down right through to the present time. I am pleased to see that the government has been listening to all of the groups that have taken part in the process. Some of those groups have talked with local members of Parliament, including myself, and others have talked with the minister and her office and other representatives that the government has had in place, including John Button, who was asked to carry out extensive consultation following the release of the box-ironbark report. We have considered all of the information we have gained from people feeding their concerns and their views about the box-ironbark woodland back to us, and we have tried to work through them in a balanced and sensible way.

We have established a very extensive park system right across the north of this state. I know the honourable member for Bendigo East will be talking enthusiastically later on in this debate about the Greater Bendigo National Park. Certainly the Chiltern-Mount Pilot National Park is another one we have extended significantly, and near my electorate the Castlemaine Diggings National Heritage Park is a new addition that will be greatly appreciated by many people in that area. Within this system we see a great range of community values that the government will look to ensure are protected and enhanced.

There has been a lot of discussion about prospecting. A number of people have spoken to me about their concerns that they will be prevented from prospecting in a range of areas. After working through the consultation process and in making its determinations the government has acknowledged that prospecting will be allowed in a range of zones within this park system. Very few areas which are presently prospecting sites will be taken off the list as areas at which prospecting can continue to take place.

The government has said that it will allow prospecting in zones within the Greater Bendigo and Chiltern-Mount Pilot national parks. Prospecting will also be allowed in certain parts of the Castlemaine Diggings National Heritage Park, a new category of park which recognises the special historic character of the area south of Castlemaine. Prospecting can take place in three of the five state parks, except in areas that are identified as zones having high conservation values. There is also provision for prospecting for gemstones in specific areas within the Heathcote-Graytown National Park, the Warby Range, and the list goes on.

The government has provided detailed information sheets right throughout this process. Some have been in a simple, basic form and others have been in the form of glossy information leaflets. The government has been intent on ensuring that all of those who have an interest in the development of the park can be fully informed and up with the latest information available.

The comments made by the honourable member for Rodney caused me significant concern. He misrepresented many aspects of the legislation. For example, he tried to suggest that the government has not consulted widely and has not looked at and does not have plans for firewood strategies. They are out there in written form. There is a five-year firewood plan for Bendigo at the community firewood supply area, there is a five-year firewood plan for Castlemaine at the community firewood supply area, and there are five-year firewood plans for Dunolly, Inglewood and

Heathcote — and the list goes on. It has taken considerable time and consultation to plan to ensure that we can provide an ongoing firewood supply for people in these areas.

**An honourable member** interjected.

**Mr HOWARD** — Unfortunately there has been a lot of misinformation, much of it being derived from National Party members, who have certainly not been interested in providing a positive input into the box-ironbark system development process. In fact, we know — —

*Honourable members interjecting.*

**The ACTING SPEAKER (Mr Kilgour)** — Order! The Attorney-General should not be inciting people in this house. I ask him to desist. The honourable member for Ballarat East, without assistance.

**Mr HOWARD** — Certainly, Mr Acting Speaker. I do not need that assistance, because it is clear that at no stage has the National Party seriously looked at protecting any of the significant areas within the box-ironbark area.

*Honourable members interjecting.*

**Mr HOWARD** — They will want to interject, but the fact is that at every opportunity they have tried to throw up spurious information and to support any of those who wish to push misinformation. At no stage has the National Party taken a constructive role by saying that this is an area that needs to be supported. Even with the so-called reasoned amendment it moved yesterday it wanted to present a lot of misinformation and find ways of saying, 'We do like our environment and we sort of respect it, but no way do we want another national park. No way do we want any national parks'. National Party members are always using terminology such as 'locking up our national parks'. I do not know whether we have seen chains or anything around our national parks, and as so many people enjoy — —

**Mrs Fyffe** — On a point of order, Mr Acting Speaker, the honourable member is misleading the house. No-one has said they do not want national parks — no-one!

**The ACTING SPEAKER (Mr Kilgour)** — Order! There is no point of order.

**Mr HOWARD** — Thank you, Mr Acting Speaker. So as to the locking up of our national parks, many people from across this state, from other states and from overseas find that our national parks are open and are

great places to visit and appreciate the special features of our state and nature of our country. The national parks, state parks and reserves proposed to be within the box-ironbark system will add to those opportunities for so many visitors.

Issues have been raised by concerned prospectors, apiarists and so on about how to determine which areas they are not able to go into because of the special environmental values that need to be protected. The government has drawn up a draft grievance process that is out there and on which it is again consulting. The initial feedback from groups is that they think the grievance process does take into account their concerns. At every stage along the way this government has listened to and taken into account people's concerns, but at the bottom line it recognises that it has to be true to the Environment Conservation Council (ECC) determinations and that these box-ironbark forest and woodland areas have been depleted too much. We must ensure that they are depleted no further, that they are protected and that the many species of plants and animals found in those areas continue to be found in those areas.

I have talked about the firewood plans this government has presented and about the grievance process which is in draft form and is out there for further consultation. There is also the issue of ecological thinning. The honourable member for Rodney also suggested that this government is not looking seriously at ecological thinning. The government has identified within this bill a process whereby it has committed a significant amount of money — over \$600 000 — to have teams of people do extensive trials around key towns to evaluate the ecological thinning process, and silvicultural thinnings will take place in other areas outside the reserve system.

The government has also provided for a range of advisory committees to be set up and has sought expressions of interest from community members across the box-ironbark areas so they can have an ongoing say in the development of management practices within the particular parks they have interest in.

**An honourable member** interjected.

**Mr HOWARD** — We have to get this bill through as a first stage so that the parks will be in place. Right along the way the government has done some great planning and has worked with the community to ensure that it can be really proud of the protection being provided. It is pleasing that initially the former government was fully supportive of this process and

that it set in place the ECC, because that has recognised its importance. I hope that those on the other side of the house, particularly members of the Liberal Party, will recognise that this bill is important and support it. I am disappointed but not surprised that the National Party still wants to walk away, present misinformation and not work in any constructive form to protect the box-ironbark woodlands. In this case I am very pleased to support the bill before the house.

**Mr PLOWMAN** (Benambra) — There comes a time when every one of us during our political careers is confronted by legislation which has two diametrically opposed outcomes. The National Parks (Box-Ironbark and Other Parks) Bill is such a piece of legislation.

On the one hand we have those vast areas of public land which all of us want to see maintained and improved. On the other hand, we have a big group of people across country Victoria who have had traditional use of the land and for a variety of purposes have improved the value of the land that they have been involved in over those years. They have enjoyed that opportunity for up to four or five generations. These two outcomes are not mutually exclusive: in this case the latter outcome is not required to meet the former outcome. We can and should manage this area of land, as described in the box-ironbark forest and woodland report, in a manner which is ecologically sustainable. However, at the same time we should be able to retain the vast amount of local knowledge that exists in those people who have been the users of these areas of land over the past four to five generations and let them do what they have done for those many years.

These non-contiguous parcels of land throughout central and north-eastern Victoria are not what I would call an iconic park. Very little of this area is significant enough for it to even be called a national park. Most people when asked about the box-ironbark do not know that it is not one tree. Most people believe it is one species of eucalypt, which indicates the little knowledge and understanding the majority of Victorians have about the area. Very few people visit the areas of box-ironbark. The areas where the box-ironbark grow comprise mostly light shale and ironstone, which is not attractive to the eye, intermingled with quartz, gold-bearing stone and shale.

As a consequence this area of land has been extraordinarily disturbed over the years — that goes back almost to the time of settlement. In most cases the majority of its natural vegetation was removed for firewood. Clearly when that occurred it was not a pretty sight. The photographic evidence available from libraries throughout Victoria and the Department of

Natural Resources and Environment illustrates the ravages of that early mining. I have a pamphlet about the mining at Eldorado which started in about 1861 and a photograph from it clearly shows the ravages that occurred in those days, the decimation of that land and the loss of vegetation cover. It was not a pretty sight. Things have changed dramatically since then.

I would like to quote, selectively, from a letter from Malcolm and Phyllis McClure from Castlemaine, who state:

I have lived most of my 75 years in Castlemaine district ...

Remembering in the 1930s 13 goldmines were working and being developed in the local area which all burned wood to produce steam to drive the various machines such as winding machines and massive air compressors and water pumps. My father supplied the firewood and split timber to some of these mines ...

The local hospital, meatworks and the old folks home all had large steam boilers needed for various needs such as heating et cetera, besides that almost 100 per cent of the houses and some businesses were using firewood for heating and cooking. All the combined total of firewood burned was approximately 200 000 tons per year.

This is just from the Castlemaine area.

In the late 1940s when the NSW coal miners went on strike for 18 months, firewood for the Melbourne area was needed to replace the shortage of coal as a lot of houses were using coal for cooking and heating. At first the wood was loaded onto railway trucks and sent down to various Melbourne suburbs. Then the railway workers went out on strike and the wood was carted directly to Melbourne by road transport.

... the government built two camps of approximately 200 each for displaced persons from Europe and had them cutting firewood to try and keep up with the demand, this went on for approximately three years until the coalmines got going again. The demand slowly went down, and when the natural gas was piped through the area in the early 1970s it was slowed down to a mere trickle as it is today.

This indicates that so much of this gold-bearing area, the box-ironbark woodland and forest, was severely denuded from the very first time that goldmining started through until the mid-1900s. As the letter indicates, that has slowed to a mere trickle.

**Debate interrupted.**

## DISTINGUISHED VISITORS

**The ACTING SPEAKER (Mr Kilgour)** — Order! I interrupt the honourable member for Benambra to welcome to the gallery a parliamentary delegation from the Socialist Republic of Vietnam led by Dr Nguyen Phuc Thanh, MP, vice-president of the National Assembly. Welcome to the Victorian Parliament. We

hope you find your visit to our Parliament interesting. Thank you for visiting.

**Debate resumed.**

**Mr PLOWMAN (Benambra)** — I am sure the Vietnamese delegation will be most interested in the debate.

It is important to realise that the areas of box-ironbark forest and box woodlands which are managed by the Department of Natural Resources and Environment are not declining. That is one of the points I want to make clear in my presentation. The box-ironbark areas are far healthier today than they were in the 1930s and 1940s and far healthier than in the time described in the letter I have just quoted — around 130 years ago.

Four major mistruths have been used throughout the debate which need to be discussed. The first one is the issue of the declining forest, which I have just talked about. It simply is not true. I lived in the box-ironbark areas for about 40 years before I moved into this profession. In all those years I was fully aware of what was happening in those forests in my area. I have to say that during that period of time the forests have certainly improved. They have grown substantially and they are now at that stage where, if you look at the Chiltern box-ironbark forest, it is at that stage where there is natural selection going on, where the lesser species are being weeded out. There is a problem throughout much of this area of increased weed invasion and vermin invasion — invasion by feral cats and wild dogs — but the forests continue to improve.

The second mistruth which I think needs to be brought forward is the argument that there is only 17 per cent of the box-ironbark forests remaining compared with those present in pre-white settlement days. Again this is clearly untrue. I will quote figures from appendix 3 of the *Box-Ironbark Forests and Woodlands Investigation — Final Report*. In this we are looking at ecological vegetation classes and vegetation communities. The pre-1750 extent of the box-ironbark forest was 410 862 hectares. It is now estimated to be 208 080 hectares, or 50.6 per cent of the total pre-1750 area. The broombush mallee was 43 907 and it is now 25 572, or 62.8 per cent; the heathy dry forest was 104 822 hectares, and is now 62 153, or 59 per cent. If you look right across the Talbot forest areas you will see that they are down to 42.12 per cent of the original area. I reiterate that the box-ironbark forest is at over 50 per cent of the pre-1750 area, yet how many times have we heard that it is 17 per cent? It is strictly not true and this report that we are supposed to be debating says so.

The third mistruth is about the 350 endangered species in the box-ironbark study area. Appendix 1 of the final report also deals clearly with this. Only 29 species of flora and fauna are listed as endangered with an action statement. A further 70 species are listed but do not have action statements. That is a far cry from the 350 species that we have all been told are endangered in these areas.

The fourth mistruth is the myth of ecotourism. It has been said that ecotourism will restore the viability of all of those smaller towns when the timber cutters leave with their families, when the fossickers stop coming to camp and stop sourcing their requirements from small country towns and when firewood becomes inaccessible. It certainly has not happened in the past in the parks in the north and west of this state and it will not happen in the box-ironbark forests of Victoria. Even the Button report makes it quite clear that ecotourism is not a magic pudding and that it will not replace the income that is going to be lost to those communities.

What should we need to do to ensure that the best management practice applies to these areas? Personally I accept the report and its recommendations that vast areas of these forests are going to go into national parks, state parks and different reserves, but I have four major reservations. The first is that silviculture thinning in the national parks and the state parks should be done by existing local woodcutters, as is the case in state forests, and that all of the vegetation thinnings should be made available for firewood for communities in those areas.

The second reservation is in regard to prospectors and fossickers. I have a gold nugget in my hand. That is the sort of size nugget that prospectors look for.

**An Honourable Member** — What's it worth?

**Mr PLOWMAN** — It is worth quite a bit of money. Unfortunately I do not own it. This is what they are looking for. It does not take a bulldozer to uncover something of that size. Might I say that I am delighted to hear that at the very last moment the government is coming up with amendments in order — —

**Mr Helper** — On a point of order, Mr Acting Speaker, I am wondering whether the honourable member is prepared to table the nugget.

**The ACTING SPEAKER (Mr Kilgour)** — Order! There is no point of order. The honourable member is prepared to table the nugget. I would be careful about who looked after it, as a matter of fact. The honourable member for Hawthorn has taken off with it! I hope that nugget finds its way back to its owner.

**Mr PLOWMAN** — I thank the honourable member for Ripon for recognising the importance of nuggets in the detecting and fossicking that goes on throughout country Victoria.

The point is that access to the St Arnaud Range National Park, the Heathcote-Graytown National Park and the Chiltern-Mount Pilot National Park should be available for both fossickers and prospectors. I am delighted to hear that the government at the last moment is introducing an amendment to make that happen.

The next point is that I believe it is very important that all park management plans should involve advisory committees made up of local people, particularly local people from user groups, and that the management plans be made up of the decisions of those committees.

The next point, and maybe one of the most important, is the extension of the period for the phase-out of eucalyptus oil harvesting from 6 years to 10 years. Again it is thanks to the National Party and the Liberal Party for sticking to their guns that at the last moment the Labor Party has introduced amendments to achieve that.

I would also like an assurance from the government that there will be adequate — total — fuel reduction burning in all of these box-ironbark park or forest areas. Just because there is a change in the status of these areas does not mean there is not just as much need for that fuel reduction burning, especially around towns like Eldorado, which are scattered throughout the state.

The second point is that the track-closure policy should be discontinued in new national parks. It is vital for firefighting that these tracks remain open. It is also sensible for the pursuits that are going to be allowed in these areas, like horseriding, that these tracks remain open and that people do not need to share them with vehicles. It is important that farmers and hunters be permitted to assist in feral animal control.

There are two other very important points. Current mining licences should not be affected by the introduction of these new parks, and most importantly, the approval process for mining and exploration should be made more transparent in the introduction of this park process.

To summarise all of that, there should be a full review of the management and funding of existing parks before any more parks are established in Victoria. We should demand that that occur.

I am very concerned about the linear parks along the Broken and Boosey creeks and along the Black Dog Creek. I do not understand why they are included in the study, as those of us who live in the area know there are no ironbark trees on any of those creeks and very few box trees — they are almost totally inhabited by red gums. I cannot understand why the top ends of both the Broken and Boosey creeks are being treated one way and the bottom ends another way. It just does not make any sense. I cannot understand why the government is doing that. It is of enormous concern to me that Black Dog Creek was included in this study at all. It is typical of hundreds of creeks throughout Victoria.

There are many issues that need clarification about the box-ironbark report. The apiarists need certainty that their sites cannot be closed without at least three months notice.

One of the things that came up in debate was that the Victorian National Parks Authority suggested that national parks did not experience as many fires as other areas in Victoria because they were not managed with a regime that included fuel-reduction burning. That is absolutely untrue. I have seen the devastation on the eastern side of Mount Buffalo after the fires went through there in the middle of the last decade, and it was appalling. Those people who suggest that the lack of fuel-reduction burning did not make that fire 100 per cent worse than it might have been do not understand how important fuel-reduction burning is.

I quickly make the point that the mill at Rushworth has been closed. Why? We got from that mill timber which has outstanding qualities of durability and colour and is used for outdoor furniture.

The last issue I wish to raise is the \$20.8 million the government has promised for the introduction of this report. I see in a memorandum from the office of the Minister for Environment and Conservation that the only new funding is \$6.95 million and that the rest is Department of Natural Resources and Environment corporate redirections and Parks Victoria corporate redirections. This is nothing more than a hypocritical exercise in deception on all country Victorians.

**Substituted Independent amendments circulated by Mr INGRAM (Gippsland East) pursuant to sessional orders.**

**Mr JASPER** (Murray Valley) — I am pleased to join the debate on the National Parks (Box-Ironbark and Other Parks) Bill. I have listened with a great deal of interest to the contributions made by previous speakers. I listened to the contribution of the honourable member for Benambra, which indicated an

understanding of this legislation and the areas that are proposed to be included in parks in Victoria. While listening to him I thought he should be strongly supporting the reasoned amendment put forward by the National Party.

I also listened to the contribution of the honourable member for Sandringham earlier in the debate. I have had a great respect for the honourable member and the contributions he has made to debates in Parliament, but I indicate to the house my disappointment with the information he provided to the house, which I believe showed he does not have a true understanding of the issues relating to the legislation.

On the other hand the contribution made by the honourable member for Rodney was excellent. He provided an overview of this legislation, including its development and how it affects people living in the north-eastern, northern and central parts of Victoria. He indicated clearly that the National Party has discussed this issue with people right across this area — not only with people from the Environment Conservation Council and the government through the Department of Natural Resources and Environment, but more importantly the people who live in these areas. That is the bottom line as far as we are concerned. We believe that the people living in these areas have not been given enough consideration in looking at this legislation.

What I want to do is to go back in history a little. When the interim report on the box-ironbark forest and woodlands investigation was presented to us by the Environment Conservation Council (ECC), like many honourable members I looked at the areas that particularly affected me within my electorate of Murray Valley. Those areas cover the Broken-Boosey State Park, the Killawarra State Forest and the Chiltern-Mount Pilot National Park. I undertook extensive investigations and there is no doubt that the ECC responded very well to the representations I made to it. I organised one meeting at St James on the western end of my electorate. About 200 people attended and the chief executive officer of the ECC, Mr Shane Dwyer, and senior officer Mr Paul Peake addressed the meeting, went through the report and answered clearly and as they understood it questions on what was included in the report and its recommendations.

I organised a further meeting at the township of Eldorado where there were further discussions relating to the interim report. There was a lot of concern raised about some issues in the report during those discussions and areas were identified which the community believed should be further investigated. I must say that

the ECC responded positively to the representations which had been made by groups and organisations and I believe its representatives went out of their way to discuss the issues with the people and organisations involved and then came up with the final report. Further meetings were held, including one which I organised at Eldorado earlier this year which over 200 people attended. Mr Dwyer and Mr Peake attended that meeting and whilst there was some hostility in relation to the responses from the ECC representatives, a great deal of information was provided.

Somebody — I think it was the honourable member for Ballarat East — mentioned that there was a lot of misinformation. What they tried to do was to get into perspective what the true situation was in relation to this report and the subsequent legislation which is now before Parliament.

Three resolutions came out of that meeting in January this year at Eldorado. The first was that people believed the proposed park came too close to the township of Eldorado. Secondly, they were concerned with the reduction along the Reedy Creek, because that is an area where people go camping and undertake activities such as fossicking. They bring their families there, they go horseriding and do other activities which they believed may be restricted. Thirdly, they felt there should be protection for people involved in wood collection. There has certainly been movement in that respect and the government has tried to respond to some of the issues that have been raised. In fact the legislation before the Parliament sought to respond to that. If you have a look at the three specific park areas which I mentioned earlier, you see there are a number of varying activities allowed in those areas and that is the way these concerns should be responded to.

I was also interested to see in the final report that the Wangaratta Common was mentioned. That was the first time this area had been mentioned in the report and it was disappointing that the ECC had not had any prior discussions with people from the Rural City of Wangaratta who were quite prepared to negotiate and talk about what was proposed. There have been some changes in relation to that issue.

Looking at the three proposed park areas I mentioned, including the Broken-Boosey State Park, there is no doubt there have been changes. I acknowledge that we have the reduced area along the two creeks and that other parts of the proposed park in that area will now be natural feature reserves. That is certainly a move in the right direction. I rang and spoke to one of the key ladies involved in the representations made on this matter and her comment was, 'We are not worried about the

National Party because we believe the National Party will do the right thing to support us in this area, the Boosey–Broken Creek area'. These people said, 'We have had the negotiations with the government'. The government has moved and sought to respond to the representations they had made.

Their comment was, 'Our concern is the Liberal Party. Our concern is what the Liberal Party will do and in fact what we need to see is a response from the Liberal Party in recognising where the National Party is coming from on this issue and perhaps we could get to a better conclusion'. So we have seen the discussions which have taken place and we have seen the actions that have been taken by the National Party in moving this reasoned amendment before Parliament today.

I come back to the Killawarra Forest. It is interesting when you talk to people who live in the area. One of the people I spoke to was Mr Garnett Frost, a person of 77 years of age who has been working as a post-cutter, one of two, in the Killawarra forest area for over 25 years. He knows the area and he has some understanding of it. I wrote down some notes on what he said to me and I think they are worth quoting. He said, in effect, that he did not want Killawarra to be taken by the national parks and allowed to become a mess like the Warby Ranges. He said wildflowers will not compete with all the litter that is on the ground in the Warby Ranges, and that the forest needs thinning to let the other smaller trees come through. He mentioned that he has a contract each year for 1000 fence posts, 100 strainers and 50 stays.

The second post-cutter in the area has an allocation of 300 posts, 150 strainers and 100 stays. Mr Frost told me that the allocation that has been made is realistic as they are cutting out of the forest the equivalent of three-quarters of a post per acre per year. He told me they are being forced to cut down the smaller trees and leave the bigger trees there so that those that are over 40 centimetres in circumference at chest height — that depends on what height your chest is, I guess — will remain and the smaller trees will be cut down. He indicated that larger trees often have mistletoe in them. They eventually die and become litter on the ground. Here is a person who has lived in the forest area all his life, and has worked 25 years as a post-cutter. He is a conservationist. He wants to retain the natural beauty of the area.

I understand the argument of conservationists. I have spoken to them — and I have had correspondence with Mr and Mrs Curtis from the Rural City of Wangaratta — and they have a genuine interest in this, but so have we. We want a balance — a balance



between the people who want to retain these areas as natural habitat and those who want to enjoy and partake in other activities.

About three weeks ago I spent two hours in the Warby Ranges with the Country Fire Authority (CFA). Anyone who has visited the ranges will know the road that runs along the ridge. When we drove along that road we noted that there was an enormous amount of timber lying on the ground and extensive undergrowth. Do honourable members know what will happen if a fire starts in the Warby Ranges? The whole lot will go up. The CFA has told me that its members will not go in there. We need better control and management. A contract could be let to remove some of the timber lying on the ground, which could be taken out and put to some productive use. I am not suggesting that we go right through the area and that we should not protect the sorts of things that are going on, but we need balance so that we can look at the needs of all the people.

I refer to Mr Garnett Frost, who has lived in that area nearly all his life. He is a post cutter who has been in the Killawarra Forest for 25 years. Mr Acting Speaker, you will be aware that the report indicated that post cutters would be phased out within six years, which seems to be a reasonable objective. Mr Frost says that he is 77 years of age and about six years should nearly see him out. He is a very fit person. He received a contract to sign from an officer of the Department of Natural Resources and Environment some two months ago. He said he would consider it. About a month later he received another contract, but this time it said he would be paid compensation of about \$16 000 to \$17 000 and that he would finish on 30 June 2003. The National Party is concerned about that. People in these areas have varying demands. We are not opposed to national or state parks, but there must be balance in this arrangement. We want the government to take account of all the people who live in the area and who enjoy a range of activities.

I acknowledge that the report recognises many of these activities, but the National Party is concerned about some areas of the department. Garnett Frost tells me that officers from the department tell him the trees that should be taken down but they do not recognise his knowledge when they tell him this.

I refer to the Eldorado area, which is an interesting area. I recognise the changes made by the government in the legislation in drawing back the proposed national park from the township of Eldorado and creating the Eldorado Historic Reserve around the historic dredge and beyond. I recognise the work done by the Honourable Peter Hall, a member for Gippsland

Province in another place, supported by the Honourable Bill Baxter, a member for North Eastern Province, on the amendments recognising the changes in the development of this forest area of the national parks and giving greater recognition to the fact that people in the Eldorado precinct have concerns. During the committee debate the National Party will move an amendment that will ensure that the area around Eldorado continues the multipurpose park and extended state forest. There is recognition that the owners of the three or four private properties in the area are concerned about access to the national park and whether there will be appropriate protection for the activities they undertake.

When I talked to officers of the Department of Natural Resources and Environment they said those property owners would be able to use the access roads, which would be maintained by the Rural City of Wangaratta, and that they would still be able to carry dogs and guns in their vehicles if they wished. The National Party is concerned about that. The honourable member for Benambra said that many of these areas are not strictly box-ironbark forest areas, and I have been told by Mr Anthony Carey, who has lived in that area all his life, that there is only a small amount of box-ironbark forest but that it should be maintained as a state forest. The National Party is proposing that most of that area be rezoned as state forest, which would protect Reedy Creek and the people living in the Eldorado area and would extend the park to the Woolshed Falls area.

I received representations from Michael Bear, who lives in the Wangaratta area and owns a block of land adjacent to the township of Eldorado. He said that according to the report he would have to drive through a national park to get to his block of land, on which he is building a house. What had happened was that this area had been included as part of the national park and that would have precluded his having access to his privately owned property. I am pleased that the Environment Conservation Council responded to my recommendations and that a small sliver of land was taken out of the park. I highlight that issue because it indicates some of the problems that we may have. Unless you go out and look at the area you do not really know where the boundaries are and what is included. Some of the people at the Environment Conservation Council were not aware of the boundaries for the proposed state or national parks. The National Party believes that while an excellent report has been prepared and there has been movement by the government in responding to the needs and desires of people, it does not go far enough.

In closing, I highlight the three issues that are of concern and are important to the National Party. The government has said it will establish management committees for each of these areas, but the bottom line is that the Department of Natural Resources and Environment or Parks Victoria will have the final say in the activities that will take place in those areas. The people in the Broken–Boosey Creek area, in the Eldorado area and in the Killawarra Forest do not believe that is acceptable. They are concerned about what will happen within the department and about the people who will manage these areas.

Without appropriate funding these parks cannot be properly managed or maintained. That is a key issue with national parks already. Insufficient government funding is being provided for the protection and development of those areas. If we are to have additional state or national parks more funding must be provided by the government so that they are managed effectively. We must take account of the wishes of all the people living in the area.

The third issue of concern to the National Party is wood collection. Many people in my electorate regularly collect and use firewood. Even though we have a strategy developed by the government and a grievance process, I am concerned about the possible phasing out of wood collection. Many people living in my area believe it is a natural activity to collect firewood to burn in their homes. I have mentioned other issues of concern during the debate.

The National Party strongly believes that the house should support the reasoned amendment moved by the honourable member for Rodney that will allow further discussion and debate and allow us to gain appropriate assurances from the government about our concerns. An apiarist told me earlier this week that although there were appropriate protections for his activities he was concerned the government may curtail those activities. The same thing may occur with prospectors and miners.

**Ms Allan** interjected.

**Mr JASPER** — The honourable member for Bendigo East says I am scaremongering. You go and talk to the apiarists!

**Ms Allan** interjected.

**Mr JASPER** — Well, you have not listened to them.

I have concerns about what the department may do if these activities take place. That is the major issue so far as the National Party is concerned. We want to see a

government that is honest and will make sure that appropriate protections are in place and that we get the management for them to go forward. I am disappointed with the actions taken by the Liberal Party, which has been critical of the legislation and the things that have happened but has not come forward and said, ‘We will support what is a logical amendment being put forward by the National Party’.

**Further government amendments circulated by Mr HAMILTON (Minister for Agriculture) pursuant to sessional orders.**

**Mr HELPER** (Ripon) — The debate over the creation of a new network of parks and reserves in box-ironbark forests has been a long and at various times a very contentious one. At the outset I acknowledge the various groups that have engaged in this debate, and on the whole they have done so in a spirit of fairness — obviously wishing to advance their particular cause but nevertheless doing so in a spirit of fairness. I acknowledge my appreciation of the input from a range of groups, organisations and individuals.

The legislation has come into the house after an investigation into the protection of box-ironbark forests that the then Land Conservation Council commenced back in 1996. That pays some recognition to the length of the process. The LCC’s successor, the Environment Conservation Council, followed on that investigation and presented its recommendations to the government last year. During the LCC and ECC’s investigation there was an enormous amount of community interest, but of course that rose to a crescendo after the circulation of the ECC’s draft report and has continued through to the legislation being before the house today.

In response the government accepted the ECC’s recommendations on the land areas to be protected. Also the government commissioned the Honourable John Button to produce a report into how the ECC framework and recommendations could be implemented. It should be acknowledged across the chamber that the process the government has engaged in in implementing the ECC’s recommendations has been about trying to value add and seek the best possible outcomes for the community.

The Button report informed the development of the government’s \$20.8 million package to implement and manage the parks and to undertake structural adjustment programs to assist those commercial timber cutters who will be affected by their creation. It is worthwhile pointing out that if the ECC recommendations had been implemented by a coalition government I doubt very much that we would have

seen a recognition of the individuals displaced through the creation of parks and reserves. I suspect somehow that they would have been hung out to dry and that there would not have been an adjustment package.

There always will be issues with any adjustment package — that is part of the natural dynamic. As any changes in our community occur the people who get affected by them have a broad range of interpretations of the effectiveness of any adjustment package. But overall I think it is fair to say — as I say, it is a hallmark of this government — that it recognises that in the creation of these parks and reserves people and their livelihoods are affected and it has a responsibility to address their needs in this process of change.

To date the government has had 119 applications for assistance under the package — and I think the word ‘assistance’ should be seen as being used quite loosely. The licence applicants have engaged in the adjustment program, as we have invited them to, so that is something I welcome. Of the 119, 21 licensees are full time, 15 work between half time and full time, and 83 work less than half time. So we can see from those figures the quite broad spread of activity that occurs in the box-ironbark forests. We can see the broad range of industry interaction within the box-ironbark forests, from a little bit of part-time activity through to full-time work.

The government will now work with the applicants and those who are engaging in the adjustment process with a view to developing a fair and balanced package as a consequence of the creation of the new parks and reserves. However, I can announce a government initiative that it gives me a great deal of personal pleasure to see discussed in conjunction with the legislation — that is, that those timber workers will have access to work again in these parks as part of a \$600 000 package of ecological and silvicultural works throughout the box-ironbark region.

For the benefit of those honourable members who do not quite understand the ecosystem of the vast bulk of box-ironbark forests, I point out that it has been extensively modified through human activity. In most cases the forests have been logged, and in many cases the soil has been disturbed through mining activity. That is part of history. We are here now, but there needs to be a clear understanding that we are not talking about anything resembling old-growth forests but talking about an ecosystem which has been extensively modified and which many would argue needs to be managed in the transition towards a natural state of ecological balance. This \$600 000 allocation will

provide up to 10 positions, and priority will be given to employing displaced timber workers in these jobs.

I congratulate the government on working through a process that provides a maximum outcome not only for environmental concerns but also for the community’s wellbeing in those areas that are affected by the parks and reserves. It is great news for regional Victoria and further demonstrates, as I say, the Bracks government’s commitment to listening to the concerns of regional communities and then acting upon what it hears.

This program will not only help return Victoria’s box-ironbark forests to pre-European condition but provide real jobs for those affected by the change. The plan has two components — the silviculture thinning program in the state forest, and an ecological management strategy (EMS) within the new national and state parks. As I said, this twin approach will not only facilitate and repair the health of the forests but provide a jobs dividend by creating new employment opportunities for timber cutters in those parts of Victoria affected by the creation of the parks. Any honourable member that looks at this initiative in a fair and balanced way would have to acknowledge that that is indeed a win-win outcome.

The idea is to remove competing smaller trees to allow habitat trees to grow even bigger. That is in parks and reserves. This technique will stimulate the growth of the remaining trees and help improve the ecology of the forests.

I live on a property with 10 acres or so of box-ironbark forest.

**Mr Hamilton** interjected.

**Mr HELPER** — Is that what it is? I can never keep up with this newfangled stuff.

Perhaps it should be explained to members that the box-ironbark forest regrows from stumps left by previous woodcutting. This is called coppice growth, and you often have multiple stems on a single trunk. There has not been any cutting activity on my property for quite some time and I am observing that quite young, immature coppice stems are falling over left, right and centre as a consequence of there being multiple stems on a single trunk and the single trunk not being able to support them. If my property is any example to go by, it is important that we derive the environmental outcomes of ecological thinning.

It is expected that ecological thinning will take place in these parks in the long term but it is important to do the research and determine the best approach to managing

national and state parks in the longer term. The government is not saying that it has completed the entirety of the management response in terms of the box-ironbark ecosystem. We have a certain amount of knowledge at this particular point, we understand that ecological thinning will play a part in restoring the box-ironbark forests, and we understand that we have more to learn in this regard and we intend to do so.

The silviculture thinning program will be undertaken immediately throughout the state forest. It will be principally designed to reduce the existing density of trees, thus increasing the quality of trees for sawlog, post and firewood production in working forests.

This program will give regard to managing fire risk through northern Victoria. That is an extremely important point. Forestry activities have played a part in reducing the fuel load in box-ironbark forests. As a consequence of a change in forestry practices there needs to be an understanding that the necessary fuel load reduction should be taken account of. The ongoing dry conditions have created significant fire risk in the area and these programs will ensure that fire protection is a priority throughout the region. If the product of thinning constitutes a fire risk, there will be a commitment to reduce fuel build-up throughout the parks and reserves as part of increased fire management efforts across northern Victoria.

I am also pleased to confirm that the Bracks government will move an amendment to extend the phase-out of eucalyptus oil harvesting from the Greater Bendigo National Park from 6 years to 10 years. That is an extension to 2012.

*Honourable members interjecting.*

**Mr HELPER** — I think there comes a point in resource management debates when we should toss out politics; I advise the National Party to do that. We should get on with trying to establish the best possible outcome. Frankly, I am not fazed by the cries of members of the National Party for recognition: if they are suffering from relevance deprivation syndrome, I am happy to oblige in whatever way possible. It must be terrible to suffer from the affliction of relevance deprivation, so National Party members should tap me on the shoulder and let me know how I can assist them to overcome the scourge of it.

The Bracks government will also move an amendment to allow fossicking with metal detectors in the Chiltern-Mount Pilot, St Arnaud Range and Heathcote-Graytown national parks.

*Honourable members applauded.*

**The ACTING SPEAKER (Mr Nardella)** — Order! Honourable members who have been here for a long time understand that clapping is disorderly, especially when they are out of their seats. I ask honourable members to desist.

**Mr HELPER** — In my presentation I have drawn attention to three government proposals in relation to this bill. First, I provided more detail of the government's intentions in terms of ecological thinning. I consider that to be an incredible victory for commonsense and a victory for the ecology of the box-ironbark forests in both the parks and reserves system and working state forests. Given the way the government has gone about it, this is an outcome that contributes significantly to the wellbeing of those most directly affected by the creation of box-ironbark parks and reserves.

The second point I made is that the government will act to extend the phase-out period of eucalyptus harvesting from 6 to 10 years, taking it to 2012. That is a recognition of what is going on in the community and a practical way of addressing a real issue.

The third point I highlighted was the announcement foreshadowing an amendment to allow fossicking with metal detectors in a number of parks. Again, it is fair to say that that has come from the government being prepared to listen to the community and accept feedback from it.

All of those initiatives clearly and plainly indicate that after a lengthy, exhaustive and often emotional process of engagement with the community on these matters, the government has listened to very many of the issues brought up and has acted on them in the final delivery of the bill as it passes through the Parliament. I think that all bodes well for this government and its engagement with the community.

I want to make one last point before concluding — that is, I urge the upper house, the Legislative Council of this Parliament, to facilitate speedy passage of this piece of legislation, which has been value added through the consultation the government has undertaken and its adoption of positions members of the community have put to it. In that sense, I commend the bill to the house.

**Mr HONEYWOOD (Warrantyte)** — We have just seen the most incredible double pike flip with a degree of difficulty of 10 by a party in government which only this morning said there would be no amendments to this bill; it seems the government had a conversion on the road to Damascus. The opposition is pleased to

accommodate the government's difficulties. The government has struggled through this debate because it has not consulted with the key people.

In this debate we have to acknowledge the incredible work done by the Bush Users Group and the Victorian National Parks Association. In my 14 years in Parliament I have never before seen the type of lobbying that has been done by these volunteers, who are passionate about their respective communities and the environment.

On behalf of the parliamentary Liberal Party I congratulate them for their incredible volunteer effort for and on behalf of their respective constituencies. At the end of the day this debate has proven yet again that the Australian Labor Party is a party of the city. The longstanding, accepted political rule has been that Labor governments do not know anything about what happens beyond the tram tracks of Melbourne. What we have seen in its performance in this debate in the last week or two has been nothing short of testimony to the fact that it does not understand rural Victoria.

By contrast the Liberal Party is a party for all of Victoria. The Liberal Party has had its parliamentary leader, the honourable member for Malvern, in the company of the honourable member for Benambra and honourable members from all around rural Victoria up in the local communities. He has sat down with those communities, consulted with them and discussed the key issues of concern. He has also sat down with groups such as the Victorian National Parks Association to ensure that a true balance has been brought into this debate today.

Importantly only two parties in this Parliament can form government — on the one hand the Labor Party, the party of the city, and on the other hand the Liberal Party, the party for all Victoria. At the end of the day, the National Party has the luxury of doing lots of talking but with not much chance of implementing anything, and the Independents have a similar role. So it comes down to the parliamentary Liberal Party to make a commonsense stand that balances the genuine needs and views of local residents and the environmental protection concerns of the whole community of Victoria. We have only to see the passion that both the honourable member for Benambra on the one hand and the honourable member for Sandringham on the other have brought to this debate to highlight the fact that the parliamentary Liberal Party has taken on board all of the concerns.

Even with my own family I find that on the one hand my wife's family earned its living from the cutting of

timber many years ago in the Chiltern box-ironbark forest. My wife's grandfather used to send the timber to Melbourne from a siding that is still located in the township of Chiltern. But if you go to the townships of Chiltern or Beechworth nowadays you find that tourism is booming. Whenever my wife and I go up to the family home in Rutherglen we go for bike rides and picnics in the Chiltern box-ironbark park. Those two townships are doing very well.

However, we also have to acknowledge that other townships such as Eldorado are doing it very hard indeed. Some of these smaller rural communities need acknowledgment that they have particular requirements, be it their reliance on timber as their main resource for heating in winter in particular, be it their reliance on the local box-ironbark forest for much of their recreation, or be it even the fossicking issue which affects many people who are engaged in fossicking from right around Victoria. There are legitimate local concerns, and indeed concerns being put forward by legitimate park user groups from right around Victoria.

But on the environmental protection side of the equation, national parks are vital for future generations. National parks and reserves are accepted by international, national and state governments as being the cornerstone strategy for the protection of biodiversity. These views are reflected in national and international conventions. All Victorian governments have had policies to develop a parks system that supports representative samples of the state's ecosystem and threatened flora and fauna. Designation of park systems has been a key function of the Land Conservation Council, and subsequently the Environment Conservation Council (ECC), since the early 1970s. As a result our state can lay claim to having established a truly representative parks system which is unparalleled in the world and which now covers a majority of the remaining ecosystems of our state. There are a few notable gaps, but box-ironbark forests and woodlands have been significantly under-represented in Victoria's park system.

In 1996, as we all know, the then Land Conservation Council commenced the investigation that has led to this point today. It investigated the box-ironbark areas and consulted widely before making recommendations to the then government. The ECC attempted to resolve potential conflicts by carefully choosing areas with important biodiversity values to add to the parks and reserves system, but at the end of the day we have to trust the fact that local communities that have been living with these forests, parks and reserves are also passionate about their local environments and are

passionate about the ability to interact and engage with those local reserves and local parks.

On that basis, what we have today is a win-win for all the people of Victoria. It is not going to lock out — which is the Labor Party's philosophy — people from enjoying their parks. It is not going to lock out fossickers. It is not going to lock out people who, according to what we have heard today from the honourable member for Ripon in his double pike flip, are going to be able to in some cases do some ecological thinning, subject to pilot studies. It is certainly not going to lock out the eucalyptus oil extractors. As we have just heard in another flip from the government — another reversal of its previous intransigent stand — it is going to allow for that crucial industry for much of regional Victoria an extension from 6 years to 10 years.

For all those reasons we have now reached a virtual consensus position. The parliamentary Liberal Party now hopes the bill will go through and can only plead with the government to get it through. There is no good reason why the parliamentary Labor Party, having done the main reversal today because it is worried about the election on 30 November and is worried about votes, cannot get this legislation through Parliament before the state election is called — one year early, I might add! It is up to the government to ensure that it manages this Parliament properly as the party of government to ensure that interested groups, whether it be the Victorian National Parks Association or the bush users groups, can see closure to the incredible effort they have put into this debate. They deserve that closure, and the government would have to provide good reasons as to why that would not occur.

Certainly from our standpoint of being, if you like, the guardians of parliamentary democracy in Victoria through our majority in the upper house, we are willing to facilitate the bill, as we have done with 96 per cent per cent of the government's legislation — in other words, 96 per cent of its legislation has got through the upper house. We are willing to facilitate debate on the bill to ensure that the upper house gets this bill through, if need be in record time, given the incredible amount of consultation that has gone on and the incredible number of changes that the government has made us witness today. The honourable member for Ripon re-enters the chamber, probably having just been given his latest speaking notes about the latest reversal by the government!

What the opposition hopes to achieve, of course, is to effect closure on this issue right around regional Victoria, and in the whole Victorian community, where

people are concerned to have more park systems and more national parks. We want that closure to occur today.

**Ms ALLAN** (Bendigo East) — I am very proud today to be standing and speaking in support of this legislation that will introduce in my own region a Greater Bendigo National Park. I will talk about that in a moment, but picking up on the comments of the honourable member for Warrandyte and what he seems to think country Victorians know and think about the box-ironbark forests, I would like to remind him and many honourable members in the Liberal and National parties that many of their own voters in country Victoria support the protection of the box-ironbark forests — the protection that this piece of legislation will afford. So they cannot afford to forget in their rhetoric and in their bluff and bluster that there are many people who are supporting this legislation through the Parliament.

I want to make the point that from the beginning, when the Minister for Environment and Conservation accepted the Environment Conservation Council (ECC) report and moved to introduce this legislation in the Parliament, the Labor Party has been the party that has supported the passage of this legislation. The National Party to its credit has been very firm in its views throughout the debate on this piece of legislation. It has always held firm in its opposition to it. It has been the Liberal Party that has waxed and waned on this piece of legislation. Its members are the ones who have had more positions on the box-ironbark legislation than a team of synchronised swimmers!

What they have done over the box-ironbark legislation is a complete joke. They have not been able to hold firm on a position on the box-ironbark forests. That shows why it is important that this legislation is passed today. We cannot afford our parks in the box-ironbark regions right across country Victoria to be under threat from what a future Liberal government may do in this area. The last two days have really exposed its inability to make key decisions on important issues in country Victoria.

A number of speakers before me have spoken in detail and at length on the history of this legislation and what the ECC report formulated. But I want to talk specifically about the formation under this piece of legislation of the Greater Bendigo National Park. The park will comprise the Kamarooka State Park, One Tree Hill Regional Park and the Mandurang South and Sandhurst state forests. These are all well-known parks around the City of Greater Bendigo.

I grew up on the doorstep of the One Tree Hill Regional Park. The honourable member for Warrandyte spoke about his family history in box-ironbark regions, and I have my own history in the box-ironbark forests in central Victoria around Bendigo. My family and I grew up on the doorstep of the forests, and I have many childhood memories of treating them as a great playground. During that time I gained a strong appreciation for the native wildlife and vegetation that can be found in the central Victorian box-ironbark forests.

One of the great things about this legislation is that it will create a city in a park. It will mean that future generations can, on their own doorstep, go out and enjoy the box-ironbark forests in and around the City of Greater Bendigo.

I would like to congratulate a few of the groups and individuals in my area who for well over a decade have campaigned strongly and consistently for the establishment of the Greater Bendigo National Park. They include the Greater Bendigo National Park Group, the Bendigo Field Naturalists, the Bendigo and District Environment Council and the more recently formed Young People for Parks in Bendigo. That shows that young people appreciate the importance of legislating to protect these parks for the future. I would like to congratulate those groups and the many individuals within them and throughout the broader community. My office has received an enormous amount of correspondence, through letters, emails and telephone calls, from people who really want to see this legislation go through Parliament and who understand its importance, not only for the environmental future of our region but also for its economic future, which I will come to in a moment.

I will briefly talk about the characteristics of the Greater Bendigo National Park. The park will be 177 000 hectares in size and will go right around the City of Bendigo. It really rings the City of Greater Bendigo, and the phrase 'a city in a park' captures what that means nicely. The Greater Bendigo National Park will contain a high flora and fauna conservation value, and this legislation will protect several nationally endangered species and their habitat. Again that is why this bill is important. A number of other speakers have talked about the century-and-a half decline in box-ironbark forests and how we are left with only 17 per cent of the original forests in Victoria. Having endangered species in those areas highlights why it is important to protect them.

The Greater Bendigo National Park also has great diverse vegetation value, including the highest quality

box-ironbark forests in the area, the most substantial area of broombush mallee in the region and one of the largest areas of grassy woodlands in Victoria. It is also the most important site in Australia for the Kamarooka mallee.

The new Greater Bendigo National Park includes areas where there are three nationally endangered species, including the McIvor spider orchid, the Whipstick Westringia and the only Victorian population of the pink-tailed worm lizard. Its protection of those three endangered species again highlights the importance of this legislation.

*Honourable members interjecting.*

**Ms ALLAN** — The National Party might find that pretty funny, but many people in my community welcome support for these types of endangered species and many others in the national park.

I will briefly refer to the Castlemaine Diggings National Heritage Park. The creation of this national park with the passage of this legislation creates an Australian first. It recognises not only the environmental importance of the area but also its cultural and heritage value and really shows how those three things can work together.

In the time I have left I would like to highlight the following matters. The honourable member for Ripon has spoken at length about how the passage of this bill will create difficulties for some people who rely on the box-ironbark forests for timber and other products. If there is a range of views in the party, then I suppose the honourable member for Ripon and I represent different sides of those views. But we on this side of the house have been constructive in working together to talk with a number of concerned groups, such as Timber Communities Australia and the Bush Users Group, both on a statewide level and with those who live in our own electorates. This bill has meant that difficult decisions have had to be made and will have to be made in future, because they will impact on people's livelihoods.

The honourable member for Ripon spoke about the structural support and compensation packages the government has put in place. One example the honourable member has highlighted often is the compensation for average firewood or fence post cutters, whose livelihoods are affected. They can apply for compensation in this area.

The discussions that have taken place before the introduction of this bill have been around ensuring that members of Parliament are aware of the impact on and changes to people's lives that will occur. I appreciate the dialogue we have had with those groups, who have

been very constructive in talking to us — constantly and repeatedly — about this legislation. That has been fantastic, because it has given members like me a much greater appreciation and understanding of the issues.

I will give an example from my own electorate. Last year I met with Geoff Hartland, who runs Hartland's Eucalyptus Distillery in the Huntly area. During that meeting he raised concerns about the need for a transition process and some structural assistance for his moving off public land and onto private plantations. Provisions such as the 10-year time frame to be put in place for him to make the transition are welcomed by the Hartland family. I must say that I highly recommend Hartland's eucalyptus products. They are good products!

The Greater Bendigo National Park will have positive spin-offs for the City of Greater Bendigo. The ECC report has documented the fact that there will be increased visitor numbers in recognition of a world-class park system, which will certainly complement Bendigo's built-up history. We have a strong heritage going back to the goldfields, and the passage of this bill will complement that very well. During the committee stage I would like to talk about the amendment dealing with Bendigo Mining.

In conclusion this bill protects the box-ironbark forests for the future, which members of the community, particularly the young people, recognise. It is the future that we are passing this legislation for today, and in saying that I commend the bill to the house.

**Mr VOGELS (Warrnambool)** — I am pleased to have the opportunity to say a few words on the National Parks (Box-Ironbark and Other Parks) Bill. I suggest that if the honourable member for Bendigo East, who has just been on her feet, looks in the gallery she will not recognise anyone sitting up there, because the government has refused to meet with them for the last two or three years.

**The ACTING SPEAKER (Mr Nardella)** — Order! The honourable member is not to draw attention to members of the gallery. I ask him to desist.

**Mr VOGELS** — It is only because the Liberal Party has the numbers in the Upper House to force this government kicking and screaming to the line that we have got to this stage.

**Ms GARBUTT (Minister for Environment and Conservation)** — I thank honourable members for their contributions to the debate. It has been an interesting one and it will continue to be interesting.

I underline the importance of the bill for the protection of our natural heritage. It creates a significantly expanded parks system in the box-ironbark forest and woodlands region. It further protects Wilsons Promontory National Park, which is an icon national park — one of our first. It also enhances the Mitchell River National Park and prevents the damming of this magnificent heritage river. The box-ironbark parks will play a major role in ensuring that the remnant box-ironbark forest and woodlands are adequately conserved. There are 350 endangered plants and animals in the area and the bill will provide sufficient protection for them to enhance the biodiversity of this region.

I thank all of those in the community who have contributed to the process and who continue to be involved. It is the ongoing support and commitment of the community which will ensure the success of the changes which are being put in place for the box-ironbark region. In particular I thank Timber Communities Australia and the various communities in the box-ironbark region. I also thank the public servants of the Department of Natural Resources and Environment who have worked very hard on this program, the development of the transition programs and the final bill.

All along the government has been committed to protecting box-ironbark forests and woodlands. It was a significant promise in our election platform. I am pleased that today we have seen the Liberal Party finally finish flip-flopping around and stop its spinning on different positions — yesterday it was one position, today it is another. It is obvious to all that the new leader is consistent with the old one and faced an embarrassing backdown following a backroom revolt. He will now protect the box-ironbark forests.

There has obviously been quite a change of heart and honourable members on the other side of the Parliament do not know their position. They are absolutely divided on every environmental bill, whether it be on farm dams, and we remember the somersaults about that, or marine national parks, and we remember the constant position changes about that. Now we have seen it with the box-ironbark national parks. The government has always maintained its position. We want to see these bills go through. We want to see the national parks established. It is the Liberal Party that has finally come to rest at a position. The problem is that it does not know what it stands for. I am pleased that the Liberal Party is at least showing signs that it will allow these proposals through.



I have to place on record that the government never considered allowing bulldozers — doze and detect methods — inside national parks. We have absolutely rejected that. However, in the interests of a sensible outcome, at least an outcome which will establish these national parks, we have accepted the handheld prospecting and the extension of the phase-out for the eucalyptus harvesters.

I am pleased that at last we will have an outcome on these proposals for the significantly expanded parks system in the box-ironbark region.

**House divided on omission (members in favour vote no) :**

*Ayes, 81*

Allan, Ms	Enders, Mr
Allen, Ms	Lim, Mr
Asher, Ms	Lindell, Ms
Ashley, Mr	Loney, Mr
Baillieu, Mr	Lupton, Mr
Barker, Ms	McArthur, Mr
Batchelor, Mr	McCall, Ms
Beattie, Ms	McIntosh, Mr
Bracks, Mr	Maclellan, Mr
Brumby, Mr	Maddigan, Mrs
Burke, Ms	Maxfield, Mr
Cameron, Mr	Mildenhall, Mr
Campbell, Ms	Mulder, Mr
Carli, Mr	Naphine, Dr
Clark, Mr	Nardella, Mr
Cooper, Mr	Overington, Ms
Davies, Ms	Pandazopoulos, Mr
Dean, Dr	Paterson, Mr
Delahunty, Ms	Perton, Mr
Dixon, Mr	Peulich, Mr
Doyle, Mr	Phillips, Mr
Duncan, Ms	Pike, Ms
Elliott, Mrs	Plowman, Mr
Fyffe, Mrs	Richardson, Mr
Garbutt, Ms	Robinson, Mr
Gillett, Ms	Rowe, Mr
Haermeyer, Mr	Savage, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Shardey, Mrs
Helper, Mr	Smith, Mr ( <i>Teller</i> )
Holding, Mr	Spry, Mr
Honeywood, Mr	Stensholt, Mr
Howard, Mr	Thompson, Mr
Hulls, Mr	Thwaites, Mr
Ingram, Mr	Trezise, Mr
Kosky, Ms	Viney, Mr
Kotsiras, Mr	Vogels, Mr
Langdon, Mr ( <i>Teller</i> )	Wells, Mr
Languiller, Mr	Wilson, Mr
Leigh, Mr	Wynne, Mr
Leighton, Mr	

*Noes, 6*

Delahunty, Mr ( <i>Teller</i> )	Maughan, Mr ( <i>Teller</i> )
Jasper, Mr	Ryan, Mr
Kilgour, Mr	Steggall, Mr

**Amendment negated.**

**Motion agreed to.**

**Read second time.**

**Business interrupted pursuant to sessional orders.**

**Sitting suspended 1.05 p.m. to 2.03 p.m.**

## NATIONAL WEEK OF DEAF PEOPLE

**The SPEAKER** — Order! I wish to advise the house that this is the National Week of Deaf People. I have given permission to a request for two interpreters from the Victorian Deaf Society to sign today's proceedings for members of the gallery who are either deaf or hearing impaired.

## QUESTIONS WITHOUT NOTICE

### Superannuation: public sector

**Mr CLARK** (Box Hill) — My question without notice is for the Premier. I refer to the repeated failures by the Premier and the Minister for Finance to disclose what further losses to Victorian taxpayers have been caused as a result of share price falls since 30 June this year and as a result of the Treasurer authorising public sector superannuation funds to increase their investments in overseas shares from 30 per cent to 40 per cent of their portfolios. I further refer to disclosures by the Victorian Funds Management Corporation that it has restructured its clients' international equity portfolios and has set up a new international equities trust —

**The SPEAKER** — Order! The honourable member should come to his question.

**Mr CLARK** — Will the Premier now undertake to make public the full facts about the losses that have occurred in Victoria's public sector superannuation funds and about the Treasurer's role in such losses?

**Mr BRACKS** (Premier) — We have provided for a significant buffer on the operating account, and within that buffer we have accounted for a downturn in the international stock market and still had a surplus. A surplus! That is good housekeeping; that is good financial management. Initially we committed to a minimum \$100 million surplus. In fact we put a \$500 million buffer on for any external shock, and you can see how necessary and important that was when you see that the adjustments that were made post-11 September 2001 and the downturn in the stock

market have accounted for a substantial surplus. That is how we will structure the accounts in the future as well, to account for any downturn in the stock market and still produce a surplus.

**Drought: government assistance**

**Mr RYAN** (Leader of the National Party) — I refer to the Premier’s answer last week in question time when he said he was happy to negotiate with the federal government over an improved exceptional circumstances (EC) package for Victoria’s drought-affected rural areas. Given this statement and the fact that the federal Minister for Agriculture, Fisheries and Forestry has since offered to pick up 90 per cent of new business support measures in the first year of an EC declaration, will the Premier now agree to the improved federal drought relief package?

**Mr BRACKS** (Premier) — I thank the Leader of the National Party for his question. The offer remains for continued negotiation, and we would welcome that occurring in the future.

This government expects to have its exceptional circumstances submission to the commonwealth prepared in early November — 4 November for some parts of Victoria, and a bit later for other parts of Victoria. I note that the federal minister, Mr Truss, has said that once he receives that submission he will automatically pay for drought relief. I welcome that assurance from his office. We will prepare the best possible case for that to happen. In the meantime we will also negotiate with the federal government on these matters, but we want to see money and support flowing to drought-affected areas in Victoria, just as we have done and just as other state jurisdictions have done. I reiterate: \$30 million is going from the state government to drought assistance, which is necessary, appropriate and something which is required in the future.

What is happening with the federal government? How much has it contributed? Absolutely zero! This is a chance for Mr Truss to address this. He will have a submission soon. He said he would automatically apply it. The big test for him will be to see if he actually applies that money as he said he would.

**Natural Heritage Trust: allocations**

**Mr WYNNE** (Richmond) — Will the Minister for Environment and Conservation update the house on the latest developments concerning allocations from the Natural Heritage Trust and explain what impact this

and other developments may have on critical environmental projects around the state?

**Ms GARBUTT** (Minister for Environment and Conservation) — I am concerned that today I have to advise the house that there is a range of environmental programs right across the state that are under threat. The basis of that threat relates to advice from the federal government about Victoria’s share of the Natural Heritage Trust Mark 2 — Mark 2!

**An honourable member** interjected.

**Ms GARBUTT** — You are right; it is bad news.

Last year regional Victoria shared around \$30 million in funding from the NHT. This year, however, the indications are that regional Victoria will get around half that — a 50 per cent cut, down to \$15 million. That is very bad news for country Victoria, but it gets worse! The federal government is set to announce that it will take its share of funding for the Wimmera–Mallee pipeline — nearly \$8 million — out of that reduced \$15 million. So we are going from \$30 million to \$15 million to \$7 million for regional Victoria. That will have devastating impacts on a whole range of groups right across the state.

I want to go through the impact that that would have on the North East Catchment Management Authority — an excellent organisation that is doing great work. Last year it got \$2.8 million through the Natural Heritage Trust; this year it looks like it will get less than \$1 million — —

**Mr Perton** interjected.

**Ms GARBUTT** — You really don’t care about the environment, do you? The North East Catchment Management Authority — —

*Honourable members interjecting.*

**Ms GARBUTT** — Why do you hate the environment so much?

The North East Catchment Management Authority has around 50 Landcare groups all working on the ground and doing excellent work to manage salinity and improve land and water quality. Those are very good, high-priority areas to be working in. The great irony is that the federal government has allocated eight Landcare facilitators to help with this work, but due to these cuts they will have nothing to do — there will not be projects funded for them to do. They will be sitting around twiddling their thumbs with nothing to do.

The North East Catchment Management Authority is of course doubly vulnerable because it is receiving no money through the national action plan for salinity and water quality. Of course the Premier has written to the Prime Minister seeking a matching contribution of \$5 million to fund these works. The silence is deafening. There has been no reply.

Quite clearly the Liberal Party, both here in Victoria and federally, does not care about the environment. We have seen that demonstrated time and again. Clearly the Liberal Party does not know what it stands for and is absolutely divided when it comes to the environment. We have seen the half twist, the half pike and the palace revolt in the Liberal Party rooms today on the creation of new national parks. It is the latest, I have to say, in a series — —

**The SPEAKER** — Order! I ask the minister to come back to answering the question.

**Ms GARBUTT** — When it comes to the environment the Liberal Party is absolutely consistent — it is divided. It stands for nothing, whether it be on farm dams, marine national parks, box-ironbark national parks or the Victorian Environment Assessment Council — the list goes on and on.

#### **Able Demolitions and Excavations Pty Ltd**

**Mr McINTOSH (Kew)** — I refer the Premier to the fact that on or about 20 April 2000 the Premier received written advice from his own departmental secretary that a senior representative of the Construction, Forestry, Mining and Energy Union warned that if the government awarded the National Gallery demolition contract to the government's own preferred tenderer, Able Demolitions and Excavations Pty Ltd, then the CFMEU would take industrial action on several government construction sites. Can the Premier inform the house why the government withheld awarding the National Gallery demolition contract to Able Demolitions for a further three and a half months?

**Mr BRACKS (Premier)** — As the honourable member for Kew would no doubt know, this matter has been examined by the building royal commission. It has determined its findings, and the government response is absolutely on the record.

#### **Drugs: Kilmore rehabilitation centre**

**Ms DUNCAN (Gisborne)** — Will the Minister for Health advise the house of the latest developments in the government's expansion of drug treatment services,

especially for country Victoria, and explain why this has been necessary.

**Mr THWAITES (Minister for Health)** — I thank the honourable member for Gisborne for her question. The drug problem is not just a city problem. We know that drug and alcohol abuse affects towns and regions all over Australia. I am very pleased to announce today an expansion of our drug treatment effort by the establishment of a new \$775 000 residential rehabilitation centre for young adults to be located in the Kilmore area. It will target in particular 18 to 25-year-olds from rural Victoria. The service will provide a new approach to residential rehabilitation, offering shorter and more intensive rehabilitation and linkages with employment and support services. Based on a 12-week stay, over 100 young adults will be able to access this program each year.

I am very pleased to advise the house that this announcement has been made after a tender process and that the Salvation Army has won the tender. The Salvation Army, despite the questioning from the members of the opposition — —

**An honourable member** interjected.

**Mr THWAITES** — They were trying to have a go at this.

*Honourable members interjecting.*

**Mr THWAITES** — They were. The Salvation Army has an impeccable record and will manage this new service.

The Bracks government's record of achievement in the area of drugs and young people stands on its own. For example, there has been a 26 per cent increase in the provision of treatment courses for young people. Since 1999 there has been a 72 per cent reduction in waiting times for treatment, and there has been an 18 per cent increase in the number of clients accessing drug treatment. This government has nearly doubled the number of drug treatment beds, which is now 120.

This government has had to take initiatives in country Victoria because almost nothing was done for drug detox services in country Victoria by the previous government. This government has put in place a residential drug detox service in Ballarat, a residential drug detox service in Bendigo and adult and youth residential detox services in Geelong. We should not forget that between 1994 and 1996 the previous government actually closed drug treatment beds. All we get on drug and alcohol issues from the current Leader of the Opposition, who was then a junior health

minister, is populist rhetoric! We have not had a policy. He will not tell us what the opposition's policies are on drug and alcohol.

The government is putting in place a comprehensive drug strategy. Unlike the Leader of the Opposition, it is not indulging in cheap rhetoric, which is what he is doing now. Cheap rhetoric! The opposition leader will not say what his policy is, and the opposition — —

**Mr Honeywood** interjected.

**Mr THWAITES** — This government will continue to put extra services in place in country Victoria. It is about time that we heard one single health policy from the opposition.

### Planning: wind farms

**Ms DAVIES** (Gippsland West) — Will the Minister for Planning guarantee that the decisions the government makes on the basis of the recently announced wind farm guidelines will conform in full with the requirements of the Victorian coastal strategy?

**Ms DELAHUNTY** (Minister for Planning) — I thank the honourable member for Gippsland West for her question. Last week the wind farm guidelines were approved after a period of community and council consultation. They have been supported by councils and by the Municipal Association of Victoria in particular.

The question goes to the consistency between the wind farm guidelines and the Victorian coastal strategy. I can assure the house and the honourable member that the Victorian coastal strategy and the new wind farm guidelines are entirely consistent. Under the Victorian planning provisions councils must take into account both the coastal strategy and the wind farm guidelines.

The wind farm guidelines are important. This is an industry in Victoria that is developing, and it is one which the Victorian government wants to support. It is renewable power and will reduce green house emissions, and the government hopes these guidelines will facilitate the generation of up to 1000 megawatts of electricity by wind power. If that occurs over a period of time in Victoria, it will provide about 10 per cent of the electricity for all Victorians. It is therefore important that we have these wind farm guidelines not only to support this industry but also to ensure that wind farms are developed in an environmentally sustainable way. Under these guidelines coastal areas and national parks will be protected. I think that around 43 per cent of the coastal area is excluded from any development under the wind farm guidelines and also that they are forbidden 1 kilometre in from the coast.

The government is supporting the wind farm energy industry because it is about facilitating a sustainable, affordable and secure energy supply for Victorians.

### Deakin University

**Mr BAILLIEU** (Hawthorn) — My question is directed to the Premier. Given the two years of local heartache and the fact that the formal but draining and costly processes have now been concluded, will the proposed student activities centre at the Deakin University Burwood campus be approved or rejected?

**Mr BRACKS** (Premier) — I thank the honourable member for Hawthorn for his question. It will go through the proper processes, as it is now, and the minister will receive a recommendation and make a decision on that very soon.

### Employment: statistics

**Mr MAXFIELD** (Narracan) — Will the Minister for Employment advise the house on the latest employment statistics for regional Victoria and explain how the government has contributed to this outcome and why this has been necessary?

**Mr PANDAZOPOULOS** (Minister for Employment) — I thank the honourable member for Narracan for his question. The latest employment figures were published last Thursday, and they again show that Victoria has the lowest unemployment rate in Australia, at 5.8 per cent. Today the regional labour force figures were released, and they show more great news for Victoria.

We all know the Kennett government ignored regional Victoria. It was the toenails of Victoria. Communities such as Gippsland, which the honourable member for Narracan represents, had an unemployment rate in June 1998 of 13.8 per cent. In May 1999, the Loddon–Mallee region had an unemployment rate of 11.3 per cent. Governments had to act to support regional Victoria. The Labor government was elected to grow all of Victoria, not just Melbourne. Regional Victoria is no longer the toenails of Victoria but a key part of the government's decision-making process.

The Bracks government is investing in regional Victoria. There is now record investment in capital infrastructure, record building approvals, record tourism growth and great programs like the Regional Infrastructure Development Fund. Victoria is now the economic powerhouse of Australia and our region.

Today's regional figures show the great news that the unemployment rate has reduced from 6.7 per cent to

6.1 per cent — that is 13 100 new jobs over the last month. Unlike the opposition, the government has detailed plans and strategies for growing all of the state and all of our industries. The number of new manufacturing jobs has grown by 21 000, contrary to the lies of the opposition that 21 000 jobs have been lost. These are 21 000 extra jobs from when the government was elected.

The way to grow Victoria is to understand Victoria. You must not be lazy. We know that opposition members are not prepared to spend time travelling around regional Victoria or talking to people. All they have is one simple plan: spend big! Spend, spend, spend — \$3 billion — but reduce taxes!

The biggest damage to the Victorian economy and its regions is caused by being economically irresponsible. That damages the economy and job opportunities. Because the government is responsible we have seen not only growth in jobs in regional Victoria but, since we have been in government, massive job growth in the outer suburbs of Melbourne as well. In the southern suburbs there are 25 600 extra jobs; in the south-eastern suburbs, 15 100 extra jobs, and in the outer-eastern suburbs 38 700 extra jobs.

This government understands regional Victoria. It works with communities and has plans for them. The government is continuing to grow all Victoria. The only threat is the policy-free zone of the opposition.

### **Police: consultants**

**Mr WELLS** (Wantirna) — I refer the Minister for Police and Emergency Services to the employment of two former New South Wales senior police officers, Mr Jeff Jarratt and Mr David Bradley, as consultants to Victoria Police and the fact that their positions were never advertised; there were never any job descriptions; they never had any written contracts and that the remuneration was based on a handshake. Will the minister explain why documents relating to their employment were created only after a freedom of information request was lodged?

**Mr HAERMEYER** (Minister for Police and Emergency Services) — The Chief Commissioner of Police is employed effectively as the chief executive officer of the Victoria Police. As there is a separation of powers between the role of government and the role of Victoria Police, these matters are left to the chief commissioner to determine. I do not expect honourable members opposite to understand.

**Mr Perton** — You are responsible — you are the minister!

**The SPEAKER** — Order! The honourable member for Doncaster should not interject in that vein.

**Mr HAERMEYER** — The honourable member for Doncaster seems to find his way onto the front bench in opposition, but for some reason they can never find a space for him in government!

*Honourable members interjecting.*

**The SPEAKER** — Order! Enough is enough! The minister, coming back to answering the question.

**Mr HAERMEYER** — I do not interfere in the capacity of the chief commissioner to make these appointments. That is properly the role of the chief commissioner. We do not have the secretary or president of our bills committee running around the country shopping for a chief commissioner. We do not do things that way; we observe the separation of powers.

### **Regional Development Victoria: establishment**

**Ms OVERINGTON** (Ballarat West) — Will the Minister for State and Regional Development inform the house of recent actions by the government to revitalise regional Victoria, including the new Regional Development Victoria, and explain why it has been necessary?

**Mr BRUMBY** (Minister for State and Regional Development) — I thank the honourable member for Ballarat West for her question. She is a wonderful representative for the Ballarat area. Honourable members are aware that last night the house gave the green light, without amendment, for the establishment of Regional Development Victoria, a dedicated body to attract new investment, new jobs and new opportunities for regional Victoria.

Many speakers contributed to the debate, and I particularly highlight the contributions of the honourable members for Narracan, Bendigo East, Ripon and Gisborne, who spoke so eloquently in support of the legislation.

Why is Regional Development Victoria significant? It is significant because it is the next stage of the Bracks government's agenda to grow opportunities in regional and rural Victoria. It is also significant because it has taken almost 30 years for such a body to be established in Victoria. It was first mooted in 1973, yet it has taken the best part of 30 years, but it is the Bracks government that has delivered on this commitment for country Victoria.

It is also significant because it builds on the achievements of the Bracks government over the past three years. We have massively boosted infrastructure spending in country Victoria. We have reinvested in schools, hospitals and country roads and we have facilitated billions of dollars of new private sector investment.

As a result, in country Victoria today employment and investment are up, new opportunities are up, building approvals are up and exports are up across country Victoria.

**Dr Dean** interjected.

**Mr BRUMBY** — The shadow Treasurer interjects again. The question is why it has been necessary to introduce this bill and why it has been necessary to put in place our plans for country Victoria. We remember — —

*Honourable members interjecting.*

**Mr BRUMBY** — You should apologise!

**The SPEAKER** — Order! The minister should address his remarks through the Chair.

**Mr BRUMBY** — Twelve country hospitals were closed and privatised under the opposition in government, and 178 country schools were closed. Country Victoria lost 17 500 jobs during the Kennett period, and 16 passenger rail services were closed.

As I said, I am delighted that the Regional Development Victoria legislation has been passed by this house. I have to say it has received enormous support across country Victoria. Here is the Ballarat *Courier* headline: ‘New move to attract regional investment’. Here is the *Portland Observer* headline: ‘Development boost for rural and regional Victoria’. Here is the *Camperdown Chronicle* headline: ‘Rural development profile lifts’. The *Sunraysia Daily* headline is ‘Boost for the bush’; the *Ararat Advertiser* headline is ‘Development boost for regional and rural centres’; and the editorial in the *Weekly Times* says:

RDV has the potential to rebuild the front desk and face of state government that was rationalised out of many country towns during the Kennett years.

Recently a member of this house was reported as saying:

Country Victorians are awake to the fact that if people turn up at 5 minutes to midnight trying to sell their wares that’s not the sort of thing that will appeal amongst country Victorians.

That statement was made by the Leader of the National Party, and of course he was talking about the Liberal Party. The fact of the matter is that during the seven years of Kennett government country Victoria was decimated.

**Mr Perton** — On a point of order, Mr Speaker, the minister is clearly debating the question, and I ask you to bring him back to answering it.

**The SPEAKER** — Order! I am not prepared to uphold the point of order. However, I remind the Minister for State and Regional Development of the need under sessional orders to be succinct, and I ask him to conclude his answer.

**Mr BRUMBY** — That was the statement by the Leader of the National Party, and that is the fact of the matter. Everybody remembers the record of the Kennett government — the toenails, the hospitals, schools and country railway lines that were closed, and the jobs that were lost. On Friday the new Leader of the Opposition was too busy and too tired to make his visit to Bendigo.

**Mr Perton** — On a further point of order, Mr Speaker, you have already cautioned the minister and asked him to conclude his answer. He is just proceeding with his pre-written script, and I ask you to sit him down now.

**The SPEAKER** — Order! I do not uphold the point of order. I ask that the minister, however, desist from debating the question.

**Mr BRUMBY** — The Bracks government is getting on with the job of rebuilding and renewing country Victoria. We have the results on the board. Regional Development Victoria represents the next stage of an exciting agenda to realise even more of the potential for country Victoria. As for the Liberal Party, given it has a leader who I think was too tired to visit country Victoria, country Victoria is too tired of the Liberal Party.

**Dr Dean** — On a point of order, Mr Speaker, in relation to debating, you would have thought that after his deceitful misquotes to the house yesterday the minister would not have the gall to show his face and debate anything again!

**The SPEAKER** — Order! The honourable member for Berwick is clearly attempting to make a point in debate. There is therefore no point of order.

The minister has concluded his answer.

**NATIONAL PARKS (BOX-IRONBARK AND OTHER PARKS) BILL**

**Committed.**

*Committee*

**Clauses 1 and 2 agreed to.**

**Clause 3**

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

1. Clause 3, line 5, after this line insert —  
 “**“exploration licence”** means an exploration licence under Part 2 of the **Mineral Resources Development Act 1990**.”.
2. Clause 3, line 6, omit “**“miner’s”**” and insert “**“miner’s”**”.

Amendment 1 inserts the definition of ‘exploration licence’ in section 3 of the National Parks Act 1975 so that it is clear that this refers to an exploration licence granted under the Mineral Resources Development Act 1990. This is a consequence of amendments 3, 4 and 10, which insert the term ‘exploration licence’ in section 40. Amendment 2 is consequential to the first amendment.

**Amendments agreed to; amended clause agreed to.**

**Clause 4**

**Mr INGRAM** (Gippsland East) — I move:

1. Clause 4, lines 17 and 18, omit all words and expressions on these lines and insert —  
 “**4. Amendments to sections 17 and 19**”.
2. Clause 4, line 18, after this line insert —  
 ‘(1) In section 17(2) of the **National Parks Act 1975**, after paragraph (a) **insert** —  
 “(aa) have regard to all classes of management actions that may be implemented for the purposes of maintaining and improving the ecological function of the park;”’.
3. Clause 4, line 20, after this line insert —  
 ‘(3) In section 17 of the **National Parks Act 1975**, after sub-section (2) **insert** —  
 “(2A) In relation to a national park or State park created after the commencement of section 4 of the **National Parks (Box-Ironbark and Other Parks) Act 2002** the Minister must cause a report for that park, setting out the information prescribed in sub-section (2B), to be laid before

each House of Parliament within 12 months of the creation of that park, or, if either House is not then sitting, within 5 sitting days of that House after that date.

- (2B) A report prepared under sub-section (2A) must —
  - (a) set out the priorities for the achievement of the management objectives listed in sub-section (2); and
  - (b) set out the actions that are required to achieve those priorities through the management plan; and
  - (c) set out the funding that has been allocated to achieving those priorities; and
  - (d) be independently assessed.”’.
4. Clause 4, line 22, after this line insert —  
 ‘(5) In section 17 of the **National Parks Act 1975**, after sub-section (4) **insert** —  
 “(5) A report prepared under sub-section (2A) may be wholly or partly disallowed by a House of Parliament in the same manner as a statutory rule may be disallowed under section 23 of the **Subordinate Legislation Act 1994**.”’.

I shall outline the reasons why I have moved these amendments, as I did not get an opportunity to speak during the second-reading debate because of the time element. The first amendment I have moved inserts paragraph (aa) into section 17(2) of the National Parks Act, which outlines a range of the objects of the act. The new paragraph reads:

- (aa) have regard to all classes of management actions that may be implemented for the purposes of maintaining and improving the ecological function of the park.

In my view some of the clauses are fairly broad and a little bit unclear. Basically I included that paragraph because it covers some of the things that may not be recognised.

Amendment 2 includes an obligation for the government in relation to the creation of these new national parks to basically put to Parliament a report that outlines the priorities for achieving the management objectives listed in section 17(2) of the National Parks Act. The report will have to set out the actions required to achieve those priorities preceding the management plan, the priorities that should be included in the management plan, and the funding allocated to achieve those priorities. That report should be independently assessed and presented to Parliament.

These amendments would change clause 4 of the bill and in my view provide greater accountability in the implementation of national parks. They will also mean that when we pass amendments to national parks legislation members of Parliament will recognise the cost of maintaining national parks. One of the challenges we face right across Victoria, particularly in areas like mine, a large proportion of which is national park and state forest, is the inability to get sufficient resources to manage the threats to the ecological functioning of those areas.

If we declare national parks it is absolutely essential that we maintain those areas for the reasons we set them aside in the first place. In my view the ultimate crime is to set aside some of the best areas of this state in perpetuity without providing the resources needed to protect the issues identified in the National Parks Act, such as preserving an area's cultural and ecological integrity. These amendments provide more accountability for all members of Parliament when making changes to national parks legislation.

**Mr DOYLE** (Leader of the Opposition) — Members of the opposition find ourselves in a somewhat strange position. We agree with what the honourable member for Gippsland East proposes but not the way he wishes to go about it. The opposition thinks there are some pitfalls in enshrining this in legislation. In his amendments the honourable member requires the report to detail priorities, management objectives, actions and funding, and be independently assessed. The opposition thinks that is an appropriate management plan and appropriate information but we will not be able to support the amendments because we do not believe these sorts of things should be enshrined in the legislation.

That is not to say that we do not support what the honourable member for Gippsland East is trying to achieve through these amendments. We suggest that if you wanted to change that you would need the flexibility so you did not have to come back to this Parliament to do it. As I said, while we certainly support the thrust and the principles the honourable member for Gippsland East has proposed in his amendments, we will not support them. That is not because we do not agree with this but because we do not believe the way to achieve it is to put it in the legislation. I thank the honourable member for what I think is a very useful contribution to the debate.

**Ms GARBUTT** (Minister for Environment and Conservation) — The government is prepared to accept the first three of these amendments. The government believes this is a relevant accountability mechanism,

and this is a government that is committed to openness and being accountable. However, we do not think the fourth amendment is necessary, and we are not prepared to accept the provision of disallowance by either house of the Parliament. The government does not see that that adds any value.

Of course, none of these provisions can, nor are they intended to, take the place of the management planning process which takes place for all national parks and involves extensive community consultation. Many people are interested in national parks and are supportive of them, particularly local residents, and they wish to be involved in the development of relevant management plans. That will continue to happen. However, the government is prepared to accept the first three of these proposals.

**Mr INGRAM** (Gippsland East) — I would like to make a small further contribution. Both the Liberal and Labor parties have mentioned management plans and the planning process. I would like to reiterate that the purpose of these amendments is not to replace management plans, because I believe the management planning process is essential. However, I will point out that I had great difficulty when looking at this bill and the National Parks Act because there is no definition of a management plan even though there is a set formula for management plans contained in the vaults of the Department of Natural Resources and Environment.

I concede that sometimes my research skills are not as good as they could be so I went to the library and asked the library staff to find the definition of a management plan and where it is included in the legislation. They could not find it and had to go to Parks Victoria to get assistance with that. There needs to be a future look at the principal act to include a definition of a management plan and a recognition that that process includes public consultation and a range of other measures so it is spelt out very clearly.

I also believe there should be a time line in which management plans should be implemented. If we are establishing national parks there should be a very structured formula that allows community consultation, reports to go out and a reporting back to Parliament in a set time line. I think the Minister for Environment and Conservation should look at that in the future.

I reiterate that my amendment is not about replacing management plans, it is about the precursor to that, and I think it would assist with the establishment of management plans, especially when you look at the cost of those management actions, including public



access and how we manage community access to our precious natural areas.

**Mr MAUGHAN** (Rodney) — The National Party will be supporting these amendments. We have a different approach. We believe the management plans should be prepared and finalised before the legislation goes to Parliament. Nonetheless the amendments moved by the honourable member for Gippsland East are a step in the right direction, and we will be supporting them.

**Mr DOYLE** (Leader of the Opposition) — I thank the honourable member for Gippsland East for that explanation. The opposition will not oppose these amendments, given the member's explanation. However, as I said, opposition members do not think this is necessarily the way to go about it, although we support the principles. The opposition will not oppose this.

I do not mean this by way of trying to be difficult, but I said before that one of the problems is that if you enshrine these things in legislation and if they are interpreted in a way that you never intended or they say something that you never intended, the cumbersome mechanism of having to come back to the Parliament and make alterations does not bring greater flexibility. One of the examples of that is — and I say this in all good faith — the first set of amendments proposed by the honourable member was changed, I believe in a better way, by the second set he proposed.

In the first set of amendments the honourable member wanted the time within which it was believed each objective would be achieved listed. In the second set of amendments that was changed to set out the actions required to achieve those priorities through the management plan. I agree that the second set of amendments is a better set of principles. However, imagine, for instance, that we had passed the first set of amendments into legislation and then found that we actually meant what the honourable member has now brought in with this second set of amendments.

The point the opposition is trying to make is not that it opposes what the honourable member is trying to do but that it is unsure about locking it into legislation. Given the honourable member's explanation and the minister's statement that the government will support some of the amendments, the opposition we will not oppose these amendments.

**Amendments 1 to 3 agreed to; amendment 4 negatived; amended clause agreed to.**

## Clause 5

**Mr MAUGHAN** (Rodney) — I move:

1. Clause 5, line 30, after this line insert —
  - (2) In section 25B of the **National Parks Act 1975**, after sub-section (1) **insert** —
    - “(1A) In relation to any part of a park described in Part 30, 41, 42 or 43 of Schedule Two or in Part 13, 15, 26, 30 or 38 of Schedule Two B or Part 8 of Schedule Four, the Governor in Council may, by notice published in the Government Gazette, authorise the taking of forest produce for the purposes of ecological thinning, subject to the conditions set out in the notice.”.
  - (3) In section 25B(4) of the **National Parks Act 1975** —
    - (a) after “agreement under sub-section (1)” **insert** “or a notice under sub-section (1A)”;
    - (b) in paragraph (b), after “the agreement” **insert** “or the notice (as the case so requires)”.
  - (4) In section 25B(5) of the **National Parks Act 1975**, after “the agreement entered into under sub-section (1)” **insert** “or the notice made under sub-section (1A) (as the case so requires)”.

Section 25B of the National Parks Act 1975 is headed ‘Extraction of Forest Produce from Parks’. This amendment has the effect of allowing under agreement by the secretary of the department the extraction of forest produce for the purpose of ecological thinning within the following parks: the Chiltern-Mount Pilot National Park, the Greater Bendigo National Park, Heathcote-Graytown National Park, St Arnaud Range National Park, Kamarooka State Park, Kooyoora State Park, Paddys Ranges State Park, Warby Range State Park, Reef Hills State Park, and the Castlemaine Diggings National Heritage Park.

In my response to the second-reading speech I talked about ecological thinning. I will quote from the final report of the Environment Conservation Council. On page 73, talking about ecological thinning, the report says:

The sole objective of thinning as an ecological management tool is to improve the habitat conditions in parks and reserves by increasing the number of large trees. Thinning should be carried out in a manner that best achieves ecological goals. It may differ from silvicultural practices.

It talks about the production of firewood not being an objective.

Where it does occur however, thinning will produce wood as a by-product which can, where appropriate, be sold as firewood.

We would argue that ecological thinning is a practice that we should be encouraging and that it will create some employment for those that have been displaced from their current jobs in the timber industry, so I am pleased to move that amendment.

**Mr HELPER** (Ripon) — We are in opposition to the amendment proposed by the honourable member for Rodney. It seems that the honourable member may not have been in the chamber when I outlined in a little more detail what the government's intent is in terms of ecological thinning. It is intended to have an ecological thinning regime in parks and reserves, which is very much driven by the environmental outcomes and the outcomes in relation to ensuring that box-ironbark forests do transit into a self-sustaining ecosystem. To that extent the government has committed \$600 000 to a package of ecological thinning and silviculture.

The opposition to the amendment basically comes from a very firm belief that such management techniques and processes need to be part of management techniques rather than part of legislation. I think the management of parks is something that needs to be adapted and needs to be relatively flexible within a framework of desired outcomes and ought not to be encumbered by a legislated-for management regime, and on that basis the amendment is opposed.

**Mr DOYLE** (Leader of the Opposition) — I am pleased to hear the honourable member for Ripon say that. I was somewhat disappointed when the minister in summing up the second-reading debate did not give those guarantees, and with due respect to the honourable member for Ripon, I would expect the minister to make the same commitments.

**Ms Garbutt** — There is no division on this side of the house!

**Mr DOYLE** — How would we know whether there was division or not when we have not heard what the minister has to say in this place?

**Ms Garbutt** interjected.

**Mr DOYLE** — The minister says it's very precious. If now the honourable member for Ripon is the official government spokesperson on these matters and not the minister, we will know who to go to, and that may well be — —

**An honourable member** interjected.

**Mr DOYLE** — They are one and the same, they say. What a terrible insult to one or the other of you! And you can draw your own conclusions from that.

I believe it is important that the minister does give these assurances. Consistently with our last position on the amendment as proposed by the honourable member for Gippsland East, we would also agree that this is a management technique and that this is something that can be managed in a way that does not require the legislation. But that does mean, I think, that it is incumbent upon the responsible minister to stand in this place and give due weight and effect to the fact that there will be ecological thinnings and that that will be adhered to. I say that particularly from first-hand experience, because I recall at the invitation of the honourable member for Benambra going up to the Eldorado area and talking to a group of people from there. They made a very persuasive case to me about ecological thinnings and about having access to those forests, particularly for firewood, but also for fire safety purposes, and also, as they pointed out, for ecologically sound practice. So I was persuaded by those arguments, but I am not persuaded that this is something that should go into the legislation.

I think it is incumbent on the responsible minister to give the assurances that are appropriate to this house, certainly to this side of the house, and to the communities that will benefit from this program. I must say in discussing with the honourable member for Benambra — someone who has a great deal of knowledge in this area — I think we would need also to look at whether it needs to be a program, or how long the program needs to be, and once we do a pilot program to evaluate it, we can give some certainty to communities. I am sure this will be a policy on which we can move quickly to help those communities who will benefit from the fire safety, the firewood and the ecologically sound management practices.

So on the basis that the minister does give the appropriate assurances and stands by the words of the government, we would agree that this is not something that needs to be managed through legislation, and I would ask the minister for that assurance.

**Mr RYAN** (Leader of the National Party) — The National Party has moved this amendment because, like the many community members who are concerned about the totality of this legislation, we simply do not trust the government to deliver upon that which it says it is going to deliver.

It is interesting that the government is prepared to accept the amendment of the honourable member for

Gippsland East in relation to a hands-on management issue, and yet when it comes to this amendment, which is very directly related to a similar issue, it will not do so. It is only of recent times that I was in Heathcote talking to some of those who are now being disenfranchised because their licences are not being renewed for the purposes of taking timber out of these areas that are the subject of this legislation.

I was hearing their stories about the way in which it is going to impact upon their livelihoods and talking about what they are supposed to do. Many of them have been living their lives in these areas for literally decades, and here is an opportunity on the part of the government to accept a sensible amendment which will tell these people, in a legislative form, that their interests are going to be properly protected. Yet in the scheme of it all, these people are supposed to fall back upon some sort of half-baked assurance given by the government, and the government cannot even work out itself who is supposed to be giving it.

We strongly believe that this amendment is appropriate and that the government should accept it, and we urge it to do so.

**Dr NAPTHINE** (Portland) — I was reluctant to rise on this issue. I wanted to give a bit of time for the minister to get to her feet and respond.

**Ms Garbutt** interjected.

**Dr NAPTHINE** — I thought it was very appropriate that the minister outline to the house, as the minister responsible for this legislation, what the government's position is with regard to ecological thinnings.

**Ms Garbutt** interjected.

**Dr NAPTHINE** — With due respect to the honourable member for Ripon, he is not a minister of the Crown. He is not the one who has the carriage of this legislation. He is not the one sitting at the table in a responsible way to deliver the government's position on this legislation, who can give some assurance to the communities that are affected by this decision. As the Leader of the Opposition has said, there are real issues that have been raised by —

*Honourable members interjecting.*

**Dr NAPTHINE** — The Environment Conservation Council report, from my recollection of it, advised that ecological thinning was an integral part of the proper conservation and environmental management of these sorts of forests, so ecological thinnings do have a role to

play. They are important in both the conservation and the environment of these forests. They are also important as a source of firewood for many communities, particularly areas such as Heathcote, where there are many individuals and families from lower socioeconomic circumstances who do not have access to natural gas, who find that bottled gas is extremely expensive and that electricity for heating is extremely expensive, and the access to firewood through the box-ironbark areas is very important to their financial viability. It is also important for them to have ongoing access to those forests.

As the Leader of the Opposition also pointed out, there is also the important issue of ecological thinnings in providing fire safety within the forest. So ecological thinnings do have real relevance in terms of the conservation of the forest, access to firewood and fire safety in the box-ironbark area.

Here is the opportunity for the minister, speaking with the authority she has as a minister of the Crown, to give the people who are vitally interested in this issue an assurance on the government's exact position on the future management of ecological thinnings, both in state parks and in the proposed national parks.

I can assure you, Madam Chair, that the people of Victoria, particularly the people of central Victoria who live in the vicinity of the box-ironbark area, are vitally interested in knowing what the minister's and the government's position is so they can make a judgment on those issues. It is absolutely incumbent on the minister to stand up and tell us exactly what the government's position is.

**Ms GARBUTT** (Minister for Environment and Conservation) — This would be a joke if it were not a serious issue. There is absolutely no division on this side of the house. Despite the honourable member's attempts to beat it all up and make it into some grand problem, there is absolutely no division — unlike on the other side of the house, of course, which has many, many positions.

It goes right back to a meeting I had in Heathcote, when the ECC report first came out with comments about ecological thinnings. I had the meeting with Timber Communities Australia — I see representatives of TCA here in the house — and we talked about ecological thinnings. Subsequent to that I met with many people throughout many communities — again in Heathcote and later in Maryborough, St Arnaud, Stawell and Ararat — where we talked about these issues.

We have always made it clear that we understand and have great sympathy for the timber workers who are affected, and we have put in place a fair, equitable and generous scheme for them. We have always said we understand that fire protection is a key issue, and we respect that. We have reviewed the fire protection plans throughout those areas, and we put out a press release about this some time ago. But no doubt, because the opposition is so involved in its own trench warfare, it probably missed it.

We understand clearly the need to improve the ecological values of the forests. So together with my colleague the honourable member for Ripon I was very pleased to recently put out exact details of the program we have put in place to pick up the commitments on ecological thinning and on management. They are in two parts — on forestry management and on management of the parks.

**Mr Doyle** interjected.

**Ms GARBUTT** — But it is the opposition which has beaten this issue up as though there is some grand problem. What an imagination! What a drama, for goodness' sake.

**Mr Doyle** interjected.

**Ms GARBUTT** — You really do hate good news, don't you? You hate the environment and you hate good news.

**Mr Doyle** interjected.

**The CHAIRMAN** — Order! The Leader of the Opposition.

**Ms GARBUTT** — I will go through the commitments that have been made. Although I have no doubt that the opposition leader does not want to hear about them, let's have the details on the record. There is a \$600 000 package for ecological and silvicultural works throughout the box-ironbark region, which will employ 10 full-time timber workers from those displaced across the region. There were about 30 effective full-time positions, but most, of course, were part time.

Works will be undertaken in two areas: a silvicultural thinning program within the state forests, and an ecological management strategy within the new national parks. We announced the ecological management strategy in response to the ECC report months and months ago. Of course opposition members are not interested in the environment until they get in here and have to make the hard decisions.

**Mr Doyle** interjected.

**Ms GARBUTT** — You did not bother to read it, did you? Here we are, announcing \$600 000 worth of — —

**Mr Doyle** interjected.

**Ms GARBUTT** — What nonsense, what absolute nonsense — \$600 000 worth of problem! I advise the opposition that there is no division on this side, no division at all. You have to change your point of view when you think of the government compared to the opposition side, which is divided and all over the place, subject to regular palace revolts and leaderless.

**Mr Doyle** interjected.

**Ms GARBUTT** — You don't know what you stand for, do you?

**Mr INGRAM** (Gippsland East) — In speaking on the amendment moved by the National Party I can say that I understand the issues with the box-ironbark forests, which have had a long history of utilisation. Most of the original trees were cut down after the gold rush, and the forests have continued to be harvested over a long period of time. With the suckers and coppice regrowth that comes with that, there needs to be very active management of those areas.

The real issue behind the National Party moving the amendment is that ecological thinning could be carried out under the National Park Act as it stands. That could be determined through the management plan process. I think the minister has given an undertaking that that would be addressed. I think everyone in this place should agree that ecological thinning should only be undertaken to improve the ecological integrity of those park areas. If an area is declared a national park, that should be the priority. The Environment Conservation Council box-ironbark report recognised that this is something that should be done.

I think the reason the National Party moved this amendment is that in areas where it is feasible to have that management in the best interests of the forests the produce could be utilised instead of just left on the forest floor. That is the real nuts and bolts of this discussion. In that instance, if it could be done in a way that is ecologically viable and causes no damage to the area, and it is promoted and will improve its value, it should be allowed. That is why the National Party amendment has some merit.

**Mr MAUGHAN** (Rodney) — I thank the honourable member for Gippsland East for his comments. The basic reason we have moved this

amendment is that we do not trust the assurance the government has given. That is because it has given many such assurances that it has not honoured. You can talk about press releases and assurances and figures, but when you look at the compensation package, which talks about \$20 million, the reality is that there is only about \$9.6 million of new money. That is just one example.

We believe this is an important principle, and we think it should be enshrined in the legislation. We also think this is an important ecological practice. It will create employment for those people who are being displaced in the forest, particularly around Heathcote and Rushworth. We would like to see it in legislation so we know that it is there and the government cannot wriggle out of it.

There have been assurances, but for heaven's sake, we are at the 11th hour and the minister has only today stood up and given those assurances. Yes, there have been comments in the past, but what do we know about the government's real assurance until the minister stands up in this place and gives an assurance, as she has at 2 minutes to midnight? That is why we came up with the amendments, and we came up with them days ago. The minister has moved on, and I accept her assurance. I think that is a good thing. We would still like to see this in legislation so that we can be absolutely sure.

**Mr HELPER** (Ripon) — A significant point has been missed in the debate, which is — and I agree with the honourable member from Gippsland East — that the ecological management of parks should be driven purely by ecological outcomes. In conjunction with that, of course, is the management imperative of fire fuel reduction in parks and reserves. If you were to view those in conjunction, you would obviously have a need to reduce forest fuel in parks and reserves. That to me spells out that there is some imperative to remove ecologically thinned material from the parks.

**Dr Napthine** interjected.

**Mr HELPER** — The honourable member for Portland's imagination does not seem to go very far in terms of practical management.

The other point I stress again is that to my knowledge — I stand to be corrected — the management regime of parks is not enshrined in legislation. The management regime of parks is something that requires a level of flexibility and adaptability that makes it extremely clumsy to enshrine in legislation. It is for that reason that the minister has

clearly spelt out a significant input to the management plan for the parks and reserves in ecological thinning, silviculture thinning and fire management. To enshrine that in legislation would create a level of complexity and it is unprecedented — I have not heard any corrections shouted from across the chamber — to take forward the management of these parks.

**Mr VOGELS** (Warrnambool) — It is sad that we are debating whether we trust the government. That is the issue and why the National Party moved the amendment. The minister spoke about the dams debate when we were assured that stock and domestic dams would not be affected. I have here the *Upper Wimmera River Water Resources Management Plan* of October 2002 from Sinclair Knight Merz, the government consultants on these issues. I quote recommendation 4, which states:

Efforts should be made to modify the current dams (including stock and domestic) in Heifer Station and Howards creeks to include a low-flow bypass on the dams all year;

That clearly states that stock and domestic dams will be affected, yet the minister promised us —

*Honourable members interjecting.*

**Mr VOGELS** — The issue is that the government cannot be trusted.

**Mr PLOWMAN** (Benambra) — This issue is one of the most fundamental in the whole of the legislation before the house, on three bases. The first is that this will give employment to those forest workers who would otherwise be tipped out on the scrap heap. It is all very well to say that we will give them a package to assist and retrain them, but how many of those people who are forest workers will readily find jobs of the sort they have had over their lifetimes with their callused hands barely able to hold a pen? I ask you! That is the most important thing: that those people are properly looked after. If it is done properly this will give access to jobs for a lot of those people who otherwise will not find jobs.

The second important point is that, as the report says, the sole objective of thinning as an ecological management tool is to improve the habitat condition of parks. Clearly this is an improvement to parks; it is something that must happen.

The third point, and in my communities it is most important, is that this provides the opportunity for a bank of firewood which otherwise will not be available to those communities. When you consider that most of those smaller communities are in the lower

socioeconomic group it is imperative that we look after their needs in this respect. Again I ask the minister to give us the assurance that this will occur.

**Mrs FYFFE** (Evelyn) — I have listened intently to the minister talking about the \$600 000 package that will employ 10 full-time workers, but there are many more than that working in the timber industry and their livelihoods will disappear. They may not be earning their full income from the industry but it is an important component of their annual income and there is no replacement for it.

The minister says that they will work in silviculture in the state parks and there will be ecological thinning. I would like to know from the minister what volume will come out of there and what can be done with the timber. What will the timber be used for from the various sites? Will it just lie on the ground or can it be used by these people who need to work?

**Mr DOYLE** (Leader of the Opposition) — This has become an important point of the debate. The honourable member for Ripon has been more fulsome in his explanation than the minister, but she assures us there is no division between them so we will take the honourable member for Ripon at his word and we intend to hold the minister to her word.

As can be heard from the honourable members who have spoken, this issue of ecological thinning is a matter of great importance and passion. I reiterate, it is our expectation that the regime the government is setting out would provide a firewood strategy, a fire safety strategy and an ecological management strategy. The honourable member for Benambra said that if it was done properly this could work. He also reiterated through his entire contribution that it must be done properly. This is no time for being mealy-mouthed or for slipping and sliding. We are saying that we agree with the minister that it does not need to be enshrined in legislation, but it must be done properly. We say it has to include all those aspects that have been raised by members on this side, and if they are included, as the minister has already stated, we agree that it does not need to be in legislation and we will take it that that is the government's position.

**Ms GARBUTT** (Minister for Environment and Conservation) — We are all in furious agreement about what needs to be covered. I have outlined the position of the government. I have said we have committed \$600 000. I have acknowledged that we will address fire protection, jobs and ecological management in order to return these forests to the condition they were in before European settlement. I have given all of those

assurances and I am pleased the opposition supports those positions and that it is not necessary to have this in the bill.

**Dr NAPTHINE** (Portland) — I wish to raise again the point that was raised by the honourable member for Evelyn. We have heard about the \$600 000 package, and we all say that this does not need to be in legislation — the Liberal Party agrees with the government on that — but what we want are assurances about what will happen with respect to ecological thinning. The minister has talked about a \$600 000 package but she has not advised the house what timber will be available for what purpose. Will the timber be merely thinned and left to lie on the forest floor to add to the fire risk, or will the timber from both parks and state forests be thinned and be able to be used for firewood and for other productive purposes?

What we need to know from the minister on this \$600 000 package is what volumes of timber she expects to be taken out as ecological thinnings.

**Ms Garbutt** interjected.

**Dr NAPTHINE** — Well, if you know about the management of the park you should know what timbers are likely to be available in ecological thinnings. I would have thought it was fairly obvious for the minister to have that knowledge. If she has not then she ought to get it. She ought to be able to advise us about the sorts of uses that the timber will be put to. Will it be merely thinned and lay on the forest floor or will it be able to be taken from the parks and state forests and used as firewood for local families or used for other productive purposes?

**Ms GARBUTT** (Minister for Environment and Conservation) — I find this extraordinary. The honourable member is supporting the position of the government yet he is going on with this ridiculous level of trivia. I am getting very suspicious here about what the opposition is really on about. I have announced the program. I have said that it will have regard to fire protection, and of course the Department of Natural Resources and Environment has responsibilities for fire protection in forests.

I have asked the department to review all the fire protection plans in that area, as well as allowing thinning.

**Dr Napthine** interjected.

**Ms GARBUTT** — Of course they will, for heaven's sake! I find it just ridiculous — —

*Honourable members interjecting.*

**The CHAIRMAN** — Order! The minister, without interruption!

**Ms GARBUTT** — I suppose we should accept in this house that the opposition will twist and turn and does not know where it is going; and of course it hates the environment as a basic proposition.

Let's go through it carefully again. We have an ecological management system put in place in the newly established parks. That will involve thinning for ecological purposes. Of course it will also have to be watched very carefully for fire management, therefore much of the wood will have to be removed. All of that will be monitored scientifically so that we get a good result ecologically and have bigger, healthier trees in the forest. At the same time that will provide jobs — 10 full-time positions, which might be many more part-time positions. It is a \$600 000 commitment up front by the government.

**Dr Napthine** interjected.

**Ms GARBUTT** — So we are in furious agreement.

**The CHAIRMAN** — Order! The honourable member for Portland!

**Dr Napthine** — For firewood sales?

**Ms GARBUTT** — Yes! How thick you are!

*Honourable members interjecting.*

**The CHAIRMAN** — Order! The house will come to order.

**Mr INGRAM** (Gippsland East) — With respect to the house, I would like a point of clarification. My understanding of the amendment proposed by the National Party is that without that amendment, for all the reasons the minister has explained, produce that has fallen could not be removed. I would like that to be very clearly explained to all members of the house before this issue is resolved. My understanding is that without this amendment produce would not be able to be removed from the parks. Can I have that clarified?

**Ms GARBUTT** (Minister for Environment and Conservation) — The purpose of the program will be threefold. The first is to do with fire management, which will mean an assessment has to be done of the fire protection needs in the forests and in the parks. That may mean some of it has to be removed. The second is to do with jobs. The government is committed to regional and rural Victorian jobs — and we have

seen a boom in jobs in rural and regional Victoria. Those timber workers displaced by this bill have been accommodated with a fair and generous package, but we will also put in place 10 extra full-time jobs through this particular package. We know that we have to make that accommodation. The third purpose is that we have in mind the ecological health of the forest, which we are seeking to improve. There will be continuous scientific monitoring of this program, and that means where it is necessary for fire protection some will have to be removed, and that can then be used for other purposes, including for firewood.

*Honourable members interjecting.*

**Ms GARBUTT** — Do you want me to spell it out? It is pretty obvious, and I have said it time and again, but faced with such ignorance on the other side I will repeat it: we are in furious agreement on this! There we have it!

**The CHAIRMAN** — Order! The question is:

That the amendment moved by the honourable member for Rodney be agreed to.

**Committee divided on amendment:**

*Ayes, 8*

Delahunty, Mr	Maughan, Mr ( <i>Teller</i> )
Ingram, Mr ( <i>Teller</i> )	Ryan, Mr
Jasper, Mr	Savage, Mr
Kilgour, Mr	Steggall, Mr

*Noes, 77*

Allan, Ms	Leighton, Mr
Allen, Ms	Lenders, Mr
Asher, Ms	Lim, Mr
Ashley, Mr	Lindell, Ms
Baillieu, Mr	Loney, Mr
Barker, Ms	Lupton, Mr
Batchelor, Mr	McArthur, Mr
Beattie, Ms	McCall, Ms
Bracks, Mr	McIntosh, Mr
Brumby, Mr	Maclellan, Mr
Burke, Ms	Maxfield, Mr
Cameron, Mr	Mildenhall, Mr
Campbell, Ms	Mulder, Mr
Carli, Mr	Napthine, Dr
Clark, Mr	Nardella, Mr
Cooper, Mr	Overington, Ms
Davies, Ms	Pandazopoulos, Mr
Dean, Dr	Paterson, Mr
Delahunty, Ms	Peulich, Mrs
Dixon, Mr	Phillips, Mr
Doyle, Mr	Pike, Ms
Duncan, Ms	Plowman, Mr
Elliott, Mrs	Richardson, Mr
Fyffe, Mrs	Robinson, Mr
Garbutt, Ms	Rowe, Mr
Gillett, Ms	Seitz, Mr
Haermeyer, Mr	Shardey, Mrs

Hamilton, Mr	Smith, Mr ( <i>Teller</i> )
Hardman, Mr	Spry, Mr
Helper, Mr	Stensholt, Mr
Holding, Mr	Thompson, Mr
Honeywood, Mr	Thwaites, Mr
Howard, Mr	Trezise, Mr
Hulls, Mr	Viney, Mr
Kosky, Ms	Vogels, Mr
Kotsiras, Mr	Wells, Mr
Langdon, Mr ( <i>Teller</i> )	Wilson, Mr
Languiller, Mr	Wynne, Mr
Leigh, Mr	

**Amendment negatived.**

**Clause agreed to; clause 6 agreed to.**

**Clause 7**

**Mr INGRAM** (Gippsland East) — I move:

5. Clause 7, line 1, omit “**30L**” and insert “**30N**”.
6. Clause 7, page 10, line 19, after this line insert —

**“30L. Reports to be prepared for certain parks**

- (1) In relation to the parks described in Parts 8, 23, 30, 40, 41, 42 and 43 of Schedule Two the Minister must cause a report for each park, setting out the information prescribed in sub-section (2), to be laid before each House of Parliament within 12 months of the commencement of section 12 of the **National Parks (Box-Ironbark and Other Parks) Act 2002**, or, if either House is not then sitting, within 5 sitting days of that House after that date.
- (2) In relation to the parks described in Parts 15, 26, 30, 37 and 38 of Schedule Two B the Minister must cause a report for each park, setting out the information prescribed in sub-section (2), to be laid before each House of Parliament within 12 months of the commencement of section 13 of the **National Parks (Box-Ironbark and Other Parks) Act 2002**, or, if either House is not then sitting, within 5 sitting days of that House after that date.
- (3) A report prepared under sub-section (1) or (2) must —
  - (a) set out the priorities for the achievement of the management objectives listed in section 17(2); and
  - (b) set out the actions that are required to achieve those priorities through the management plan; and
  - (c) set out the funding that has been allocated to achieving those priorities; and
  - (d) be independently assessed.”.

7. Clause 7, page 10, line 20, omit “**30L**” and insert “**30M**”.

8. Clause 7, page 10, line 29, omit “impose.” and insert “impose.”.
9. Clause 7, page 10, line 29, after this line insert —

**“30N. Disallowance of a report**

A report to which section 30M applies may be wholly or partly disallowed by a House of Parliament in the same manner as a statutory rule may be disallowed under section 23 of the **Subordinate Legislation Act 1994**.”.

Similar to the last lot of amendments these amendments are for all future national parks. They would mean any future changes to the national parks act would have the same scrutiny, and the report would be presented to Parliament at the time of the introduction of the bill. They are really about accountability and about making sure that all members of this house acknowledge the cost and the management options that are needed to manage the park properly.

**Mr DOYLE** (Leader of the Opposition) — I presume these are the same as those proposed to clause 4 and that the government will accept those parts. I think the reasoning is the same. Although the Liberal Party will not oppose them, it does not believe this is an appropriate regime to be in legislation but, rather, should just be part of the management. But on the same basis that we argued in clause 4, we will not oppose them.

**Ms GARBUTT** (Minister for Environment and Conservation) — The government is in the same position as it was on the previous set of amendments proposed by the honourable member for Gippsland East. It will support the ones putting into place a statement to be tabled in Parliament setting out those objectives, but once again it will oppose amendment 9, which applies to disallowance in the Parliament, for the same reason.

**Amendments 5 to 8 agreed to; amendment 9 negatived; amended clause agreed to.**

**Clause 8**

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

1. Clause 8, page 11, line 5, omit “Part 41” and insert “Part 30, 41, 42 or 43”.
2. Clause 8, page 11, lines 13 to 18, omit all words and expressions on these lines.
3. Clause 8, page 11, line 19, omit “(c)” and insert “(b)”.
4. Clause 8, page 11, line 20, omit “or 42”.
5. Clause 8, page 11, line 26, omit “(d)” and insert “(c)”.



These amendments are sensible and represent a fair and balanced outcome for the users of these parks. The government came to the decision that the Liberal-dominated upper house could delay the bill indefinitely — and today, through its leader it has threatened to do that — despite pressing conservation needs.

**An Honourable Member** — Thank God for the upper house!

**Ms GARBUTT** — It is interesting that the honourable member on the back bench opposite says, ‘Thank God for the upper house!’ Quite clearly he is opposing these amendments.

These amendments concern prospectors. They are confined to allowing only prospectors using hand tools to continue to operate in these proposed parks. I have to say that the government would never allow doze and detect operations in national parks, so it has stopped ‘Doyle’s dozers’ in that way. It is prepared to protect our precious parks from that sort of operation. These amendments are only about hand-held tools, and it is in the interests of further protecting endangered birds, animals, flowers and so on in these national parks that we propose these amendments.

**The CHAIRMAN** — Order! In calling the honourable member for Rodney I point out that his amendments 2 to 6 are identical to the minister’s, so he cannot move them. However, he can speak on them in relation to the minister’s amendments.

**Mr MAUGHAN (Rodney)** — It is funny you should mention that, Madam Chairman, because it is the very point I was about to make. The government’s amendments are identical to the amendments circulated by the National Party. I am pleased that the minister can say they are sensible amendments, because they make good commonsense. I am pleased that the government has accepted them and I will have the pleasure of making similar comments further down the track, where the government has again accepted word for word what we have put up. I commend the minister for taking up that point.

Why is it that this morning, at 5 minutes to midnight, the government agrees to the National Party amendments? There is no point in going on and on because I have made this point before. I make the point that they are sensible amendments. We feel strongly about them, and I am pleased that the government has seen fit to pick them up and run with them.

**Mr DOYLE (Leader of the Opposition)** — I assure the minister that the only dozing I do is during her

speeches, but I managed to stay awake for this one. As the honourable member for Rodney pointed out, the government’s amendments follow word for word the National Party’s amendments. How embarrassing! They must have put the heavy roller over the minister. If the honourable member for Rodney were not such a gentleman he would have been more pointed in his remarks. I will leave the Leader of the National Party some time to do that. I also need to leave some time for comments on clause 11, where the same arguments can be made.

What an absolutely transparent farce by the government. What an insult to the honourable member for Rodney, who proposes the amendments and has given the government the wording. The government could not even introduce both amendments at the same time. It is not as if either of them is different; they are separate and, as I said, the minister has gone through a few trees in preparing her amendments.

**Ms Garbutt** interjected.

**Mr DOYLE** — Does the minister support her own amendments or not, or does she admit they are actually not hers and she just got forced into them? Fantastic!

I make this important point. The opposition has said it will support the amendments in this place. That has been our intention from the outset. It was our intention to push them through last Tuesday when we first started making comments on it.

They are sensible amendments for prospecting and fossicking, as the honourable member for Rodney has said. We commend him for putting them up. We go one step further because we said this morning, and we intend to hold to that as far as possible, given cooperation, but it may not be entirely possible, that the bill is of such importance that we were prepared, if the amendments were passed, to put the bill not just through this place, but through the other place later tonight.

**Ms Garbutt** interjected.

**Mr DOYLE** — They are your amendments. Do you support your amendments or not, you turkey?

*Honourable members interjecting.*

**The CHAIRMAN** — Order! I ask honourable members to work with the Chair to ensure that as much of this debate as possible occurs with as little interruption as possible.

**Mr DOYLE** — One wonders what the government would do and how it would react if we opposed the amendments. Remember that we are supporting them, after all. The one thing we said was that we want the bill passed quickly — —

**Ms Garbutt** interjected.

**Mr DOYLE** — Minister, they are your amendments, remember!

**The CHAIRMAN** — Order! The minister will cease interjecting and the Leader of the Opposition should ignore interjections.

**Mr DOYLE** — It is most disorderly to take up interjections. The opposition will support this amendment, and moreover, if it is not possible to pass the bill through this house tonight by leave we will do it as expeditiously as possible, which may well mean tomorrow. That is our commitment to pass the bill. We say that on account of this clause. We think it is sensible, and we are delighted to support it.

**Mr RYAN** (Leader of the National Party) — The government has no shame — it absolutely has no shame. We have amendments that were circulated by the National Party some considerable time ago, and we heard nothing from the government for days about all this. Now at the last blink not only is it prepared to accept the amendments moved by the honourable member for Rodney but it has adopted precisely the same wording. It is plagiarism in the worst form! Not only that, the government compounds the sin by this half-baked apologist commentary about trying to help a particular aspect of the community which it had stitched up before it was prepared to accept the amendments today.

The real tragedy of this is that this is but one group whose rights at least in part have been properly reflected when so many others have been disenfranchised by this government over this disgraceful legislation.

**Mr HELPER** (Ripon) — I have not been in this house for a long time — —

**Mr Doyle** — Don't get used to it!

**Mr HELPER** — Where did you buy your sense of humour from? It is low and pathetic. I have observed many amendments and much legislation and I have never seen a copyright sticker on any of it. This harebrained claim springs out of that sad condition of relevance deprivation that the National Party suffers from — that sense of 'It's gotta be ours, it's gotta be

ours!'. National Party members can walk away from the chamber and the debate thinking what they wish. If they wish to have a particular interpretation of history I am happy for them to have it and I am sure everybody on this side is also happy for them to have it. Frankly, let's get on with this important legislation.

I reflect on the gross hypocrisy of the Liberal Party. For the Liberal Party to claim that anyone has unduly backtracked on a particular issue is astounding. Take for example the AAP news wire report this morning which states, 'Victoria's Liberal Leader, Robert Doyle, has been forced into an embarrassing backdown on his party's support for legislation to protect the state's box-ironbark forest'. That is fantastic!

**Amendments agreed to; amended clause agreed to; clause 9 agreed to.**

#### **Clause 10**

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

3. Clause 10, line 17, after "mining licence" insert "or an exploration licence".
4. Clause 10, page 13, line 5, after this line insert —  
 "(1E) An exploration licence granted in accordance with sub-section (1C) is subject to any terms and conditions that the Minister thinks fit to impose."
5. Clause 10, page 13, line 6, omit "(1E)" and insert "(1F)".
6. Clause 10, page 13, line 14, omit "(1F)" and insert "(1G)".
7. Clause 10, page 13, line 24, omit "(1G)" and insert "(1H)".
8. Clause 10, page 13, line 26, omit "(1F)" and insert "(1G)".
9. Clause 10, page 13, line 33, omit "(1F)" and insert "(1G)".
10. Clause 10, page 13, line 33, after this line insert —  
 "(3) In section 40(6) of the **National Parks Act 1975**, for "lease licence permit or consent" **substitute** "lease, licence or permit to which sub-section (1) applies or any such consent of the Minister under sub-section (1A) or (2)."  
 (4) In section 40 of the **National Parks Act 1975**, after sub-section (6) **insert** —  
 "(7) The Minister must cause notice of any mining licence or exploration licence to which sub-section (1C) or (1G) applies and any consent of the Minister to the granting of any such mining licence or

exploration licence to be laid before both Houses of Parliament.”.

These amendments recognise that exploration in the national park is needed to enable decisions about the future of mining which can occur in the Greater Bendigo National Park and the Deep Lead Nature Conservation Reserve (No. 1), whose boundaries go for about 100 metres, unlike existing national parks where the boundaries usually extend to the centre of the earth. The recommendation of the Environment Conservation Council was that it would accommodate the needs of Bendigo Mining, which had exploration licences in this area and major proposals for the development of mining which would be a significant boost to Bendigo and surrounding areas. However, the ECC did not provide guidance on exploration through the proposed national park which would have allowed mining to continue under it.

The amendments will enable extensions or new exploration licences to be granted only over the Greater Bendigo National Park and the Deep Lead Nature Conservation Reserve (No. 1). The provision will require tabling of any notices of exploration licences: they will not be subject to disallowance. It gives greater certainty to miners in this region in relation to the outcome of the section 40 process of the National Parks Act. The proposal will accommodate the needs of Bendigo Mining.

We think we have accommodated Bendigo Mining's concerns without detracting at all from the proposed national park.

**Ms ALLAN** (Bendigo East) — I shall make some brief comments on the importance of the amendments to the region of Bendigo. As the minister has outlined, they are sensible and specific to the Greater Bendigo National Park and the Deep Lead Nature Conservation Reserve. I commend the negotiations that have taken place involving Bendigo Mining's managing director, Doug Beurger, the Victorian Minerals and Energy Council and the private office of both the Minister for Environment and Conservation and the Minister for Energy and Resources in another place.

These are important amendments, and they are something the company sought through the passage of this legislation. There is a recognition that there are significant gold reserves in the box-ironbark region which are important to the economic future of central Victoria. I guess this also recognises that Victoria is a closely settled community where mining companies, the environment and residential areas have to exist in close proximity. These are very sensible amendments, and I support their passage through Parliament.

#### **Amendments agreed to; amended clause agreed to.**

##### **Clause 11**

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

11. Clause 11, line 1, omit “*50M*” and insert “*50N*”.

This is a consequential amendment.

##### **Amendment agreed to.**

**Ms GARBUTT** (Minister for Environment and Conservation) — I move a further amendment to clause 11:

Clause 11, page 17, line 16, omit “2008” and insert “2012”.

This amendment pushes out the phasing-out time for eucalyptus harvesters from 2008 to 2012, so an extra four years has been made available for eucalyptus distillers who harvest in the proposed national and state park areas. Once again this amendment follows a decision we took. The Liberal Party-dominated upper house threatened to delay the bill indefinitely, despite the pressing conservation needs.

**Mr Doyle** interjected.

**Ms GARBUTT** — Of course we support this amendment, that is why I am moving it! We want to see these national parks enacted. We have been committed to this process, and we made the commitment at the last election. We have worked consistently for it, and we intend to see these national, state and regional parks enacted. That is why we are prepared to extend this phase-out time for the eucalyptus distillers. Interestingly we have also had strong representation from Victoria's peak environmental groups, the Wilderness Society and the Victorian National Parks Association (VNPA), which have expressed their support for the prospecting and the eucalyptus extension for the same reason. They want to see this bill go through, and they were concerned with the Liberal Party's threats to block this in the upper house. Of course we want to see this go through!

**Mr MAUGHAN** (Rodney) — I am delighted to support this amendment. It just so happens that it is also identical to the amendment proposed by the National Party. For the very reasons the minister has explained, it is a sensible amendment. It gives the eucalyptus distillers additional time to adjust in going from public land to private land. We have obviously responded to the representations we have received on their behalf. We have proposed it, and we are delighted to see that the government is now supporting our amendment.

**Mr RYAN** (Leader of the National Party) — Again we have the government adopting entirely the proposals of the National Party. Again it has no shame. And again this is an instance where at the last gasp it is trying to garner support from those communities whom it has absolutely stitched up in many respects over these past weeks, months and years. It just goes to demonstrate the absolute falseness of the way the government has presented itself to various communities over the course of time. Apart from anything else, this is a further commentary on its efforts in the course of bringing this legislation before this Parliament.

**Business interrupted pursuant to sessional orders.**

**The CHAIRMAN** — Order! The time has now come for me to interrupt business.

**Amendment agreed to; clauses 11 to 27, schedule and government amendments 12 to 19 as follows agreed to:**

12. Clause 11, page 23, line 16, after this line insert —

**‘50L. National Parks (Box-Ironbark and Other Parks) Act 2002 — Transitional provision — Existing authorities under the Mineral Resources Development Act 1990**

(1) For the purposes of the renewal of an exploration licence over any relevant Greater Bendigo land that is in force immediately before the commencement of the **National Parks (Box-Ironbark and Other Parks) Act 2002**, the licence is to be taken to be, on and from that commencement, an exploration licence to which section 40(1C) applies.

(2) In this section **“relevant Greater Bendigo land”** means that part of the park described in Part 41 of Schedule Two that is shown by hatching or cross-hatching on the plans lodged in the Central Plan Office and numbered N.P. 105A and N.P. 105B.’.

13. Clause 11, page 23, line 17, omit **“50L”** and insert **“50M”**.

14. Clause 11, page 23, line 28, omit **“50M”** and insert **“50N”**.

15. Clause 15, line 25, omit “less” and insert “less.”.

16. Clause 18, page 33, line 4, omit “land.” and insert “land; and”.

17. Clause 18, page 33, line 4, after this line insert —

“(c) is deemed to be permanently reserved under this Act for public purposes, being, in particular, the purposes of the protection of cultural and natural heritage.”.

18. Clause 20, lines 7 to 11, omit all words and expressions on these lines and insert —

“(3) Despite sub-section (1), that part of the park described in Part 41 of Schedule Two to the **National Parks Act 1975** that is shown by hatching or cross-hatching on the plans lodged in the Central Plan Office and numbered N.P. 105A and N.P. 105B is not exempt from being subject to a mining licence, to the extent of the entitlements set out in section 40(1D)(a) of that Act, or from being subject to an exploration licence.”.

19. Clause 27, line 12, omit “land.” and insert “land;”.

**Reported to house with amendments.**

**Report adopted.**

*Third reading*

**House divided on motion:**

*Ayes, 81*

- |                               |                             |
|-------------------------------|-----------------------------|
| Allan, Ms                     | Lenders, Mr                 |
| Allen, Ms                     | Lim, Mr                     |
| Asher, Ms                     | Lindell, Ms                 |
| Ashley, Mr                    | Loney, Mr                   |
| Baillieu, Mr                  | Lupton, Mr                  |
| Barker, Ms                    | McArthur, Mr                |
| Batchelor, Mr                 | McCall, Ms                  |
| Beattie, Ms                   | McIntosh, Mr                |
| Bracks, Mr                    | Maclellan, Mr               |
| Brumby, Mr                    | Maddigan, Mrs               |
| Burke, Ms                     | Maxfield, Mr                |
| Cameron, Mr                   | Mildenhall, Mr              |
| Campbell, Ms                  | Mulder, Mr                  |
| Carli, Mr                     | Naphine, Dr                 |
| Clark, Mr                     | Nardella, Mr                |
| Cooper, Mr                    | Overington, Ms              |
| Davies, Ms                    | Pandazopoulos, Mr           |
| Dean, Dr                      | Paterson, Mr                |
| Delahunty, Ms                 | Perton, Mr                  |
| Dixon, Mr                     | Peulich, Mrs                |
| Doyle, Mr                     | Phillips, Mr                |
| Duncan, Ms                    | Pike, Ms                    |
| Elliott, Mrs                  | Plowman, Mr                 |
| Fyffe, Mrs                    | Richardson, Mr              |
| Garbutt, Ms                   | Robinson, Mr                |
| Gillett, Ms                   | Rowe, Mr                    |
| Haermeyer, Mr                 | Savage, Mr                  |
| Hamilton, Mr                  | Seitz, Mr                   |
| Hardman, Mr                   | Shardey, Mrs                |
| Helper, Mr                    | Smith, Mr ( <i>Teller</i> ) |
| Holding, Mr                   | Spry, Mr                    |
| Honeywood, Mr                 | Stensholt, Mr               |
| Howard, Mr                    | Thompson, Mr                |
| Hulls, Mr                     | Thwaites, Mr                |
| Ingram, Mr                    | Treize, Mr                  |
| Kosky, Ms                     | Viney, Mr                   |
| Kotsiras, Mr                  | Vogels, Mr                  |
| Langdon, Mr ( <i>Teller</i> ) | Wells, Mr                   |
| Languiller, Mr                | Wilson, Mr                  |
| Leigh, Mr                     | Wynne, Mr                   |
| Leighton, Mr                  |                             |

*Noes, 6*

- |                                 |                               |
|---------------------------------|-------------------------------|
| Delahunty, Mr ( <i>Teller</i> ) | Maughan, Mr ( <i>Teller</i> ) |
|---------------------------------|-------------------------------|

Jasper, Mr  
 Kilgour, Mr

Ryan, Mr  
 Steggall, Mr

*Remaining stages*

**Motion agreed to.**

**Passed remaining stages.**

**Read third time.**

**CONTROL OF WEAPONS AND FIREARMS  
 ACTS (SEARCH POWERS) BILL**

*Remaining stages*

*Second reading*

**Passed remaining stages.**

**The SPEAKER** — Order! The time being past 4 o'clock, I am required under sessional orders and the government business program to put the necessary questions.

**Debate resumed from earlier this day; motion of Mr HAERMEYER (Minister for Police and Emergency Services).**

**Motion agreed to.**

**Read second time.**

*Circulated amendments*

**BUSINESS LICENSING LEGISLATION  
 (AMENDMENT) BILL**

*Second reading*

**Circulated government amendments as follows agreed to:**

**Debate resumed from 16 October; motion of Ms CAMPBELL (Minister for Consumer Affairs).**

1. Clause 6, line 22, omit "or controlled weapon" and insert ", a controlled weapon or a dangerous article referred to in sub-section (6)".
2. Clause 6, lines 32 and 33, omit "or controlled weapon" and insert ", controlled weapon or dangerous article referred to in sub-section (6)".
3. Clause 6, page 5, line 2, omit "or controlled weapon" and insert ", controlled weapon or dangerous article referred to in sub-section (6)".
4. Clause 6, page 5, lines 11 and 12, omit "or controlled weapon" and insert ", a controlled weapon or a dangerous article referred to in sub-section (6)".
5. Clause 6, page 5, lines 34 and 35, omit "or a controlled weapon" and insert ", a controlled weapon or a dangerous article referred to in sub-section (6)".
6. Clause 6, page 6, after line 9 insert —  
 '(6) This section applies to a dangerous article within the meaning of paragraph (b) of the definition of "dangerous article" in section 3.'
7. Clause 7, at the end of the clause insert —  
 '( ) In section 12 of the **Control of Weapons Act 1990**, after sub-section (1) insert —  
 "(1A) The regulations —  
 (a) may be of general or limited application; and  
 (b) may differ according to differences in time, place or circumstances.'.

**Motion agreed to.**

**Read second time.**

*Remaining stages*

**Passed remaining stages.**

**MURRAY-DARLING BASIN  
 (AMENDMENT) BILL**

*Second reading*

**Debate resumed from 16 October; motion of Ms GARBUTT (Minister for Environment and Conservation).**

**Motion agreed to.**

**Read second time.**

*Remaining stages*

**Passed remaining stages.**

**TRAVEL AGENTS (AMENDMENT) BILL**

*Second reading*

**Debate resumed from 16 October; motion of Ms CAMPBELL (Minister for Consumer Affairs).**

*Remaining stages*

**Motion agreed to.**

**Passed remaining stages.**

**Read second time.**

## LIMITATION OF ACTIONS (AMENDMENT) BILL

### *Second reading*

**Mr THWAITES** (Minister for Health) — I move:

That this bill be now read a second time.

This is the second in a series of bills that are aimed at addressing problems regarding the availability and affordability of public liability insurance and medical indemnity cover.

The *Review of the Law of Negligence*, chaired by the Honourable Justice Ipp, was recently presented to commonwealth, state and territory governments.

This report makes a total of 61 recommendations to address problems in relation to insurance and medical indemnity. Governments across Australia are considering all of these recommendations. It is important to determine whether national uniformity in this area is achievable. This will be considered by COAG shortly.

Governments are also considering a separate report prepared for the Australian Health Ministers Council by the Legal Process Reform Group, which was chaired by Professor Marcia Neave. The Neave report proposes a variety of measures relating to medical indemnity cover. This includes the desirability of establishing a scheme for catastrophic injuries.

The reports cover a broad range of legal and administrative reforms, including options to alter the law of torts. Victoria is assessing all of the proposals, and will consider what measures should be taken.

One of the key areas dealt with in these reports relates to establishing a nationally uniform law regarding limitation periods that would apply to proceedings where damages are sought for personal injury.

The government acknowledges that for some kinds of personal injury, a long time can elapse between an incident that is alleged to have caused the injury, and the determination of the claim by a court. For insurers and medical defence organisations, this can translate to a long tail in their claims portfolio. This creates significant financial uncertainty, which can contribute to premium increases, as insurers and medical defence organisations seek to ensure that adequate reserves are set aside to meet potential future liabilities.

The Ipp report refers to four rationales for having statutory limitation periods that govern when civil proceedings can be brought.

First, as time goes by relevant evidence is likely to be lost.

Second, it is oppressive to a defendant to allow an action to be brought long after the circumstances that gave rise to it occurred.

Third, it is desirable for people to be able to arrange their affairs and utilise their resources on the basis that claims can no longer be made against them after a certain time.

Fourth, the public interest requires that disputes be settled as quickly as possible.

These objectives need to be balanced with the interests of plaintiffs. The Ipp report notes that plaintiffs need sufficient time to appreciate that they have legal claims that can be pursued, investigate those claims, and commence proceedings.

Both reports set out extensive proposals relating to matters such as when a limitation period should start to operate, whether there should be an outside limit on when a personal injury claim would be statute barred (known as a long stop period), and what kind of rules should apply in the case of children and mentally impaired adults who are injured and have a right to sue.

As part of considering all of the recommendations in the two reports, the government will look at this extremely complex area of the law over the next few months to determine what legislative reform is required.

A thorough review is needed to assess whether alterations to the Victorian law regarding limitation of actions can assist in addressing problems regarding the availability and price of public liability and professional indemnity insurance, and medical indemnity cover. This involves balancing the interests of plaintiffs, defendants and the community as a whole.

However, there is one key recommendation that warrants immediate action. Currently, the general limitation period for personal injury proceedings in Victoria is six years. Both reports propose that the limitation period for legally competent adults for these proceedings should be three years.

The government therefore proposes that this limitation period be reduced from six to three years. This is intended to assist insurers and medical defence organisations in the management of their claims portfolios. It should enable them to recognise some of their potential liabilities more quickly. As a result it will give these organisations a greater level of certainty

about their capacity to meet their future financial obligations.

The reduced time lag in the lodging of legal proceedings that are currently brought in years 4, 5 or 6, also assists in the cost effective management of claims. Knowledge of the circumstances that are alleged to have given rise to an injury should be clearer in people's minds, if proceedings are generally commenced within three years.

This allows for a more timely assessment of liability, and quicker estimation of the likely quantum of claims.

It is acknowledged that this change will not address all of the unpredictability of claims costs that applies to those organisations providing insurance or indemnity cover in long tail areas, such as medical negligence.

Nonetheless, the changes proposed will provide additional certainty to insurers and medical defence organisations, as they will know that in this state the general limitations period is three years, as is the case in many other jurisdictions, including NSW.

It is necessary to further consider the impact of any law reform on persons who are under a legal disability. This vulnerable group includes children, and also adults who suffer from mental impairment or disabilities. Such injured persons are unable to bring legal proceedings on their own behalf.

The purpose of these amendments is therefore to reduce the limitation period to three years, but only for adults who are not under a disability, at the time when their cause of action accrues, or is taken to have accrued.

The limitation period for personal injury claims that have accrued in relation to persons under a disability is not altered by this bill. It will continue to be six years from the date on which the person ceases to be under a disability or dies. For example, if the cause of action for a minor accrues when the person is 17 years, proceedings seeking damages for personal injury can still be brought by or on behalf of that person from six years after they turn 18, that is, until they attain the age of 24 years.

The law regarding persons who are under a legal disability, including minors, will be reviewed in the context of the consideration of the full range of proposals outlined in the Ipp and Neave reports.

This bill also preserves the ability of the courts to grant extensions of time in the circumstances set out in section 23A of the Limitation of Actions Act.

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

Clause 4 of the bill proposes to insert a new section 38 into the Limitation of Actions Act 1958. Proposed section 38 states that it is the intention of section 5 (as amended by this bill) to alter or vary section 85 of the Constitution Act 1975. The amendments to section 5 involve the insertion of a new subsection (1AA) and amending subsection (1A). Proposed section 5(1AA) provides that an action for damages for personal injury whether founded on contract or tort, including actions for damages for breach of a statutory duty, may not be brought after the expiration of three years from the date on which the cause of action accrued. The amendment to section 5(1A) also limits the period for bringing actions to which that subsection applies to three years from the date on which the cause of action accrued. Proposed section 5(1AA) and section 5(1A) as proposed to be amended therefore have the effect of limiting the Supreme Court's jurisdiction to award damages in actions brought after the expiration of three years from the date on which the cause of action accrued.

The purpose of proposed section 5(1AA) and section 5(1A) as proposed to be amended is to reduce the time in which an action for damages for personal injury may be brought. The interests of the community as a whole are best served where a legally competent adult brings an action within three years, rather than six, from when the cause of action accrues. In the case of the contraction of a disease or disorder the three years will run from the date on which the injured person knows that he or she has suffered personal injuries and that those injuries were caused by the act or omission of some person.

This bill also inserts a new section 39 into the Limitation of Actions Act 1958. This is a transitional provision.

In cases other than contraction of a disease or disorder, the law provides that the cause of action normally accrues at the time of injury. In the case of a disease or a disorder that is contracted by a person, the cause of action is, by virtue of the current section 5(1A) of the Limitation of Actions Act, taken to have accrued on the day on which the injured person first becomes aware that he or she suffers from the disease or disorder, and that this was caused by the act or omission of some person.

The effect of new section 39, when read with the commencement clause in the bill, is to ensure that the amendments to sections 5, 23 and 23A of the Limitation of Actions Act will apply to causes of action that accrue — or in the case of a latent disorder or disease, a cause of action that is taken to have accrued — on, or after, the day that is after the day on which the bill receives the royal assent. In other words, the amendments do not apply to causes of action that accrue, or are taken to have accrued, before the commencement of these amendments.

In conclusion, I note that this bill reflects a further major step in the process of altering the law to act in the interests of the Victorian community and deal with current problems regarding medical indemnity and insurance. The government has decided that reform of the general limitation period for legally competent adults is an important measure that can be adopted at this stage. It is committed to considering what further reforms are required, in the forthcoming months.

I commend the bill to the house.

**Debate adjourned on motion of Mr WILSON (Bennettswood).**

**Mr THWAITES** (Minister for Health) — I move:

That the debate be adjourned for one week.

**Mr WILSON** (Bennettswood) — Mr Acting Speaker, on the question of time, there have been negotiations between the opposition and the government to allow this to come back within one week. I make the point that this should not be seen as a precedent with bills but that these are extraordinary circumstances.

**Mr JASPER** (Murray Valley) — The government has also had some discussions with the Leader of the National Party on this issue, and we accept the recommendation for one week.

**Motion agreed to and debate adjourned until Thursday, 24 October.**

**HEALTH LEGISLATION (AMENDMENT)  
BILL**

*Second reading*

**Mr THWAITES** (Minister for Health) — I move:

That this bill be now read a second time.

This bill amends six acts within the health portfolio:

the Drugs, Poisons and Controlled Substances Act 1981;

the Nurses Act 1993;

the Lord Mayor's Charitable Fund Act 1996;

the Mental Health Act 1986;

the Health Services Act 1988; and

the Human Tissue Act 1982.

**The Drugs, Poisons and Controlled Substances Act**

In 2000, the Nurses Act and the Drugs, Poisons and Controlled Substances Act (DPCS Act) were amended to establish the role of the nurse practitioner and to allow suitably qualified nurse practitioners to prescribe some scheduled drugs and poisons. Those amendments to the Nurses Act empower the Nurses Board of Victoria to recognise nurses qualified for advanced practice. The DPCS Act was amended to authorise those nurse practitioners whom the board endorsed and deemed properly trained, to prescribe drugs and poisons.

The bill inserts a new subsection 14(3) of the DPCS Act to protect the public by ensuring that if the nurses board imposes a condition, limitation or restriction on the practice of a nurse practitioner, with the intention also of restricting the right to prescribe drugs and poisons, then the nurse practitioner's authorisation to prescribe such drugs and poisons under the DPCS Act is automatically restricted to the same extent.

This amendment is designed to bring the regulation of nurse practitioners into line with similar provisions in section 14 of the DPCS Act that regulate the prescribing rights of medical practitioners and Chinese medicine practitioners.

**The Health Services Act and the Mental Health Act**

The Health Services Act and the Mental Health Act are the principal pieces of legislation governing the operation of Victoria's public and private hospitals, day procedure centres, community health centres and mental health services. As such, they make provision for ensuring the confidentiality of patient and client information.

Section 141 of the Health Services Act and section 120A of the Mental Health Act provide that information must generally be kept confidential if a patient or client could be identified from that information. These provisions operate alongside the broader information privacy and health records laws.



The proposed amendments are designed to clarify the operation of both provisions. They allow information to be given to others where this enables hospitals or services to carry out statutory functions and exercise statutory powers. The provisions also list a number of specific circumstances when information may be given to others. For example:

they allow for appropriate discussions to take place with a patient or client's family and other health service providers;

they allow identifying information to be provided to the Red Cross for the purpose of tracing the recipients of infected blood;

a patient or client may consent to staff giving information about them to somebody else.

The first amendment will deal with circumstances where hospitals or mental health services disclose patient or client information for the purposes of initiating or defending legal proceedings, of obtaining legal advice, or of notifying the organisation's insurers about an incident or adverse event involving a patient or client, in order to fulfil their duties under insurance or indemnity arrangements.

Neither provision currently includes these circumstances in its list of specific authorised disclosures. Such communications are obviously in the public interest, as they enable hospitals and mental health services to assess negligence claims, comply with their duties to insurers, and defend litigation. Such communications form part of responsible health service management, and are consistent with, and permitted under, the Health Records Act 2001.

Given the increased emphasis on privacy, it is timely to explicitly provide that hospitals and mental health services have specific power to engage in such communications, rather than have them continue to rely on the power to give information to fulfil their statutory powers and functions.

The second amendment clarifies the meaning of 'consent' in both provisions. Sections 141 and 120A allow staff to give information about a patient or client to somebody else, if they have the consent of the patient or client. At law, consent can be either express — that is, clearly and specifically articulated by the person — or it can be implied — that is, inferred from the person's conduct or words. The amendment is designed to remove any doubt that consent includes both express and implied consent and is thus consistent with the Health Records Act.

The third amendment is made only to section 141 of the Health Services Act and is a technical clarification of its operation. It is understood that hospitals have generally applied the provision as if it governed only the giving of information to a person outside the hospital, a third party. The internal use of patient information by hospital staff is better governed by health privacy principle 2 of the Health Records Act, and this was the basis on which that act was drafted. The third amendment makes explicit that section 141 does not apply to the exchange of information between staff of the same hospital, provided they comply with the standards regarding use of health information that are set out in the Health Records Act. This will ensure that the two acts continue to operate in a complementary fashion.

### **The Lord Mayor's Charitable Fund Act**

The Lord Mayor's Charitable Fund has been a Melbourne institution for almost 80 years. Each year the fund distributes public donations to over 150 hospitals and other organisations involved in community health and welfare across Melbourne, under the banner Sharing Your Caring.

The governance arrangements for such a longstanding part of Melbourne's charitable sector are obviously important, and these will inevitably need occasional updating to better reflect current approaches to management in the not-for-profit sector and the board has requested these amendments to improve its operation.

The bill amends the Lord Mayor's Charitable Fund Act in relation to the period of office of members of the board that governs the fund, and the retirement of board members.

Board members currently hold office for 12 months, and are eligible for reappointment. The general period of appointment for board members will be increased from 12 months to 2 years, and a process will enable half the board to retire annually. This will allow board appointments to be staggered.

Such amendments will provide for greater efficiency and continuity in the operation of the fund, and enable there to be a desirable mix of new and experienced board members at any one time.

### **The Mental Health Act**

Section 10 of the Mental Health Act allows police to apprehend a person who appears mentally ill, if the police believe that person has recently attempted to cause serious bodily harm to himself or herself or

another person or is likely to do so. Currently the police must arrange for a person apprehended under this section to be examined by a registered medical practitioner as soon as practicable.

The purpose of the examination is to determine whether or not involuntary treatment can be given if the criteria under the Mental Health Act are met. A recommendation, along with a request (that may be made by any person), results in admission and detention as an involuntary patient. Registered medical practitioners can also determine whether a person who appears mentally ill is in fact suffering from another condition.

In practice, a crisis assessment and treatment (CAT) team often attends when police apprehend a person under this provision. Usually a CAT team attending in such a situation would not include a registered medical practitioner but would include a mental health practitioner, such as a psychologist or psychiatric nurse.

Mental health practitioners in CAT teams are familiar with the necessary criteria for determining whether a person should be admitted for treatment as an involuntary patient. They are also usually able to assess whether or not a person is actually exhibiting symptoms of a mental illness.

The bill amends section 10 to enable the police to release a person apprehended under that section if a mental health practitioner assesses the person as not requiring involuntary admission. Alternatively the mental health practitioner may advise the police that they need to arrange for the person to be examined by a registered medical practitioner. In some cases, the mental health practitioner will be able to authorise the transport of the person to an approved mental health service to be examined by a medical practitioner.

The proposed amendments will make better use of the expertise of mental health practitioners by allowing them to make an initial assessment as to whether a person apprehended by the police should be released or whether a registered medical practitioner should examine the person. In some instances, this will enable a person apprehended by police under section 10 to be released more quickly than is currently the case. The amendments will also ensure that police resources are not directed to arranging unnecessary medical examinations.

### **The Nurses Act**

This amendment is designed to allow the Nurses Board of Victoria to register nursing students who have completed part of a Bachelor of Nursing degree that

will eventually qualify them as fully trained division 1 nurses as division 2 nurses while they are training. These students will be required to complete a number of units of study specified by the board and to satisfy the board they have achieved the level of skill and knowledge required to demonstrate competence as a division 2 nurse before being registered as division 2 nurses.

This will allow division 1 nursing students to work in nursing services as division 2 nurses while still studying. It is expected to increase the division 2 nursing work force while providing valuable opportunities for nursing students to gain on the job experience prior to graduation.

### **The Human Tissue Act**

The Human Tissue Act prohibits the unauthorised selling of tissue. This prohibition was intended to prevent the exploitation of individuals by those proposing to trade in tissue for profit.

Advances in technology are occurring in the area of tissue engineering which enable donated human tissue to be used in more efficacious ways. However, an organisation such as a donor tissue bank incurs costs in assisting in medical or scientific endeavours.

Equivalent legislation in all other states and territories provides a form of exemption to enable the sale and supply of human tissue when it is used for therapeutic, medical or scientific purposes.

The amendment to the Human Tissue Act will create new provisions that will allow tissue banks to be prescribed and will allow them to recover their costs in relation to removing, evaluating, processing, storing and distributing donated tissue.

One example of this is a product that is a mixture of demineralised bone and calcium sulphate. This product provides a framework for the growth of new bone and may actually promote and induce new bone growth. It is used to fill bone defects that commonly occur, for example, in bone cysts and in longstanding hip replacements.

Some of these technologies are not yet available to patients and their medical practitioners in Australia.

The proposed amendment will enable the development of such products. It is sensible to amend the act to allow prescribed tissue banks to use human tissue in more efficacious ways for the benefit of the community.

Existing consent requirements are not affected by this amendment, and there is no impact on the rights of next of kin.

The development of the bill has involved a process of consultation and discussion with a range of stakeholders across the health sector, who have provided valuable input into the development of these amendments.

I commend this bill to the house.

**Debate adjourned on motion of Mr WILSON (Bennettswood).**

**Debate adjourned until Thursday, 31 October.**

## PORT SERVICES (AMENDMENT) BILL

### *Second reading*

**Mr BATCHELOR** (Minister for Transport) — I move:

That this bill be now read a second time.

The bill amends the Port Services Act 1995 to give further power to the Melbourne Port Corporation (MPC) to enable it to manage specified port waters, including the channels in those port waters, when directed to do so by an order of the Governor in Council.

The bill provides for:

the definition of ‘channel operator’ under the act to be expanded to include MPC when acting under an order in council;

the objectives of the MPC to be expanded to include the management of specified port waters on a fair, reasonable and commercial basis, when so directed by an order in council;

the expansion of the functions and powers of the MPC, consistent with those allocated to the Victorian Channels Authority (VCA) under the act, to enable MPC to effectively manage the port waters allocated to it by an order in council.

The proposed amendments enable the implementation of a key element of the government’s action program announced in response to the independent review of port reform in July of this year, specifically the implementation of transitional improvements to channel management arrangements for Melbourne.

A key plank of the government’s response to the review is the proposal to create a new, single corporation for the port of Melbourne to replace the MPC and the VCA with a broader charter and a capacity for integrated management of land and waterside functions.

The independent review noted that the current institutional model which splits responsibilities for the port of Melbourne between a land manager (MPC) and a water manager (VCA) is highly unusual and found that it had detracted from the effective management of the port of Melbourne and its positioning to compete vigorously on the national and international stage. The government supports this view and in preparing its response to the review, found there to be overwhelming industry support for a single integrated entity to manage the port of Melbourne.

It is proposed that creation of the new corporation will occur in conjunction with a number of other initiatives identified in the government’s response. These initiatives are targeted for implementation in mid-2003 and will require a separate, more substantial legislative amendment which the government proposes to introduce to a subsequent sitting of the Parliament.

Pending the establishment of the new corporation, the government proposes that the benefits of land and waterside integration in the port of Melbourne be pursued without delay by requiring the VCA and the Melbourne Port Corporation (MPC) to implement administrative measures and agreements which have the effect of transferring responsibility for the port waters and channels servicing Melbourne to the MPC. The government notes that arrangements with this effect are already in place and operating successfully for the ports of Portland and Hastings. Channel operating agreements with the VCA already provide these ports with the benefits of integrated control of both their land and waterside operations.

In the case of the port of Melbourne, an amendment is required to provide for the immediate implementation of integrated management, as the objectives and functions of the MPC are currently so narrowly defined as to prevent it from taking on the management of any waterside functions.

While there is a capacity under the Port Services Act 1995 for the Treasurer, in consultation with the minister, to give written directions to port corporations, this power of direction is restricted by a requirement for directions to be in accordance with the port corporations’ objectives and functions.

The bill is intended to provide the MPC with powers comparable to those which the VCA currently exercises in relation to port waters and channels, but only in relation to those port waters specified by an order of the Governor in Council. These functions and powers relate to managing, dredging and maintaining channels, providing and maintaining navigation aids and, through the appointment of a harbourmaster, directing and controlling vessel movements.

The government's intention is to apply this mechanism to allocate responsibility for the port waters of the port of Melbourne to the MPC, pending the establishment of a new corporation for Melbourne with a broader charter for integrated management. Under this approach, the MPC would become a channel operator with the necessary powers directly allocated to it in respect of the specific port waters which it is directed to manage under the Governor in Council order.

The bill provides a clear, direct and robust basis for implementing the government's stated policy of moving without delay to achieve the benefits of integrated land and waterside management for Australia's premier port, the port of Melbourne. These benefits will include planning and operational efficiencies flowing from integrated management control of the port as a whole and a clearer and simpler management interface with customers and users of the port who currently deal with multiple port managers.

I commend the bill to the house.

**Debate adjourned on motion of Mr WILSON (Bennettswood).**

**Debate adjourned until Thursday, 31 October.**

## **PAY-ROLL TAX (MATERNITY AND ADOPTION LEAVE EXEMPTION) BILL**

### *Second reading*

**Mr BRUMBY** (Treasurer) — I move:

That this bill be now read a second time.

The purpose of this bill is to make amendments to the Pay-roll Tax Act 1971, to provide employers with an exemption from payroll tax in respect of wages paid to workers taking maternity or adoption leave. The exemptions will apply to all employed women taking maternity leave of up to 14 weeks. The exemption also includes adoption leave for a period of up to 14 weeks, available to both women and men.

The Victorian government is committed to encouraging employers and employees to strike a balance between family, work, and their ability to participate in community life. Striking the right balance will help build a better and fairer Victoria. The government's commitment is evidenced in our Growing Victoria Together statement, and in our Work/Family/Life Strategy, to be released later this year, that will outline key actions for the state government in this area.

The Victorian government supports a national 14-week paid maternity leave scheme. The exemption outlined in this bill is a demonstration of the government's good faith in this area. It adds substance to the government's commitment that the commonwealth should introduce a national scheme and it shows that we will do our part by providing Victorian employers with an incentive to voluntarily provide paid maternity leave.

I now turn to the particulars of the bill.

The bill provides a payroll tax exemption for paid maternity leave for women and paid adoption leave for men and women. To minimise any inflexibility in leave arrangements between an employer and employee, for the purposes of the exemption, leave can be taken before or after the birth or adoption.

The exemption is limited to wages payable in respect of a total maximum of 14 weeks full-time pay, or the equivalent. For part-time employees, the exemption is limited to wages payable in respect of a maximum 14 weeks part-time pay for part-time employees who take leave at less than their usual part-time pay. The exemption excludes fringe benefits, on the basis that excessive complexity would result if employers were required to apportion the fringe benefits component of wages over a 14-week period.

Employers who claim the exemption in relation to maternity leave must keep a medical certificate or statutory declaration in relation to the pregnancy of the employee. Similarly, employers who claim the exemption in relation to adoption leave must obtain and keep a statutory declaration by the employee that an adoption order has been made or that the child is in the employee's custody pending such an order.

This bill sends an important message to the commonwealth that Victoria is serious about a national paid maternity leave scheme. The exemption also rewards employers who voluntarily provide paid maternity leave.

I commend the bill to the house.

**Debate adjourned on motion of Mr WILSON (Bennettswood).**

**Debate adjourned until Thursday, 31 October.**

## LOCAL GOVERNMENT (UPDATE) BILL

### *Second reading*

**Mr CAMERON** (Minister for Local Government) — I move:

That this bill be now read a second time.

This bill aims to improve the system of local government and to improve the public accountability of local government in particular.

Councils exist to provide good local government for their areas. They are elected by the voters of their municipalities and they collect rates from property owners to finance services and activities.

Local communities have a right to expect a high level of accountability from their councils, both for the decisions they make and for the way they use public resources.

This bill establishes public accountability as an essential requirement for local government. It does this through changes to electoral provisions to improve democracy and through changes to other provisions to ensure transparency and accountability in council decision making and reporting.

**Mr Thompson** — On a point of order, Deputy Speaker, it is important that honourable members in the chamber are able to follow the second-reading speech that is being made, and not only the members but also the other people within the precinct who perhaps are attending Parliament with a view to hearing what is being debated in the chamber. If the speech could be delivered in a manner that enabled people to hear it might be beneficial, not only to members but to people in the gallery as well.

**The DEPUTY SPEAKER** — Order! Does the honourable member have a copy of the second-reading speech?

**Mr Thompson** — I do not believe it has been distributed to the gallery, Deputy Speaker.

**The DEPUTY SPEAKER** — Order! No, I am asking if the honourable member has a copy.

**Mr Thompson** — Am I authorised to distribute it to the gallery as well?

**The DEPUTY SPEAKER** — Order! I asked the honourable member if he had a copy of it.

**Mr Thompson** — I have a copy of it.

**The DEPUTY SPEAKER** — Order! Thank you. There is no point of order.

**Mr CAMERON** — The bill also proposes changes to the Constitution Act to better formalise the place of local government within the Australian system of government. This will also recognise the democratic basis of local government.

The proposed changes represent the results of a careful analysis of local government legislation issues and an extensive public consultation process.

I will now outline some of the main features of the bill.

### **Electoral representation reviews**

The conduct of fully democratic elections is a cornerstone of any modern system of government. The bill proposes to correct a number of failings in the current act.

The existing requirements for the review of electoral structures are seriously deficient. At present, the electoral boundaries for local councils are reviewed by the councils themselves and, where councils are unsubdivided, reviews are only conducted at the discretion of councils.

At other levels of government these types of reviews are conducted at arm's length from the elected body to ensure independence and probity. Considerable concern was expressed in public submissions about the current system.

It is proposed that, in future, independent electoral representation reviews be conducted for every council on a six-yearly basis and that the reviews consider both the electoral structure and the location of electoral boundaries. Every council will be required to appoint an electoral commission to conduct its representation review.

### **Election campaign donations**

Council decisions can have a significant bearing on the financial and other circumstances of particular people. Given the stakes involved it is not inconceivable that such people may donate generously to the election campaigns of candidates for council elections. Public transparency in regard to such donations is essential.

The bill proposes that all candidates complete a campaign donation return within 60 days of the election. These donation returns must provide details of all donations valued at \$200 or more.

### **Enrolment entitlements**

Under the existing legislation, councils are required to automatically enrol people who occupy rateable property for non-residential purposes. However, this is impractical because councils do not have ready access to information about these occupiers. As a result, very few are actually enrolled.

This touches on the basis of democratic electoral systems, which require that people with a stake in their government not only have a legal right to vote but that they can exercise their rights without administrative impediments.

It is therefore proposed that the process for enrolment of non-resident occupiers be by application and that the council be required to publicly advertise people's enrolment rights before the rolls close.

An additional, related difficulty for councils is that they have no practical way of determining if a person that has previously applied to be enrolled is still eligible. In theory the legislation requires electors to notify their council if their entitlement details change, but this does not occur in practice. As a result, council rolls are frequently inaccurate.

It is therefore proposed that, where people are enrolled by application, their enrolment will be valid for the term of the council only and will need to be renewed for the next election. To ensure these people are not disadvantaged, councils will be required to notify them in writing before the next election of their right to re-enrol and provide them with an enrolment form.

It is expected that these measures will significantly improve the accuracy of councils' rolls and will maximise opportunities for eligible people to enrol.

### **The place of local government**

While the main objective of this bill is to enhance the accountability of local government, this needs to be balanced by recognition of the important role councils play in providing good government for their communities.

People in local government, especially councillors, take on tasks that are often thankless and demanding. As a community, we often fail to give these people the appreciation they deserve.

It is proposed that the Constitution Act be amended to formalise the place of local government as a distinct and essential level of government and that councils are democratically elected and accountable to their constituents.

It is also proposed to amend the Local Government Act to include a preamble that describes the place of local government in the Australian system of government and a charter that more clearly describes the purposes and functions of councils.

These amendments will not change the actual functions and powers of councils, but they will provide greater clarity.

It is also intended that the criteria under which a council can be suspended should be more clearly set out. The bill proposes that councils be able to be suspended where there has been a serious failure to provide good government or when a council has acted unlawfully in a serious respect. To ensure that suspensions are not done lightly it will also be a requirement that consideration be given to steps taken by a council to address and remedy the failure.

### **Conduct of councillors**

While we recognise the contribution made by people in public life the community also expects a certain standard of behaviour from its elected councillors. Councillors have control of significant public resources and make decisions on behalf of their communities.

This bill proposes to include certain rules of conduct for councillors and members of council committees. These rules have always been implicit requirements of people in public office, and it is desirable that they be made explicit. Doing so provides councillors with clearer guidance and enables the community to be more confident that their elected representatives are acting with due probity.

The rules of conduct include:

- acting honestly;
- exercising reasonable care and diligence;
- not making improper use of their position; and
- not making improper use of information.

The bill also proposes that all councils be required to adopt codes of conduct that include the rules of conduct as well as including procedures to resolve disputes between councillors and procedures for implementing conflict of interest requirements.

### Conflict of interest

The provisions of the Local Government Act are generally acknowledged as being inadequate in regard to conflicts of interest. While the act addresses pecuniary interests, it makes no provision for other interests. In fact the current provisions appear to compel a councillor to vote when they have an interest in a matter that is non-pecuniary.

This bill introduces significant improvements in regard to conflicts of interest. It will require councillors and members of council committees to declare all interests in matters being considered by the council or committee

Where these interests are pecuniary in nature, or where the person considers that their interest may be in conflict with their public duty, they must declare a conflict of interest and refrain from voting.

The affect of these provisions will be to provide a public surety of openness where councillors have interests relevant to matters under consideration. They will also ensure that councillors are not bound to vote where they have a conflict of interest.

### Conduct for council staff

A closely related matter is the conduct of council employees. The bill proposes that the principles of conduct that currently apply to public sector employees under the Public Sector Management and Employment Act should be included in the Local Government Act to apply to council staff.

These principles will require council officers to:

- act impartially;
- act with integrity and avoid conflicts of interest;
- accept accountability for results; and
- provide responsive service.

### Financial management principles

Major improvements included in this bill relate to the financial management of councils.

The bill will replace some ineffective and out-of-date regulatory provisions with a requirement that councils comply with principles of sound financial management similar to those that apply to public sector bodies under the Financial Management Act.

These principles include:

prudent management of financial risks in regard to debts, assets and liabilities;

rating policies that provide reasonable stability in the level of the rate burden;

having regard to the financial effects on future generations of council decisions; and

providing full, accurate and timely disclosure of financial information.

Councils will also be required to establish and maintain budgeting and reporting frameworks that are consistent with these principles.

The bill will also establish a system of financial reporting for local government which will ensure that consistent reporting frameworks are used in all council plans, budgets and annual reports. This will enable ready comparison of projected resource use with actual outcomes.

In line with this, it will be a required that where there is a material variation between a budget and an actual outcome the variation will be fully explained in the council's annual report.

The revised system for financial reporting will be complemented by revised agreements between the state government and councils regarding national competition policy. The state government shares its commonwealth NCP payments with councils, although it is not required to do so. Councils will continue to receive these payments subject to compliance with the revised NCP agreements.

The bill also includes improved processes for local government entrepreneurial activities. It will require councils to consider a formal risk assessment before approving any new venture. This will be subject to ministerial guidelines.

Where previously all entrepreneurial activities, including very minor matters, had to be approved by the minister and the Treasurer, the level of approval will now depend on the scale of the proposed activity. Ministerial approval will be required where total risk exposure exceeds \$500 000 or 5 per cent of a council's rates and approval of both the minister and the Treasurer must be obtained when the total risk exposure exceeds \$5 million.

### Accountability framework

Council plans, budgets and annual reports are important public documents. The amendments proposed in this

bill will increase public input to the development of council plans and ensure that the activities and performance of councils are more open to public scrutiny.

The current provision for corporate plans is confusing and is to be replaced by a requirement that a council adopt a new council plan after each general election. These council plans will be developed in consultation with the community and will specify the objectives, strategies, resources and performance indicators for the council for the next three years.

Budget documents are to be substantially upgraded to include standard financial statements on an accrual basis, to support financial viability, but also to include a description of the activities that are being funded in the budget. This will significantly improve the transparency of council's budget funding.

Budgets will also list targets and measures for the key strategic activities that the council will undertake in the budget year. These will then be reported against in a performance statement that will be audited by the Auditor-General and published in the council's annual report.

### **Rate capping**

The previous government used rate capping as a way to limit the ability of councils to raise revenue after amalgamations. This proved to be a very arbitrary and clumsy measure and has been widely rejected by the community.

The bill proposes to remove indiscriminate rate capping from the act. The ability to limit the rates of an individual council will be retained, however, as a reserve power.

### **Special rates and charges**

The government considers it important that councils levy rates and charges in a fair and equitable manner, and the proposed local government charter emphasises this requirement.

There have been considerable concerns expressed in the community about the practices of some councils in respect to the levying of special rates and charges. The bill therefore proposes to amend these provisions.

Councils will now be required to determine the proportion of the benefits of a project that will be of special benefit to the people who will pay a special rate or charge. The council may not then levy special rates

and charges to recover an amount that exceeds the proportion of special benefits.

In addition, the bill proposes a further requirement in respect to the construction of existing roads. If a council wishes to raise more than two-thirds of a road's construction costs under a special rate or charge it must first obtain written agreement from a majority of the people who will be required to pay the rate or charge.

### **Rate rebates**

The bill proposes a tightening of the rate rebates provisions of the act. This follows concerns about the inappropriate use of rate rebates.

The provision for rebates and concessions will be restricted to:

no more than a third of rateable properties and following public consultation; or

the owners of properties that agree to fulfil terms specified by the council that provide benefits to the community as a whole.

The act will also be amended to make it entirely clear that a council may waive rates or charges for a class of people on grounds of financial hardship.

### **Conclusion**

In addition to the matters I have described, the bill will make a number of other amendments to the act. The full impact of all these changes will make local government significantly more democratic, more transparent, more accountable and more effective.

This legislation commenced in another place. During debate in another place there were provisions relating to proportional representation which were removed. The government intends when this matter is debated to have house amendments to bring back the intention to have proportional representation in unsubdivided municipalities or in multimember wards.

I commend the bill to the house.

**Debate adjourned on motion of Mr WILSON (Bennettswood).**

**Debate adjourned until Thursday, 31 October.**

**Remaining business postponed on motion of Mr CAMERON (Minister for Local Government).**



**ADJOURNMENT**

**Mr CAMERON** (Minister for Local Government) — I move:

That the house do now adjourn.

**Sandringham: boat harbour**

**Mr THOMPSON** (Sandringham) — I raise a matter for the attention of the Minister for Environment and Conservation regarding the siltation taking place in Sandringham harbour. Mr Jack Eggleton, a long-term resident of Hampton who has taken a very active interest in boating and infrastructure issues along the foreshore, has drawn to my attention on numbers of occasions his concern about the impact the siltation of Sandringham harbour is having on other users in that precinct, including the Sandringham Yacht Club, the Sandringham Sailboard Centre, the Victorian Guide-Scout Sailing Centre and the Sandringham Angling Club. Since the early 1950s when a major groyne was built around the Sandringham Yacht Club area, there has been extensive siltation of the harbour as a result of the movement of sand along the shore, coming down from the north without the opportunity of the prevailing southerlies to shift the sand along the coast.

There have been progressive adaptations and adjustments to the harbour, and the beach has grown by some 70 metres to 100 metres. The problem now is that with the siltation continuing to take place as a result of extensive beach renourishment works in Hampton and in Brighton, there is little available water for the users of the harbour — the sailors and people from the Victorian Guide-Scout Sailing Centre and the Sandringham Angling Club to easily access the harbour waters.

I ask the minister to develop a strategic plan in concert with her department to dredge the harbour to a level, perhaps back to that of 1980, to enable all harbour users to have continuing access to the harbour.

**Drought: cloud seeding**

**Mr MAUGHAN** (Rodney) — I raise with the Minister for Agriculture the matter of cloud seeding in order to create rain. Honourable members will be well aware that the northern part of the state, particularly the electorate of Rodney and those areas serviced by the Goulburn irrigation system, are suffering enormous problems because the level of the reservoirs, particularly the Eildon Weir, is so low.

A member of the federal Parliament, the honourable member for Mallee, Mr John Forrest, has recently visited the United States and Texas in particular to look at the progress people there have made. Honourable members will recall that the CSIRO conducted extensive research on cloud seeding from the 1950s through to the 1970s, and because the results were not conclusive, the research effort in this country has decreased over recent years. It appears, from reading some of the material that Mr Forrest has collected, that science has moved on in terms of the techniques used and that timing, location, and precision dosing are critical to the process, as is the radar network to locate suitable clouds for seeding.

Given our situation in northern Victoria and given that there is some hope that the techniques have improved, it is urgent that the government and the minister take every possible initiative to encourage officers of this department to talk with the CSIRO to see whether representatives of the department or the CSIRO can, as a matter of urgency, travel overseas and look at the techniques in Texas to see if they can apply in Victoria, so we can get trials going quickly. Northern Victoria is in desperate straits and needs large volumes of rain in the catchment areas, particularly the Eildon catchment.

I ask the minister to make every effort to ensure the latest techniques of cloud seeding are thoroughly investigated with a view to applying them to cloud seeding in northern Victoria, particularly the Eildon catchment.

**Drayton Corp**

**Mr ROBINSON** (Mitcham) — I raise with the Minister for Consumer Affairs the legitimacy of and claims being made by various get-rich-quick racehorse tipping schemes. I exclude myself from those schemes although I have given out tips on a regular basis. I seek from the minister an investigation and ongoing monitoring by Consumer Affairs Victoria of the schemes.

During a grievance debate earlier this year I referred to a company called Drayton Corp which had put out a glossy prospectus encouraging people to invest in what it considered and was claiming was a failsafe punting methodology — an expensive investment. These sorts of schemes seem to flourish, particularly around the Spring Racing Carnival in Melbourne.

I confess that I do not come to this event as a puritan and I have been known to have the occasional wager, especially to dabble on Cup doubles. I assure the house that should the double I took three months ago on

Fields of Omagh to win the Caulfield Cup and Vinnie Rowe to take out the Melbourne Cup salute the judge I will be happy to shout the bar. I got some good odds three months ago.

I know that I am not alone in the house in being keen to back a winner. On behalf of a number of members I put the honourable member for Polwarth on notice that his horse Fantastico and the tips he has given out about that horse have worn out both the patience and the wallets of members of this house. I think it is now up to its 15th or 16th start in maiden company.

Victorians who are interested in having a wager have at their disposal tried and true methods for ascertaining the form of various racehorses. I can think of no better recommendation than *Miller's Guide*, now in its 130th edition, which is full of information and is a useful reference for anyone interested in a punt. The *Winning Post* form guide must stack up as the best going around.

We need Consumer Affairs Victoria to monitor the activities of people who are peddling get-rich-quick betting schemes. There is no such thing as a certainty on a racetrack and people ought to be assured that Consumer Affairs Victoria is monitoring the behaviour and activity of these companies to make sure that at all times the claims made can be substantiated. I look forward to the minister assuring the house this monitoring is under way.

### **Minister for Education Services and Minister for Housing: conduct**

**Mrs SHARDEY** (Caulfield) — I wish to raise a matter for the attention of the Minister for Housing. A number of questions have been raised this week in Parliament regarding the allocation of a transitional public housing property to a family which Department of Human Services documents reveal they were not eligible for. The minister's response has been that the treatment of this family is a common occurrence. At the outset, the action I require of the minister is to conduct a full independent departmental inquiry and that she table the report and the findings of the inquiry to this house.

The Department of Human Services documents reveal that the Minister for Housing and the Minister for Education Services were knowingly involved in the fabrication of a priority housing application on behalf of a family named White who they knew did not meet eligibility criteria.

Documents also reveal that the Minister for Housing had knowledge of the fraud and directed others to

falsify the White family's application during December 1999 and January 2000. This apparently was done because the Minister for Education Services had promised this family a house.

**Mr Pandazopoulos** — On a point of order, Madam Deputy Speaker, the honourable member would know that casting aspersions like this is a serious matter and that there is a procedural process to go through rather than saying whatever she wants to say about ministers acting fraudulently. The house should not be used like that. Certainly allegations can be made, but it is entirely inappropriate for the honourable member to be using that sort of language.

**The DEPUTY SPEAKER** — Order! There is no point of order, but I ask that the honourable member for Caulfield address to the minister her comments on what action she would like taken.

**Mrs SHARDEY** — I have already done that. I have already asked for specific action to be taken. The documents reveal that Office of Housing staff interviewed the White family and found them to be ineligible for the following reasons: that they were already living in secure private rental accommodation; that the combined income of the family exceeded the income limit for priority housing status; that the family had owed outstanding rent, bond and maintenance debts of more than \$4000 to the Office of Housing; and that the family did not supply adequate financial and medical documentation to back up its application.

**The DEPUTY SPEAKER** — Order! I remind the honourable member that she cannot make imputations against ministers. She must do that by substantive motion. She seems to be continuing along that line. The honourable member needs to identify the problem and ask for action to be taken.

**Mrs SHARDEY** — I have identified the problem, and I have already asked for particular action. I think that is very clear. I am referring to some Department of Human Services documents which prove what I am saying.

**The DEPUTY SPEAKER** — Order! The honourable member is suggesting fraud. She is making imputations against ministers or members of this house. She has to do that by substantive motion.

The honourable member has finished.

### **Crime: Sunbury**

**Ms DUNCAN** (Gisborne) — I ask the Minister for Police and Emergency Services to report on levels of

crime in our area and on what actions are being taken to maximise the sense of community wellbeing and to address issues such as violence, theft and vandalism.

Over recent weeks and months there have been considerable media headlines about vandalism and burglary in general. We have had a series of letters — in fact a bit of a campaign of letter writing — to the local newspapers, describing in some instances the streets of Sunbury, for example, as being a war zone. Alternatively we have had other letters that have argued that terms like ‘war zone’ are absolutely over the top and have referred to some of the behaviours as youthful exuberance. We have this enormous difference of opinion as to what is occurring in the streets of Sunbury, for example. It is very difficult for people to know what the truth is when you have such opposing points of view being expressed in the local newspapers.

We have recently had an unsigned flyer circulated throughout the region which states that in the Macedon region the rate of crimes against the person has increased by 6.2 per cent since the Bracks government came to office. This same flyer also reports that the rates of assaults, harassment and homicide have all risen. It is enough to really make people worry; and especially with the recent outcomes in Bali, people are feeling even more vulnerable and scared. I remember many years ago living in Melbourne and feeling quite terrified in the place I was living in. There was no particular reason for me to be afraid, but I just had an enormous sense of fear. It was a terrible feeling to live in fear in your own home, and I feel for people who find themselves in this situation.

The most recent article suggests that police resources are being diverted away from patrols in town to focus on operations such as Operation Vehicle Watch. An article states that one of our residents is saying the enormous drop in car thefts of some 25 per cent in the region has occurred only because the government has diverted police resources from elsewhere. I ask the minister to respond to these concerns and to provide information on whether or not, as has been suggested in this recent article, police have been taken off patrol to focus on car thefts. I presume it means foot patrols around the town. There has certainly been a reduction in car thefts, which I would have thought was a good news story, but clearly the suggestion is that it is at the expense of other areas of patrol. I ask the minister to provide the house with that information.

### **Mallacoota: emergency and critical care**

**Mr INGRAM** (Gippsland East) — I raise for the attention of the Minister for Health the ongoing critical

situation in Mallacoota regarding the emergency and critical care services in that town. Today I led a delegation to the minister about that problem. We basically presented the minister with a report which identifies the problems that exist and some potential solutions to them.

The action I seek is for the minister to basically go through the report and respond to the recommendations in it as soon as possible to address that urgent situation. Those recommendations, some in particular, could be achieved reasonably easily. One is communication. Because of the extreme isolation of that area — the distance of Mallacoota from other towns — and its proximity to the New South Wales border the inability to access communication systems causes great problems when patients are being transported.

The other issue is providing paramedics to the area. Currently the town has a volunteer-based service. Because of the problems that are associated with transportation of patients and the limitations that are put on volunteer ambulance officers they cannot transport patients. That means that the doctors currently in the town — and we have good doctors in Mallacoota — have to go to most of the call-outs to stabilise patients and travel with them when they are transported away. Some of these transportations can take a number of hours, because the town is extraordinarily isolated. Mallacoota is 520 kilometres from Melbourne. The hospital at Orbost is 147 kilometres away. The hospital at Eden is 100 kilometres away. The nearest hospital with a fully staffed accident and emergency care centre is Bairnsdale, which is 240 kilometres away, or at Bega, which is 144 kilometres away.

The difficulty in providing air ambulance services and the length of time it takes to get patients to and from Mallacoota is critical. We are at risk of losing doctors from the town and the community wants action. It wants a response to this report as soon as possible to address the urgent critical care and emergency services situation within the town. I ask the minister to address those issues.

### **Motor vehicles: permits**

**Mr ASHLEY** (Bayswater) — I also have an issue for the Minister for Police and Emergency Services. I originally raised this matter with the minister back in June. It relates to difficulties that are inherent in using unregistered vehicle permits after assessments have been made by a licensed vehicle tester and the problem of police intervening to declare a car unfit to be on a highway. In his response to me the minister said:

I believe that, in the absence of a court-based defence, the Ombudsman's office is well placed to consider this matter. Consequently I will not pursue the issue further.

In responding to me on the issue of a constituent, the Ombudsman said:

I have completed my inquiries in relation to your constituent and as a result of those inquiries the penalty notice against him has been withdrawn. The reason for the withdrawal was information supplied by Mr Hedrich, a licensed vehicle tester who when interviewed indicated that ... he took the vehicle for a road test and he would not have done so if he believed it was unsafe to do so.

The action I am seeking from the Minister for Police and Emergency Services is that he institute into the certificates of assessment that are given for vehicles that are under unregistered vehicle permits that if they are safe to drive on the highway there be no intervention by the police during the term of validity of that permit.

### **Liberal Party: Yan Yean candidate**

**Mr SEITZ** (Keilor) — I raise with the Minister for Police and Emergency Services a matter relating to an article that I happened to read in the *Age* of Saturday, 12 October, in which it was reported that a Liberal Party candidate for the seat of Yan Yean, Mr Matthew Guy, said that his motor vehicle was damaged after it was attacked with a wheelie bin, which was banged into the rear of his hatchback.

Mr Guy has apparently reported the incident to the police. My concern is that in the article in the *Age* Mr Guy stated, without any apparent evidence, that he believes the damage was the work of his political opponents. I am concerned that Mr Guy has used this unfortunate incident of a wheelie bin running amok to cast aspersions on either the current honourable member for Yan Yean — —

**Dr Naphthine** — On a point of order, Madam Deputy Speaker, I do not want to take up the honourable member's time, but he has been here long enough to know when he has been speaking for over a minute he has to come to the point of which minister he is raising this for and what action he is seeking.

**The DEPUTY SPEAKER** — Order! The honourable member has indicated which minister he is speaking to, and he has up to 3 minutes to give us what action he wants.

**Mr SEITZ** — Mr Guy was casting aspersions on either the current honourable member for Yan Yean, the Minister for Police and Emergency Services, or the

Labor candidate for seat at the next election, Ms Danielle Green.

I request that the Minister for Police and Emergency Services take any administrative action required to look into this issue and determine whether there are any grounds to validate the comments made by the Liberal candidate. There appear to be no grounds for Mr Guy attributing this damage to his opponents or other candidates.

In the middle of the last election campaign my government-provided vehicle was attacked, but I did not cast aspersions on the Liberal candidate or even the Independent candidate, who was running on a platform of no safe injecting rooms. The car was attacked with syringes — they were stuck in all parts of the vehicle, including the tyres and the rubber windscreen wipers. That was a foolish thing to do as it posed a danger to children in the community. I probably could have got cheap publicity in the middle of the campaign, but I did not lower myself to casting unfounded, unsubstantiated aspersions against my political opponents.

The Minister for Police and Emergency Services should look administratively at the real situation in this case, particularly since it is affecting either him or the Labor candidate for Yan Yean, Danielle Green.

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

### **CFA: industrial agreement**

**Mr WELLS** (Wantirna) — I have a matter of grave concern for the Minister for Police and Emergency Services. It is fascinating that the honourable member for Keilor has called on the Minister for Police and Emergency Services to investigate the matter he has when question time this afternoon was all about the separation of powers. It suits the Labor Party to raise issues at some times but during question time it suits the minister to say no.

I ask the Minister for Police and Emergency Services to take immediate action to ensure that Country Fire Authority volunteers are fully consulted about the current enterprise bargaining agreement (EBA). I am asking the minister to take this action because the CFA volunteers were well and truly shafted by the Bracks government, and this minister in particular, in the last EBA.

They were shafted in two ways. Firstly, the 63 000 volunteers were totally excluded from the EBA process. They cannot have community support facilitators any longer because the United Firefighters

Union (UFU) did not like them and the minister rolled over and agreed to their removal. Secondly, we previously had a situation where CFA volunteers were able to deliver operational training but under the EBA they are no longer able to do this because the CFA is not able to employ casual or part-time staff. This was clearly a case of the government and this minister paying the UFU back.

The current EBA runs until September 2003. It has almost 12 months to go, so there is no need for the Minister for Police and Emergency Services to rush to sign the new EBA. If he does it will be seen as clear political payback between the Bracks Labor government and the UFU for the work the union has done in supporting the government. I am calling on the minister to support the 63 000 CFA volunteers and ensure they are looked after in this enterprise bargaining agreement.

### **Austin and Repatriation Medical Centre**

**Mr LANGDON** (Ivanhoe) — I call on the Minister for Major Projects to take action to introduce an information program for the Ivanhoe electorate and the opposition on the great work the government is doing on the Austin and Repatriation Medical Centre. On Tuesday the honourable member for Bennettswood had the audacity to raise the issue of the Austin hospital.

**Mr Wilson** interjected.

**Mr LANGDON** — The honourable member is very proud of the fact that he raised the issue, but he did not inform the house that he is a former chief of staff of the Minister for Health who tried to privatise the Austin hospital — the same Minister for Health who did absolutely nothing for the hospital, the same Minister for Health who did anything but do any work for the Austin hospital. The honourable member did not tell the house any of that, but he had the audacity to raise the issue of what this government and its Minister for Health, and now its Minister for Major Projects, are doing at the Austin hospital. If honourable members go to the site they will see exactly what the government is doing. There has been enormous development, and the electorate of Ivanhoe and I are very proud of it. Everyone on this side of the house is exceptionally proud of this development.

An education program for the opposition and the electorate is greatly needed. Honourable members opposite have no idea of the great mess the former government left the Austin hospital in and the great work this government is doing there. They clearly need educating. I am calling on the Minister for Major

Projects to do that. It would be a great help if honourable members on this side of the house could educate opposition members so that they would know the mistakes they had made.

I am pleased to say that two weeks after we came into government the current Minister for Health went to the Austin hospital and cancelled its privatisation. I have never seen a happier bunch of people. Since that time the government has committed to spending up to \$340 million on building the hospital. I commend this government and call on the Minister for Major Projects to educate the opposition.

### **Monash Medical Centre**

**Mr WILSON** (Bennettswood) — I raise a matter for the attention of the Minister for Health. I refer the minister to the ever-expanding crisis of the waiting list for elective surgery at Monash Medical Centre. The waiting list has grown from 3355 in June 1999 to 4432 in June 2002, representing an increase of 32 per cent. That is an enormous growth in the waiting list at the centre and is typical of the trend across Victoria's public health system. The action I am seeking of the minister is that he have the Department of Human Services investigate the way Monash Medical Centre is monitoring its waiting list.

I want the Minister for Health to clearly establish that Monash Medical Centre is ensuring that all patients who require semi-urgent and non-urgent procedures are receiving appropriate advice and assistance from the hospital and the network. A constituent has recently contacted me concerned that a letter he received from Monash Medical Centre would not give adequate support or encouragement to patients anxiously awaiting important surgery. The letter says in part:

We are conducting an audit of the waiting list to confirm that our information is correct ...

We would also like to take this opportunity to advise you that there are currently long delays experienced by patients awaiting certain semi-urgent and non-urgent procedures. This is due to the demand placed on the hospital by patients in the emergency department and those requiring more urgent surgery.

My constituent was concerned that the letter concludes with what I can only describe as a rather bold and uncaring demand that:

If we have not received a response within four weeks, your name will be removed from the waiting list.

*Honourable members interjecting.*

**Mr WILSON** — Obviously members of the government do not think this is an important issue; I and my colleagues on this side of the house certainly do. Many people on waiting lists for elective surgery are elderly, infirm or from non-English-speaking backgrounds.

I seek an assurance from the minister that he will insist that the Department of Human Services conduct an investigation to ensure that Monash Medical Centre makes every effort possible to ensure that any patient who does not respond to this correspondence is contacted and that their medical needs are paramount in the minds of the centre's administrators. It is very important that the government understand that people waiting on elective surgery lists are usually going through very emotional times, and for them to receive the sort of correspondence I have just read into *Hansard* is very disturbing. The Minister for Health must take action to ensure that these people are receiving correct and timely advice.

**The DEPUTY SPEAKER** — Order! The honourable member for Geelong North has 1 minute,

### **Community jobs program**

**Mr LONEY** (Geelong North) — I raise a matter for the Minister for Employment regarding the present Community jobs program round. A number of organisations in the Barwon south-western region have made applications to the minister. I would like to commend those applications to the minister, particularly those from South West Victorian SEAL, a great organisation that I have had the opportunity to visit, and the two community projects from the Warrnambool City Council and Flagstaff Hill. I was down there some time back and looked at those projects. They are doing a great job.

Colac Adult and Community Education is a great organisation and one that I would thoroughly support. There is also the Geelong Ethnic Communities Council application, as well as the City of Greater Geelong application for the Eastern Park restoration project. There is the Courthouse Youth Arts Centre application and also one from the Colac Community Development Association, as well as a further project from South West Victorian SEAL.

**The DEPUTY SPEAKER** — Order! The honourable member for Geelong North's time has expired, and he did not ask for any action by the minister.

**Mr LONEY** — I ask the minister to support those applications.

### **Responses**

**Ms CAMPBELL** (Minister for Consumer Affairs) — I thank the honourable member for Mitcham for raising yet another important issue in consumer affairs on a matter that is dear to his heart — and to his wallet, I am sure.

The Spring Racing Carnival will be enjoyed by thousands of Victorians, but I want to alert consumers to a couple of traps that are around at the moment in relation to unfair practices. Consumer Affairs Victoria receives many complaints each year, and a number of them around the Spring Racing Carnival relate to horse betting scams. Punters are lured by the promise of instant fortunes, not only by the tips I am sure they get from the honourable member for Mitcham but also from those who are a little less reputable than he is and who suggest that they can provide them instant fortune in picking winning horses, but consumers get left with empty pockets and broken dreams.

We have had examples where consumers have been asked to pay from \$500 to \$20 000 for computer programs that promise winning tips. The programs of course cannot guarantee the tipping of winners, and a great deal of data entering is required before such a program could work. The users often give up before that program actually works, and even if they do enter all the data they are expected to enter, no wins are guaranteed.

Some of the schemes are worse. Not only do they charge a significant amount of money for the tipping programs but they offer a help line which users ring to receive horse tips. Unfortunately the STD call is charged at a premium line service fee and is extremely expensive to the consumer.

The consumers of Victoria are strongly advised to ignore all horse tipping programs. It is fine to get advice from the honourable member for Mitcham, but others may not be quite as qualified as he is on this matter.

**Ms Beattie** — Or astute!

**Ms CAMPBELL** — Or astute! Consumers should save their money: if such a scheme is brought to their attention I suggest they save their \$500 to \$20 000. I am asking consumers in Victoria, should they come across any of these horse betting scams, to alert Consumer Affairs Victoria on 1300 558 181. We will be happy to log those particular complaints and assess whether they are breaking Victorian law — and if they are, they will be prosecuted.

**An honourable member** interjected.

**Mr HAERMEYER** (Minister for Police and Emergency Services) — If you do not think the matters raised by your own members are important, then — —

**The DEPUTY SPEAKER** — Order! The minister, through the Chair.

**Mr HAERMEYER** — The honourable member for Bayswater raised an issue that he has raised with me previously in relation to an unregistered vehicle permit. He referred to someone being effectively pulled over by police for driving a vehicle that had a current unregistered vehicle permit, and he recited a copy — —

**An honourable member** interjected.

**Mr HAERMEYER** — Sorry — being pulled over for being unsafe to be on the road. He gave me prior to this sitting a copy of a letter from the Ombudsman in which the Ombudsman indicates that this matter will be taken further.

He is asking us to ensure that if a vehicle is safe to drive on the highway that there be no intervention by police during the validity of an unregistered vehicle permit. Certainly where that invention relates to the driveability or roadworthiness of the vehicle, I will certainly put that issue to the police. Where there is an unregistered vehicle permit but where there is a determination that the vehicle is safe to drive, I cannot off the top of my head think of any reason why the police should or would intervene. But I will certainly take that further with Victoria Police and get back to the honourable member in due course.

The honourable member for Wantirna raised the issue of Country Fire Authority volunteers and asked that they be consulted in relation to the current enterprise bargaining agreement being negotiated with career firefighters in both the CFA and the Metropolitan Fire Brigade. That is not an unreasonable request. However, he then went on to talk about volunteers being shafted. For seven years the CFA and its volunteers were very sadly neglected. Their funds were frozen and they got damn near no support from the then government. It is for that reason that this government needed to provide that \$100 million injection through the strategic resource initiative to give those volunteers the support they need and the training that they need.

There is nothing more fundamental to their safety than training to ensure that there are no more Lintons. It is for that reason that we provided the community support emergency services program to ensure that volunteer brigades in the CFA and the volunteer units in the State Emergency Services (SES) would be able to get some matching funding from the government for the very

assiduous fundraising they do every year. It is also for that reason that we provided for the volunteers charter, which for the first time cites the mutual obligations of the CFA, the government and the volunteers in relation to the very valuable work that is done in this state each year by the CFA's volunteers. We are now working with the SES volunteers to replicate that charter. However, that volunteer charter requires that the government consult the volunteers in relation to any matter that is of effect to them.

We are currently negotiating an enterprise bargaining agreement with career firefighters in the CFA and the Metropolitan Fire Brigade, and if there are matters in relation to that which impinge upon the volunteers, there will certainly be some consultation with them.

**An honourable member** interjected.

**Mr HAERMEYER** — Did you ever consult with anybody?

**Mr Wells** interjected.

**Mr HAERMEYER** — A member of the Fourth Reich.

**Mr Wells** interjected.

**The DEPUTY SPEAKER** — Order! I am on my feet, and I ask the minister to sit down. I ask the minister to address the Chair, and I ask him not to take up interjections. I ask the honourable member for Wantirna not to interject.

**Dr Napthine** — On a point of order, Madam Deputy Speaker, the minister went over the top in his comments just before when he referred to the opposition as members of the Fourth Reich. I think that is highly offensive and absolutely outrageous, and I ask him to withdraw and desist from that sort of absolutely obnoxious comment.

**The DEPUTY SPEAKER** — Order! I ask the minister to withdraw.

**Mr HAERMEYER** — They are sensitive petals! I withdraw.

**Mr Wells** — Madam Deputy Speaker, on a point of order, the withdrawal should be unconditional. I ask you to direct the Minister for Police and Emergency Services to withdraw unconditionally.

**The DEPUTY SPEAKER** — Order! I understand that the withdrawal was unconditional.

**Mr HAERMEYER** — Madam Deputy Speaker, as I say, we do have a policy of consultation with the community, and particularly we have codified that consultation requirement in our charter with the CFA volunteers, something the members opposite never sought to do.

The honourable member for Gisborne raised the issue of a report in her local paper headed ‘Refocus, police urged’. It relates to a complaint made by a fellow out there by the name of Steve Medcraft. The article goes on to say:

Victoria Police initiative designed to combat car theft is straining local police resources, according to the president of a local crime-fighting group.

**An Honourable Member** — Crime-fighting?

**Mr HAERMEYER** — ‘Crime-fighting group’. It then says:

People Against Lenient Sentencing president and Sunbury resident Steve Medcraft claimed criminal damage had increased in the Sunbury region because police resources were concentrated carrying out functions such as Operation Vehicle Watch.

Under the campaign launched in March, special vehicle theft task groups were set up in each of the state’s five police regions to investigate car thefts and implement crime prevention strategies.

This program has led to a significant fall in car theft locally. I understand there has been something like a 25.3 per cent fall around the Sunbury and Macedon Ranges area, or in region 3, which incorporates that area. Overall throughout the state the police have seen a reduction of some 28.7 per cent, or 5000 vehicles, which I understand is the lowest level of car theft on record.

Mr Medcraft seems to think that somehow police cracking down on car theft means they are not doing what police should be doing. He should tell that to those thousands of people each year who have their cars stolen. It is a proper police responsibility.

As far as police resources being stretched is concerned, I have to say that I had never heard of Mr Medcraft until this government came to office. People Against Lenient Sentencing is an organisation that cropped up after Bernie Finn was tossed out as the honourable member for Tullamarine. Mr Medcraft has announced his intention to run as an Independent for the seat of Macedon. Mr Medcraft is a good friend of Bernie Finn. His sole reason for running is to pump preferences into Bernie Finn. Throughout the seven years of the previous government he never once expressed a bit of

concern about rising crime rates and falling police numbers.

We now have more police numbers out there. In the Shire of Macedon Ranges we have a crime rate — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The honourable member for Tullamarine and the honourable member for Wantirna!

**Mr HAERMEYER** — In the Shire of Macedon Ranges the crime rate is 43.1 per cent below the state average, and the crime rate this year, overall, is down 3 per cent. Crimes against property are also down 3 per cent; homicide, rape, and abduction are all down; and drug offences are down 16 per cent.

**Mr Wells** interjected.

**Mr HAERMEYER** — You had nothing to say — —

**The DEPUTY SPEAKER** — Order! I again remind the minister to address his comments through the Chair, and I ask the honourable member for Wantirna to cease interjecting.

**Mr HAERMEYER** — Through the years of the Kennett government cuts to policing and exponentially rising crime rates the honourable member for Wantirna, like Mr Medcraft, had nothing to say.

Crime is coming down and police numbers are going up in the area. Mr Medcraft stands exposed as somebody who is simply trying to expose the issue for political gain to assist his mate Bernie Finn. I had not heard from Bernie in a while, but this week I picked up an article in the local Sunbury paper featuring Bernie Finn’s former campaign manager, Mr Darren White. An article headed ‘Please forgive me’ says:

Suspended CFA volunteer — —

**Mr Wells** — On a point of order, Deputy Speaker, I do not want to stop the flow of what the police minister is saying, but this is not relevant to what the honourable member for Gisborne required the minister to do. I ask you to sit him down now, because he is straying from the request from the honourable member for Gisborne.

**Ms Beattie** — On the point of order, Deputy Speaker, the honourable member raised a question about crime in Sunbury, and the minister was just about to go into a crime that occurred in Sunbury.

**The DEPUTY SPEAKER** — Order! I uphold the point of order. The honourable member for Gisborne



asked the minister to report on crime in the area, so while he may mention other things in passing, I ask him to return to the subject of the question.

**Mr HAERMEYER** — I wish to report on a particular crime that involved a member of the Sunbury community making a false report to Intergraph so he could then turn out in his fireman's outfit. That person was Mr Darren White, who was Bernie Finn's campaign manager. Bernie Finn — Mr Tough on Law and Order — suddenly found a heart. He said that Mr White would continue to remain a good friend and that he had been through an illness but had come out of that.

**Dr Napthine** — On a point of order, Deputy Speaker, the minister is going over the top in attacking an individual who, from what has been reported here, has had health problems and, from what has been alleged, has been involved in some incident. To attack that private individual in this way is going beyond the pale. For a minister of the Crown to not uphold normal standards of decency is not very good for this house and not very good for the standards of the Parliament, and I suggest that he should desist.

**The DEPUTY SPEAKER** — Order! I do not uphold the point of order. There are avenues open to members of the public who are mentioned in this house if they are unhappy about what is said about them.

**Mr HAERMEYER** — The illness referred to is what is claimed to have been a gambling problem, but the person involved still seems to be driving around Sunbury in a fairly fat, silver — —

**The DEPUTY SPEAKER** — Order! I ask the minister to return to responding to the matter raised by the honourable member for Gisborne, which was to provide a report for the electorate on crime figures in Sunbury.

**Mr HAERMEYER** — Let me say that this sort of crime is not acceptable, because it diverts the resources of the Country Fire Authority, including the volunteers who are required to turn out at an incident. In doing so they would have been called away from workplaces and called away from family events because this fellow decided to make a false report to Intergraph. I find that totally unacceptable, and I find the Liberal Party candidate for Macedon's tolerance of this quite unacceptable as well.

The honourable member for Keilor raised for my attention a report in last Saturday's *Age* which is headed 'Lib candidate accuses Labor on car damage'. It goes on to say:

The Liberal Party candidate for one of Victoria's most marginal seats has hit out at Labor after his car was damaged in a night attack.

Matthew Guy, Liberal candidate for Yan Yean, said his 1998 Laser was damaged after a full 120-litre rubbish bin was rammed into the rear of the hatchback, which was covered in Liberal Party stickers.

In the article Mr Guy says:

I believe this is the work of my political opponents.

He made this report to other journalists as well, claiming that he knew who had done it. When he made his report to police he did not provide a name and did not give any indication as to who he thought had done it. What we have here is a candidate who goes out and makes allegations against people, but the only modicum of evidence he has for this assertion is that he thought it was done because his car has Liberal Party stickers on it. I find this sort of dirty trick quite intolerable.

I understand Mr Guy has been running around the electorate parading on a law and order platform. He has gone to Nillumbik, which is — —

**Mr Smith** — On a point of order, Deputy Speaker, I have been listening carefully to the minister in my office. He is breaking police confidentiality. He is also getting information that the police should not be giving him. This is an absolute outrage. The worst part about it is that confidentiality has been broken. This is a serious breach of police confidentiality.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to restrain themselves. Has the honourable member finished his point of order?

**Mr Smith** — I just want to make the point that the minister has confidential information, private information. The police have unlawfully given it to him, if they have given it to him. This is an absolute outrage and right against what our democracy is all about!

**The DEPUTY SPEAKER** — Order! There is no point of order. That was a point of debate, and the Chair is not in a position to make any such judgments.

**Mr HAERMEYER** — This particular individual seems to have some form, because I am informed that on 19 February 1996 Mr Guy was one of two Young Liberals picked up by police in Eltham — —

**Dr Napthine** — On a point of order, Deputy Speaker, this is absolutely outrageous that the police

minister has accessed police reports. It is absolutely outrageous.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The honourable member for Wantirna! I ask honourable members to listen to the point of order in silence.

**Dr Napthine** — I listened very carefully to the minister, and he said he was referring to what was in the police report — what Mr Guy had reported to the police. That is what he said. He was referring to a police report, and we have to ask the rhetorical question: how did he get access to that report? Did he use the power of a minister inappropriately to demand reports from the police? Now he is going on to another issue which is not the subject of what was raised in the adjournment. It is irrelevant, and he should be ruled out of order. This is an outrageous abuse of power by the Minister for Police and Emergency Services, and he ought to be called to account.

**The DEPUTY SPEAKER** — Order! A large part of that point of order was in fact points in debate. There is no point of order. I ask the minister, however, to address himself to the matter raised with him by the honourable member for Keilor, which was to take administrative action on a report that was in the *Age*.

**Mr HAERMEYER** — What we have is someone who is making accusations without foundation against the Labor Party, against his political opponents.

**Dr Napthine** — On a point of order, Madam Deputy Speaker, the matter has been reported to the police and is being investigated. For the Minister for Police and Emergency Services to say it is making accusations without foundation is pre-empting the investigation of the police and any subsequent investigations. It is absolutely outrageous for the minister to do that. It offends the rule of justice, it offends the rule of fair play and it offends all standards that belong in this Parliament. I ask you, Madam Deputy Speaker, to ask the minister to desist from going down that line.

**The DEPUTY SPEAKER** — Order! The Chair is not in a position to make a decision on the matters raised by the honourable member for Portland because they are not matters within knowledge of the Chair. I ask the minister to respond to the matter raised by the honourable member for Keilor.

**Mr HAERMEYER** — Madam Deputy Speaker, the *Heidelberger* of 28 February 1996 states:

Eltham police interviewed — —

**The DEPUTY SPEAKER** — Order! The minister, responding to a matter raised with him by the honourable member for Keilor, which was to undertake an administrative — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order!

**Mr HAERMEYER** — As I say, on 28 February 1996 — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to cease interjecting. I have asked the minister to respond to the matter raised with him by the honourable member for Keilor. It is not an occasion for general abuse of people in the community. I ask the minister to conclude his answer in relation — —

**Mr Wilson** interjected.

**The DEPUTY SPEAKER** — Order! I remind the honourable member for Bennettswood that the Chair is on her feet and it is polite not to interrupt when that is occurring.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to be quiet until I sit down. If they have a point of order they may then raise it.

**Mr HAERMEYER** — Madam Deputy Speaker, the honourable member for Bennettswood just accused me of being involved in an illegal act. I ask him to withdraw the remark. The honourable member for Wantirna just said the same thing. I ask for that to be withdrawn.

*Honourable members interjecting.*

**Mr Perton** — On the point of order, Madam Deputy Speaker, this honourable member asked you for the protection of the Chair. This is the honourable member who on a previous occasion stood in this house and gave a Nazi salute and clicked his heels together as if he were wearing jackboots. On a day when the mosque in my electorate has been attacked, for this honourable member to be engaging in racist and Nazi abuse is beyond the standards of this house.

**The DEPUTY SPEAKER** — Order! I ask honourable members to remember where they are. The behaviour of the honourable member for Doncaster was

unacceptable. I ask him to follow parliamentary procedures.

In relation to the point of order, I will not continue to hear it while there is so much noise in the house. I ask the honourable member for Doncaster to conclude his point of order.

**Mr Perton** — This member cannot ask for protection when he has engaged in deliberate abuse of this side of the house. This is the Minister for Police and Emergency Services who only — —

**An honourable member** interjected.

**Mr Perton** — The point of order relates to this member asking for the protection of the Chair. This is an honourable member who 2 hours ago during question time said that he had no responsibility for the police whatsoever and who now is bringing police files and police material into this house. This is a shocking abuse of process, Madam Deputy Speaker, and for this member now to ask for the protection of the Chair when he has abused the standards of this house is beyond the pale.

I ask you, Madam Deputy Speaker, not just to rule against this point of order raised by the Minister for Police and Emergency Services, but to no longer hear him because he has so demeaned the standards of this house — and this is not the first occasion that he has — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! Has the honourable member for Doncaster completed his point of order?

**Mr Perton** — I ask that you no longer hear the minister because he has so flagrantly abused the standards of this house.

**Mr Seitz** — On the point of order, Madam Deputy Speaker, standing orders provide for every honourable member in this house to ask for the protection of the Chair and have matters withdrawn. For the honourable member for Doncaster to argue that any member of this house has not got that right and to advise the Chair not to provide the democratic rights under the standing orders is outrageous. There is no point of order in what the honourable member for Doncaster has raised.

**Mr Perton** interjected.

**The DEPUTY SPEAKER** — Order! The honourable member for Doncaster!

**Mr Plowman** — On the point of order, Madam Deputy Speaker, this issue is all about the separation of powers. You have here a police minister — —

**An honourable member** interjected.

**Mr Plowman** — This is a point of order, it is not debating. You have a police minister who has actually used police files to denigrate someone in this place when an investigation is actually taking place.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The point of order is about the withdrawal of words. The honourable member for Benambra seems to be embarking upon a point in debate on another subject.

**Mr Plowman** — Madam Deputy Speaker, the point of order goes far beyond the protection that the Minister for Police and Emergency Services is after. The reason that the minister is after that protection is on the basis of what he actually said. What he said was introducing into this place police records on an issue that is under investigation. I believe that on that issue you should hear the minister no more. On that basis I do not believe he deserves the protection of the Chair.

**Mr Thompson** — On the point of order, Madam Deputy Speaker, the words related to the term ‘illegal act’. During the contribution of the Minister for Police and Emergency Services earlier on he alluded to his understanding and direct knowledge of a police file and the progress of investigations. In relation to the separation of powers, I am not aware of a responsibility where a minister can both serve as police minister and also understand and follow up police files at local police level and then report the results of that inquiry to Parliament while the matter is still under investigation.

**The DEPUTY SPEAKER** — Order! On the point of order, the minister has requested that words used against him be withdrawn on the basis that he found them offensive. It has been the normal system of this house that when that occurs honourable members do withdraw.

In relation to a number of other matters that have been raised in relation to the point of order, the Chair is not in a position to rule on facts in this house, as all honourable members know. Before some of the members came into the house and contributed on the point of order I had already asked the minister to respond to the matter raised for him by the honourable member for Keilor and to conclude his answer. I ask the honourable member for Bennettswood to withdraw.

**Mr Wilson** — Madam Deputy Speaker, I made my comments based solely on the statements made by the minister to this house, but out of — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to be silent to allow the honourable member for Bennettswood to be heard.

**Mr Wilson** — Madam Deputy Speaker, as I was saying, I made my comments based solely on the comments that the minister made to this house in his contribution, but to assist the Chair I withdraw.

**The DEPUTY SPEAKER** — Order! The comments are withdrawn. I now ask the minister to conclude his answer in relation to the matter raised by the honourable member for Keilor.

**Mr HAERMEYER** — As I said, I find it rather incongruous that someone goes to the media and makes an accusation without naming the person involved and without providing any evidence of the person involved but says, ‘It was my political opponent’, then parades around the electorate preaching law and order in the safest municipality in Melbourne — he tries to portray it as the Bronx — and then we find that he is one of two people picked up by the police for stealing signs!

**Dr Napthine** — On a point of order, Madam Deputy Speaker, the minister has been warned twice by you about going down the track of another matter he was referring to previously. He is trying to do it again. I ask you to rule him out of order and to sit him down.

**Mr Smith** — On the point of order, Madam Deputy Speaker, I would like to know if he will admit that the Chief Commissioner of Police gave him this file; and if she did, both she and the minister should resign or be sacked!

**The DEPUTY SPEAKER** — Order! The honourable member for Glen Waverley’s contribution was in the manner of debate rather than a point of order. I overrule the point of order, but I ask the minister to conclude.

**Mr HAERMEYER** — This individual is responsible for a deceit against the electorate. He has lied to the media, he has lied to the electorate — —

**Dr Napthine** — On a point of order, Madam Deputy Speaker, twice in the minister’s contribution he has attacked individuals who are not in this house in a most disgraceful and despicable way. It is beneath the dignity of the minister and beneath the dignity of this

Parliament. I urge you, Madam Deputy Speaker, to counsel the minister to desist from those sorts of scurrilous, unfounded attacks on individuals who are not here to defend themselves.

**The DEPUTY SPEAKER** — Order! There is no point of order, as I have previously explained to the honourable member for Portland.

**Mr HAERMEYER** — I can understand — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to desist. I will not allow the debate to continue with such a loud level of background noise. I ask the minister to conclude his answer.

**Mr HAERMEYER** — I understand the person concerned used to be on the staff of the honourable member for Portland, so I understand the honourable member’s sensitivity.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! Has the minister concluded his answer?

**Mr HAERMEYER** — Madam Deputy Speaker, to conclude I say only this: somebody — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The honourable member for Brighton! The honourable member for Doncaster!

**Mr Maughan** — On a point of order, Madam Deputy Speaker, this is appalling. The minister is defying the Chair time after time. It brings the whole Parliament into disrepute when a minister can stand up and attack a person with unsubstantiated allegations. This is not what the adjournment debate is meant to be about, and I ask you, if the minister is not prepared to abide by the rules, to sit him down and let us move on.

**The DEPUTY SPEAKER** — Order! This has been a very long response, partly due to many interjections and points of order. In fact the minister had said he was giving his concluding comments when the honourable member for Rodney spoke on a point of order. I overrule the point of order and ask the minister to conclude his answer.

**Mr HAERMEYER** — I think somebody who is a liar and a thief is unfit for public office.

**Dr Naphthine** — On a point of order, Madam Deputy Speaker, I have been in this Parliament for 14 years.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to be silent so I can hear the point of order being raised by the honourable member for Portland.

**Dr Naphthine** — I have been in this Parliament for 14 years under both Labor and coalition administrations, and I have never in those 14 years seen such a disgraceful performance from a minister on the adjournment debate. The unsubstantiated, abusive attack from this minister on individuals outside this house is absolutely uncalled for and unparliamentary. The minister should apologise. This brings this Parliament into absolute disrepute. I call on you, Madam Deputy Speaker, to speak to Mr Speaker and ask him to issue guidelines to this minister and other ministers in terms of standards of behaviour so that the people of Victoria can once again have respect for this house.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! The Minister for Agriculture, to respond to a matter raised by the honourable member for Rodney.

**Mr Thompson** — On a point of order, Madam Deputy Speaker, the comments that have been made strongly assassinate the character of an individual who is running as a candidate — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to assist the Chair in allowing the honourable member for Sandringham to give his point of order. I ask the honourable member for Melton and honourable member for Knox to cease interjecting.

**Mr Thompson** — The person mentioned is running as a political party candidate at the forthcoming state election. It is also a fact, as I understand it, Madam Deputy Speaker, that the person he is running against is the electorate officer for the Minister for Police and Emergency Services. I think it is an outrageous attack on the processes of the Victorian Parliament for the minister to use the chamber to defame the character of a person this way.

If the minister is prepared to walk out onto the front steps of Parliament House and repeat those words then I

would call him a man of guts and a man of principle, but to state those words inside this chamber is unacceptable and outrageous.

**The DEPUTY SPEAKER** — Order! There is no point of order. I will hear no further on the point of order. I invite the Minister for Agriculture to respond to the honourable member for Rodney.

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! I ask honourable members to assist the Chair in allowing the Minister for Agriculture to respond to a matter raised with him by the honourable member for Rodney.

**Mr HAMILTON** (Minister for Agriculture) — The honourable member for Rodney raised with me a very important matter related to the drought conditions operating in northern Victoria and he referred to a report by the Honourable John Forrest, the member for Mallee in the federal Parliament, which related to some — —

*Honourable members interjecting.*

**The DEPUTY SPEAKER** — Order! If honourable members wish to continue their activities I suggest they go somewhere else.

**Mr HAMILTON** — The report related to cloud seeding experiments which have been conducted in Texas in the United States. I thank the honourable member for Rodney for the way in which he raised this matter and for the information he has supplied to me. I assure him that I will ask the department to give a full response to the matters he has raised because they are serious, and if this can assist those in drought-affected areas the government and the department will do all they can to pursue the matter raised by the honourable member for Rodney.

**The DEPUTY SPEAKER** — Order! I now ask the minister at the table, the Minister for Gaming, to respond to a matter raised by the honourable member for Sandringham for the Minister for Environment and Conservation; to the honourable member for Caulfield on a matter raised with the Minister for Housing; to the honourable member for Gippsland East on a matter raised with the Minister for Health; to the honourable member for Ivanhoe on a matter raised with the Minister for Major Projects, and a matter raised by the honourable member for Bennettswood for the Minister for Health.

I have ruled that the honourable member for Geelong North is out of order but he is welcome to raise the

matter again at the next adjournment debate when we sit again.

**Mr PANDAZOPOULOS** (Minister for Gaming) — That is interesting; I thought he asked me for some action. Nonetheless, the honourable member for Sandringham raised a matter for the Minister for Environment and Conservation, and I will pass that on to her.

The honourable member for Caulfield raised a matter for the Minister for Housing, and I will pass that on to her as well.

The honourable member for Gippsland East raised a matter for the Minister for Health, as did the honourable member for Bennettswood, and I will pass those on to the Minister for Health.

The honourable member for Ivanhoe raised a matter for the Minister for Major Projects, and I will pass that matter on to him, too.

**Motion agreed to.**

**House adjourned 6.17 p.m. until Tuesday, 29 October.**

QUESTIONS ON NOTICE

*Answers to the following questions on notice were circulated on the date shown.*

*Questions have been incorporated from the notice paper of the Legislative 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, 8 October 2002**

**Environment and conservation: arsenic-based treated pine**

- 446. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the decision in Queensland by local governments to ban the use of arsenic-based treated pine in parks and gardens — (a) what is the attitude or policy of the Victorian Government on its use in — (i) gardens; and (ii) any other places; (b) what Departmental regulations and protocols are in place to prevent the mulching of arsenic-based treated pine as part of local government recycling processes; and (c) are there any protocols or directives in place to encourage the use of recycled plastic products.

**ANSWER:**

I am informed that:

Neither the Queensland Environmental Protection Agency nor the Local Government Association of Queensland have placed a ban or are aware of any statewide ban on the use of arsenic-based treated pine in parks and gardens. However I understand that the opportunity exists for individual local governments to consider such a ban under local by-laws.

- (a) The Victorian Government is committed to the safe use and disposal of arsenic based treated pine. I understand that the CCA (copper chrome arsenate) solution must be well fixed into the timber and not readily leached, consistent with the *Australian Environmental Guidelines for Copper Chrome Arsenate Timber Preservation Plants, September 1996*. Therefore CCA treated timber is widely and safely used as park and garden furniture and as end posts for vineyards.
- (b) CCA treated pine is not recommended to be used as a fuel source or for composting/mulching. EPA Victoria has a variety of regulatory and enforcement measures in place, such as Works Approvals and Licences, that prohibit or control the acceptance of certain materials at composting facilities. EPA's *Best Practice Guidelines for Composting and Other Organic Recycling Facilities June 1996*, details specific standards and limits for contaminants in compost.
- (c) Eco Recycle Victoria encourages the uses of recycled products including a range of plastic products through the Market Development Program that aims to expand and diversify recycled materials. The Buy Recycled Purchasing Program involving the Buy Recycle Business Alliance (BRBA) encourages organisations to 'Buy Recycled'. The program aims to increase demand for recycled products and help to support sustainable markets for these products. With funding support from Ecorecycle Victoria, the Local Government Buy Recycle Alliance (LGBRA) specifically targets Local Government organisations – a high priority due to their significant purchasing power and their involvement in, and commitment to, recycling. This year Ecorecycle has commenced working with a number of key State Government Departments to assist them in establishing purchasing policies and practices, which include buying recycled products where the products are competitive on price and quality. In addition, every year Ecorecycle Victoria awards grants to product and market development projects aimed at increasing the use of recycled materials. Ecorecycle Victoria also offers a range of resources to help businesses working with recycled materials and products.

**Environment and conservation: Mount Baw Baw management board**

**454. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the acquisition by Mt Baw Baw Alpine Resort Management Board of the ski lifting infrastructure prior to the 2001 ski season —

1. What is the itemised breakdown of costs paid for by the Government or the Board for — (a) legal advice; (b) litigation; (c) purchase; and (d) maintenance.
2. What has been the revenue received by the Board from ski lift operations for the 2001 season.
3. What has been the net profit/loss of the Board for the 2001 season to date.

**ANSWER:**

I am informed that:

The financial year of the Mount Baw Baw Alpine Resort Management Board commences on 1 November and finishes on 31 October in the following calendar year. The Board has advised that the information requested will not be available to be released until after the figures for the financial year ending 31 October 2001 have been audited.

The figures have been submitted to the Auditor General. However, as a result of the Auditor General's requirement for changes in the methodology for valuation of the Board's land assets there has been a delay in finalisation of the figures. When the audited financial reports are available, they will be publicly released in the Board's Annual Report for the 2000/2001 financial year.

**Environment and conservation: Hobsons Bay EPA tests**

**455. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — what are the — (a) dates; (b) times; and (c) results of the Environment Protection Authority water quality tests in Hobsons Bay from 1 December 1997 to date.

**ANSWER:**

I am informed that:

From 1 December 1997 to the date of the question, 18 September 2001, there were almost 100 occasions when water quality data was collected by EPA Victoria in Hobsons Bay. The documentation is extensive and I invite the Member to arrange with EPA Victoria to view the data.

**Environment and conservation: Yarra River storm water drainage**

**456. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — what are the — (a) dates; (b) places; and (c) annual costs of E. coli and other readings from stormwater drainage into the Yarra River for the years — (i) 1998; (ii) 1999; (iii) 2000; and (iv) 2001 to date.

**ANSWER:**

I am informed that:

Monitoring stormwater drainage into the Yarra River is undertaken as part of detailed investigations of specific issues. In response to EPA Victoria concerns about E-coli contamination in the lower Yarra River, Melbourne Water carried out an investigation in the Prahran Main Drain system over the period June 1998 to January 2001.



(a) & (b) Dates and Places

	Dates	Places	
(i)	7 Jun 1998	Prahran Main Drain (5 locations)	
	9 Jun 1998	Prahran Main Drain (9 locations)	
	10 Jun 1998	Prahran Main Drain (9 locations)	
	11 Jun 1998	Prahran Main Drain (10 locations)	
	22 Jun 1998	Prahran Main Drain (5 locations)	
	7 Oct 1998	Prahran Main Drain (5 locations)	
(ii)	10 Dec 1999	Prahran Main Drain (8 locations)	
(iii)	22 May 2000	Essex Street Drain (5 locations)	
	23 May 2000	Essex Street Drain (5 locations)	
	24 May 2000	Essex Street Drain (5 locations)	
	25 May 2000	Essex Street Drain (5 locations)	
	26 May 2000	Essex Street Drain (5 locations)	
	2 Jun 2000	Essex Street Drain (5 locations)	
	3 Jun 2000	Essex Street Drain (5 locations)	
	7 Jun 2000	Essex Street Drain (5 locations)	
	8 Jun 2000	Essex Street Drain (5 locations)	
	9 Jun 2000	Essex Street Drain (5 locations)	
	1 Aug 2000	Essex Street Drain (3 locations)	
	21 Dec 2000	Essex Street Drain (3 locations)	
	(iv)	8 Jan 2001	Essex Street Drain (3 locations)

(c) Annual Costs

(i)	1998	\$9690
(ii)	1999	\$1406
(iii)	2000	\$7140
(iv)	2001 to date of question	\$ 430

**Environment and conservation: Lang Lang weed control**

**457. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to weed infestation of the centre median strip and fringes of the South Gippsland Highway near Jetty Lane, Lang Lang — (a) what agency is responsible for control of the weeds and the area; and (b) what action has the Minister's department taken to have the weed infestation controlled.

**ANSWER:**

I am informed that:

- (a) Vicroads is the responsible agency for the control of weeds in the area referred to.
- (b) To enable planning and control works in relation to roadside weed management to be conducted in a collaborative manner with community programs in the area, the Department of Natural Resources and Environment liaises with Vicroads at a regional level.

Vicroads had scheduled the control of blackberries in this area for December 2001, which is the most appropriate time of the year for their control. However, due to unseasonal weather conditions, the work was completed in April this year.

**Environment and conservation: weed and pest management**

**475. MR McARTHUR** — To ask the Honourable the Minister for Environment and Conservation with reference to money spent by the Department of Natural Resources and Environment on weed and pest management —

1. How much did the Department spend on weed and pest management statewide during 2000–2001.
2. How much of this money was spent on — (a) public; and (b) private land.
3. How much of the total expenditure was spent on — (a) department overhead or administrative costs; and (b) actual weed and pest control.
4. What is the breakdown of this money spent on the catchment areas of — (a) Mallee; (b) Wimmera; (c) Glenelg; (d) North Central; (e) Goulburn-Broken; (f) Port Phillip; (g) North East; and (h) West Gippsland for — (i) public; and (ii) private land.

**ANSWER:**

I am informed that:

1. The Department allocated \$18.0 million for pest management activities, including research, in Victoria.
2. Spending on weed and pest management statewide on:
  - (a) public land activities was approximately \$4.4 million (includes \$1.8 million Good Neighbour Program funding on the public/private land boundary); and
  - (b) private land support activities was \$13.5 million (this includes \$2.3 million in Second Generation Landcare Grants) as well as research activities and the employment of facilitators under the Government’s Good Neighbour Program.
3. The breakdown between (a) department overhead or administrative costs and (b) actual weed and pest control cannot be readily determined as every person funded by the Department of Natural Resources and Environment (DNRE) has specific components built in to their allocations relating to salary and salary on costs as well as operational costs. The latter would include computer lease and standard NRE corporate cost contributions.
4. Breakdown of money spent by catchment areas for:
  - (i) public land is not available as funding expenditure is based on DNRE regional boundaries not catchment areas; and
  - (ii) private land for the catchment areas referred in the question is as follows:

	Mallee	Wimmera	Glenelg Hopkins	North Central	Goulburn Broken	Port Phillip	North East	West Gippsland
\$000s	492	436	650	801	817	1,044	1,069	719

**Environment and conservation: public land management protocols**

**477. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to protocols and agreements to provide for Aboriginal communities to be consulted, or advise, on the management of public land —

1. Which — (a) national parks; (b) state parks; (c) state forests; and (d) other Crown land areas do the protocols and agreements apply to.
2. What are all the protocols and agreements.
3. Which of the protocols provide for veto over Department of Natural Resources and Environment actions, and what is the nature of such veto.

**ANSWER:**

I am informed that:

1. There are a number of statutory processes to provide for Indigenous communities to be consulted, or advise, on the management of public land. Collectively they cover parks, state forests and other Crown land areas which are referred to in the information below about the statutory processes.
2. Relevant processes:
  - Under the Commonwealth’s *Native Title Act 1993* and the Victorian Government’s Native Title Policy, any proposal for the ‘use and development’ (a future act) on Crown land and waters is assessed against the requirements of the Act. Depending on the type of proposal, the Act affords various procedural requirements including the ‘right to comment,’ ‘right to negotiate’ and in some circumstances a requirement to negotiate an Indigenous Land Use Agreement. These procedural requirements are afforded to native title claimants and their representative body Mirimbiak Nations Aboriginal Corporation.
  - The Victorian *Planning and Environment Act 1987* requires formal referral to Indigenous community representatives for particular ‘use or development’ applications, under Heritage Overlays. These applications are also subject to the Victorian *Archaeological and Aboriginal Relics Preservation Act 1972* and the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*. Aboriginal cultural heritage places, sites and objects in Victoria are protected by both of these pieces of legislation. The Commonwealth Act states that Aboriginal heritage places and objects cannot legally be damaged, defaced or otherwise interfered with or endangered without the prior written consent of the relevant local Aboriginal community organisation. This protection applies equally on all land, and does not depend upon any listing or registration process. If consent is refused, there is no provision for appeal. Fines may apply for breaches of the Act.
  - Also, under the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984*, an emergency declaration of preservation may be made in relation to an Aboriginal place or object. Such a declaration is made if the inspector appointed under this Act, Minister, or magistrate, believe that there is a threat to an Aboriginal place or object that cannot be otherwise averted. Emergency declarations cease to be in force after 30 days, or not longer than 44 days. Terms of such declarations normally prohibit the doing of any action that may threaten an Aboriginal place or object.
  - Coastal Action Plans are prepared under the *Coastal Management Act 1995*. Under the Act, relevant authorities, landowners and other interested parties must be consulted during the development of the plans. Indigenous communities may be consulted as part of this process. The Victorian coast is broadly defined to include the sea and the sea bed to the State limit which is 3 nautical miles or 5.5 kilometres, and land and inland waters within the coastal catchment including land reserved as a National Park under the *National Park Act 1975* and land reserved under the *Crown Land Act 1978*.

In addition to these statutory processes, a number of other mechanisms are employed in Victoria to provide for Indigenous communities to be consulted, or advise, on the management of public land:

- NRE has recently employed six Regional Indigenous Partnership Facilitators to continue to develop effective relationships with Victoria's Indigenous communities.
  - In relation to catchment management, there is an Indigenous representative on the Victorian Catchment Management Council, and on two of the Catchment Management Authorities.
  - In relation to State forests, an Aboriginal Heritage Management System is being developed. Indigenous representatives are also involved in the development of Draft Wood Utilisation Plans, Fire Protection Plans, Fire Operation Plans and road and recreation facility construction within forests. Forest Services has been working with indigenous communities in the north west in order to undertake a range of forest projects including:
    - construction of a cultural heritage trail,
    - rehabilitation of Merbein Common, and
    - protection of cultural heritage sites.
  - Parks Victoria manages Victoria's national, state, regional and metropolitan parks, conservation reserves, and Melbourne's bays and waterways. Parks Victoria currently employs 30 Indigenous staff, who are involved, both directly and indirectly, in the management of public land. Parks Victoria has an Indigenous Management Team, which includes eight Indigenous Parks Victoria staff. The Team provides strategic and policy advice to Parks Victoria on Indigenous matters and provides advice and information on Indigenous cultural heritage management to Indigenous and non-indigenous staff. Parks Victoria has developed 'Draft Guidelines for Working with Aboriginal Communities and Protection of Cultural Sites', is preparing an 'Indigenous Partnerships Strategy' and regularly liaises with Indigenous communities to discuss work programs and Indigenous cultural heritage management.
3. Aboriginal communities have no formal powers of veto over Department of Natural Resources and Environment actions, however there are a number of processes under Acts and informal arrangements which give Aboriginal communities involvement in decision making in relation to public land.

**Environment and conservation: waterways — pesticides/nutrients**

**479. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to rivers, streams, coastal areas, and other waterways in Victoria in 2001 — whether any unsafe or dangerous levels of — (a) pesticides or pesticide components; and (b) nutrients and biostimulants have been found in each, and what action has been taken in respect of each finding.

**ANSWER:**

I am informed that:

- (a) There is no routine monitoring undertaken for pesticide or pesticide components. Apart from being prohibitively expensive, contamination by these toxicants tends to be localised and episodic and is most unlikely to be detected in statewide programs.
- (b) Nutrient levels (as measures of biostimulants) are routinely measured in inland waters, Port Phillip Bay and Westernport, and the Gippsland Lakes.

While there are no water bodies in Victoria where the levels of nutrients are so high as to be directly unsafe or dangerous to human health, nutrient levels have been found to be generally too high to adequately protect ecosystem values in lowland rivers, the Western District Lakes, Lake Wellington and Port Phillip Bay.

The Government's Victorian Nutrient Management Strategy provides for joint action between the Government and communities in tackling the problems of excessive nutrients in Victoria's inland waterways. In addition to statewide nutrient management activities, there have been 18 catchment nutrient management plans developed throughout the State.

**Environment and conservation: waterways — metallic elements**

**480. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation — which rivers, streams, coastal areas and other waterways in Victoria have been found to carry unsafe or dangerous levels of — (a) mercury; (b) cadmium; (c) chromium; (d) zinc; (e) copper; (f) lead; and (g) nickel.

**ANSWER:**

I am informed that:

Two sets of criteria are used to assess whether levels of metals are unsafe or dangerous with respect to the protected beneficial uses of the water body. These are objectives to protect human health and objectives to protect ecosystem health. Generally speaking, the objectives to protect ecosystem health are more stringent than those for human health. This is because aquatic organisms are exposed 100 per cent of the time to any water-borne contaminants, while people drink or bathe in waters but are rather inefficient at absorbing most metals through the skin or the gut when undertaking these activities.

An assessment of routine monitoring data indicates that there are no unsafe or dangerous levels of metals in lakes or marine waters.

(a) Mercury contamination however has been detected in rivers and streams near old gold mining tailing dumps which are a legacy of the early gold mining activities of the late 19th and early 20th centuries. EPA studies, conducted from the late 1980s to the mid-1990s, found mercury contamination (as well as other metals) in Swifts, Stringer, Creswick and Birch creeks, Bethanga and the Goulburn River catchment upstream of Lake Eildon, including the Goulburn River, Gaffneys, Raspberry and Morning Star creeks. However, the contamination is primarily in the sediments (not the water) and is only evident close to old tailings dumps.

(b), (c) & (g)

While not considered unsafe or dangerous to human health, rivers and streams in Victoria have been found, on occasion, to carry levels of cadmium, chromium or nickel that exceed the objectives for ecosystem protection.

(d),(e) & (f)

While not considered unsafe or dangerous to human health, levels of copper, lead and zinc exceed the objectives for ecosystem protection in most urban waterways in the Yarra, Dandenong Creek, Westernport, Maribyrnong and Werribee catchments. These metals are associated with urbanisation, and urban stormwater is typically contaminated with these metals as well as other pollutants.

**Environment and conservation: Port Phillip Bay environmental study**

**489. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Port Phillip Bay Environmental Study report funded by Melbourne Water between 1992–96 —

1. With reference to Recommendation 2 on page 28 — what local catchment management strategies have been implemented since the report to reduce toxic inputs into the creeks and drains leading into Port Phillip Bay.
2. With reference to Recommendation 3 on page 28 — what investigations have been initiated to evaluate the impact of long-term chronic effects of low level toxicants on the biota of Port Phillip Bay.
3. With reference to Recommendation 4 on page 28 — what protocols have been developed to manage the disposal of dredged spoil.
4. With reference to Recommendation 5 on page 28 — (a) what monitoring systems have been developed to review changes in the extent of sea grass beds; and (b) what community organisations and volunteer naturalists groups have been enlisted to assist with this monitoring.

5. With reference to Recommendation 6 on page 28 — (a) what habitat protection programs have been initiated from 1999 to date; (b) what artificial reefs have been established; and (c) which community groups have been involved in habitat restoration and artificial reef establishment.
6. With reference to Recommendation 7 on page 28 — (a) what is the current assessment of the impact of exotic species in the ecology of Port Phillip Bay; and (b) what monitoring around port areas has been initiated and what are the results to date.
7. With reference to Recommendation 9 on page 28 — what are the plans and methods of the Government to implement the target reduction in the overall load of 1000 tonnes of nitrogen per year.
8. With reference to Recommendation 10 on page 28 — what steps have been taken to reduce total suspended solids and N loads to Port Phillip Bay from the Yarra River and major creeks and drains.
9. With reference to Recommendation 11 on page 28 — what steps have been taken to improve the denitrification efficiency of the Western Treatment Plant.
10. With reference to Recommendation 13 on page 28 — what monitoring programs have been established to review the ongoing health of Port Phillip Bay and to measure performance on a year to year basis taking into account water quality, sediment fluxes, benthic biodiversity and other indicators of Bay function.
11. With reference to Recommendation 15 on page 28 — what changes have been recorded in N loads in Port Phillip Bay over the past four years.
12. With reference to Recommendation 16 on page 28 — what models of Port Phillip Bay have been developed and integrated into catchment models to assist in the long-term sustainable management of the Bay.
13. With reference to Recommendation 1 on page 28 — what steps are being taken to monitor toxicants in valued ecosystem components.

**ANSWER:**

I am informed that:

The questions directly relate to the CSIRO recommendations from the Port Phillip Bay Environmental Study. In recognition of the strong connection between individual recommendations CSIRO grouped them into the following four broad themes:

- (1) toxicants, (2) ecology, (3) nutrients and (4) general arrangements related to the long-term management of the Bay.

Protecting the Bay environment is the joint responsibility of government agencies, industry and the community. Resources are most effectively used when they are applied to those issues, that if left untreated, pose the greatest risk. The high priority environmental risks to the Bay as a whole that emerged from the CSIRO Study are the impacts of nutrient inputs, which are mainly in the form of nitrogen, and marine pests.

Many individual projects currently under way address several CSIRO recommendations. Actions are therefore listed to illustrate the scope of Government agency response to the four themes identified by CSIRO. Technical support for these actions has been provided by Melbourne's universities, the Centre for Environmental Stress and Adaptation Research, Centre of Environmental and Applied Hydrology, Centre for Catchment Hydrology and CSIRO Marine Research.

1. *Toxicants – CSIRO Recommendations 1, 2 and 3 (parts 13, 1 and 2 respectively)*

CSIRO indicated that toxicant concentrations were at low levels and largely restricted to the mouths of creeks and drains. Nevertheless, they recommended that ideally toxicants should be reduced and periodically assessed.

Stormwater is a major source of toxicants. Twenty four Bay-catchment councils have completed or are finalising storm water management plans that will help protect and improve the quality of storm water from urban and rural catchments. The plans have been developed under the auspices of the Urban Stormwater Partnership, an agreement between EPA Victoria, the Municipal Association of Victoria and Melbourne Water.

The effects of the low levels of toxicants on the Bay's biota are currently being investigated through the trialing of a program based on sampling mussels.

2. *Ecology – CSIRO Recommendations 4, 5, 6 and 7 (parts 3, 4, 5 and 6 respectively)*

CSIRO highlighted that marine pests are a significant threat to the Bay's ecology. Shipping is the main means by which marine pests are introduced and actions are being implemented as part of a broader state wide and national response to this risk. Given that it is more effective to deal with the source of the problem, the priority is to reduce the risk of further introductions to the Bay.

CSIRO recommendations also addressed dredging, the distribution of seagrass, and the role of artificial reefs. 'Best Practice Environmental Management Guidelines for Dredging' were finalised in 2001 and will provide a systematic basis for considering proposals that routinely arise in the Bay and elsewhere in Victoria. The Marine and Freshwater Resources Institute (MAFRI) is finalising the detailed mapping of the Bay's seagrass and this mapping will form a baseline for assessing future changes in its distribution. In May 2001 MAFRI released a review of the worldwide literature on artificial reefs to help inform a long-term approach to this issue in the Bay.

3. *Nutrients – CSIRO Recommendations 9, 10, 11 and 13 (parts 7, 8, 9 and 10 respectively)*

CSIRO highlighted the critical nutrient loading beyond which irreversible damage to the Bay would occur and recommended a 1000 tonne reduction in annual loads being discharged to the Bay.

Melbourne Water is upgrading its Western Treatment Plant at Werribee in order to reduce annual nutrient loads by 500 tonnes. Within the catchment, various programs are in place to help cap and reduce nutrient inputs to the Bay. Stream Frontage Management Programs to rehabilitate vegetation along streams across the Yarra catchment, and the progressive finalisation and implementation of stormwater management plans will help reduce nutrient loads. Melbourne Water's waterway management program continues to reduce nutrient inputs through bed and bank erosion. Changes in the operation of local sewage plants will also assist, and for example, City West Water has decommissioned its plant at Keilor and Yarra Valley Water has upgraded its Upper Yarra plant.

A Port Phillip Bay nutrient monitoring partnership between NRE, EPA Victoria and Melbourne Water will oversee a program to detect, as early as possible within the limits of current scientific understanding, detrimental changes to critical elements of Bay nitrogen cycling processes that indicate an increased risk of eutrophication at Bay-wide and regional scales.

This program builds on EPA Victoria's existing fixed site monitoring program that has been in place since 1984. Long term trends from this program have been analysed and are scheduled to be published by early next year.

4. *General arrangements – CSIRO Recommendations 15 and 16 (parts 11 and 12 respectively)*

Natural variations in rainfall and temperature dominate the year to year changes in nitrogen loads that are discharged to the Bay as a result of human activities. CSIRO has provided technical advice that the effectiveness of actions to reduce nitrogen inputs can only be meaningfully judged over the longer term.

Central to this group of CSIRO recommendations is the need for effective catchment management and arrangements to report on the completion of actions and allow their long-term effectiveness to be assessed. The

Port Phillip and Westernport Regional Catchment Strategy already acknowledges the impact of catchment activities on the health of the Bay. The strategy is currently being reviewed to ensure its ongoing effectiveness.

To help prioritise and integrate catchment actions to reduce nutrient and sediment input to the Bay, a computer model called FILTER has been developed by Melbourne Water and the Port Phillip Catchment and Land Protection Board with support from the NRE Nutrient Management Initiative.

**Environment and conservation: integrated pest management strategy**

**497. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the draft Integrated Pest Management Strategy and the Minister’s Press Release of 6 October 2001 —

1. What is the date by which the Strategy will be completed.
2. When will the Strategy be tabled in Parliament or otherwise made public.
3. How many submissions were made, and by whom.
4. How many submissions were made on — (a) weeds; (b) rabbits; (c) foxes; (d) wild dogs; (e) wild goats; (f) wild pigs; (g) wildlife species; and (h) feral cats.

**ANSWER:**

I am informed that:

1. The final strategy *Victorian Pest Management – A Framework for Action* was released on 7 June 2002
2. Victorian Pest Management – A Framework for Action was released to the public on 7 June 2002.
3. 136 submissions were received from 24 Landcare groups, 47 individuals, 27 industry/farming stakeholders (including the VFF, Vicroads, Victorian Catchment Management Council, Parks Victoria, Environment Victoria, Victorian National Parks Association), 5 catchment management authorities, 9 local governments, 1 joint East Gippsland Shire/Member for Gippsland East, 7 from the Department of Natural Resources and Environment and 16 anonymous.
4. The breakdown of submissions made is as follows:

Framework Document	101
Weeds	71
Wild Dogs	83
Public Land	62
Rabbits/foxes/feral goats and pigs (combined response)	66
Other	5

**Environment and conservation: unanswered QONs**

**499. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — when will the Minister provide an answer to — (a) Question on Notice number 223, first appearing on Notice Paper dated 30 August 2000; and (b) Question on Notice number 232, first appearing on Notice Paper dated 4 October 2000.

**ANSWER:**

I am informed that responses to the questions referred to above were tabled on Wednesday, 29 May 2002.



**Environment and conservation: fruit bats**

- 505. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the review of the Scientific Advisory Committee which reported to the Minister regarding the listing of grey-headed flying foxes as ‘threatened’— (a) what were the reasons for the recommendations of the Committee; (b) who were the members of the Committee; (c) what was the rationale for rejecting the recommendations; and (d) what is the policy position of the Department of Natural Resources and Environment and the basis of submission to the Federal Review.

**ANSWER:**

I am informed that:

- (a) The Scientific Advisory Committee’s (SAC) Final Recommendation in regard to a nomination (no. 500) for the listing of grey-headed flying foxes as ‘threatened’ was based on the taxon satisfying one of the criteria for listing as threatened under the Flora and Fauna Guarantee Act 1988 (the FFG Act), specifically that ‘the taxon is very rare in terms of abundance or distribution’.
- (b) The SAC members at the time of the Final Recommendation were Prof. Virginia Studdert (Convenor), Prof. Margaret Clayton, Dr Angus Martin, Mr Neville Walsh, Dr Alan Yen, Dr Robyn Watson and Ms Julia Reed.
- (c) The rationale for rejecting the recommendation were advertised in the press in March 2001, and were as follows:
- as the Grey-headed Flying-fox is a highly migratory species with a distribution up the East coast of Australia, it is more prudent to examine its vulnerability from a national perspective rather than just a Victorian one;
  - the species is far more abundant throughout New South Wales and Queensland than in Victoria, so looking at the species solely in a Victorian context could misrepresent its true status.
- (d) The position of the Department of Natural Resources and Environment (NRE) at the time that NRE was invited to comment on the nomination of the Grey-headed Flying-fox under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was that the Grey-headed Flying-fox was not a threatened species in Victoria. At that time, the SAC had not made a final recommendation in regard to the first nomination under the FFG Act. The reply that was sent to Environment Australia indicated that SAC was undertaking further consultation on the matter. Since that time, the following has occurred:
1. SAC has made its final recommendation in regard to the first nomination under the FFG Act (see point (a) above);
  2. I decided not to recommend to the Governor in Council that the Grey-headed Flying-fox be listed as threatened in Victoria;
  3. the Commonwealth Minister for the Environment has listed the Grey-headed Flying-fox as vulnerable under the EPBC Act;
  4. a further nomination has been made for its listing as threatened under the FFG Act, and
  5. SAC has now considered the further nomination and a final recommendation has been formulated.

Once that final recommendation has been forwarded to me formally by SAC, I will make a decision whether or not to recommend to the Governor in Council that the Grey-headed Flying-fox be listed as threatened in Victoria.

**Environment and conservation: water regulations**

- 506. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the advertisement in the *Weekly Times* on 10 October 2001, stating that a Regulatory Impact Statement has been prepared for the proposed Water (Permanent Transfer of Water Rights) Regulations 2001 and

that a copy of the statement and the proposed regulation would be available on the Internet at [www.nre.vic.gov.au/ris](http://www.nre.vic.gov.au/ris) —

1. When will the Regulatory Impact Statement and proposed regulation be available on the Internet site.
2. Will there be an extension beyond 9 November 2001 of the time available for public comment, given that the Regulatory Impact Statement has not yet been made available.

**ANSWER:**

I am informed that:

1. The Regulatory Impact Statement was available on the Internet site three days after the advertisement. As stated in the advertisement, the Statement was available from both the Department of Natural Resources and Environment's Customer Service Centre and Information Centre and was posted out to anyone who rang requesting a copy.
2. An extension of the time available to comment is not seen as necessary.

**Environment and conservation: Gippsland Lakes — Bunga Arm camping site**

**537. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the boat-based bush camping site at Bunga Arm in the Gippsland Lakes Coastal Park —

1. Whether there has been any change to the permit to camp allocation system; if so — (a) what is the change; and (b) why has it been done.
2. Whether any toilet facility been demolished.
3. Whether any open pit has been left unprotected; if so — (a) why was the pit or pits left unprotected; and (b) why have no warning signs been put in place.
4. What consultation has taken place on changes to the camping ground.
5. Whether any trees were cut down this year; if so why.

**ANSWER:**

I am informed that:

1. There has been no change to the permit system for camping in Bunga Arm.
2. Three of the old toilet buildings have been removed and replaced by composting toilets, which is an initiative coordinated by the Gippsland Lakes Coastal Board in conjunction with land managers to minimise water contamination.
3. No open pits have been left unprotected.
4. As the improvements to the camping area were of a minor nature, no consultation took place.
5. Several small trees were trimmed to accommodate protective fencing for revegetation work.

**Environment and conservation: sewerage schemes**

**541. MR McARTHUR** — To ask the Honourable the Minister for Environment and Conservation with reference to new town sewerage schemes announced in the Minister's press release on 18 May 2000 —

1. Which of the 60 schemes listed in the press release as not yet completed, or commenced at 20 October 1999, have now been completed, listed by Regional Water Authority.
2. What schemes are ready to proceed, listed by Regional Water Authority.
3. What schemes are under investigation or in consultation with the community, listed by Regional Water Authority.
4. How many landowners, listed by Regional Water Authority, were entitled to a refund for — (a) lump sum contributions already paid exceeding \$800; and (b) instalments already paid exceeding \$800.

**ANSWER:**

I am informed that:

1. The following schemes have now been completed:

<i>Water Authority</i>	<i>Scheme</i>
Central Highlands Region Water Authority	Clunes
Coliban Region Water Authority	Bridgewater
Coliban Region Water Authority	Campbells Creek
Coliban Region Water Authority	Chewton
Coliban Region Water Authority	Echuca (Hansen, Wharparilla)
Coliban Region Water Authority	Epsom
Coliban Region Water Authority	Harcourt
Coliban Region Water Authority	Huntly
Coliban Region Water Authority	Inglewood
Coliban Region Water Authority	Maldon
Coliban Region Water Authority	Marong
Goulburn Valley Region Water Authority	Avenel
Goulburn Valley Region Water Authority	Marysville
Goulburn Valley Region Water Authority	Merrigum
Goulburn Valley Region Water Authority	Violet Town
Goulburn Valley Region Water Authority	Wandong/Heathcote Junction
Lower Murray Region Water Authority	Koondrook
South Gippsland Region Water Authority	Port Albert
South West Region Water Authority	Blue Hole Rd – Warrnambool
South West Region Water Authority	Koroit
South West Region Water Authority	Timboon
Westernport Region Water Authority	Dalyston/Kilkunda
Westernport Region Water Authority	Newhaven (Rennison Rd)

2. The following schemes are ready to proceed (or under way):

<i>Water Authority</i>	<i>Scheme</i>
Central Highlands Region Water Authority	Carisbrook
Central Highlands Region Water Authority	Skipton
Coliban Region Water Authority	Axedale

<i>Water Authority</i>	<i>Scheme</i>
Coliban Region Water Authority	Boort
Coliban Region Water Authority	Dunolly
Coliban Region Water Authority	Gunbower
Coliban Region Water Authority	Leitchville
Coliban Region Water Authority	Kyneton–Tylden
Coliban Region Water Authority	Newstead
Coliban Region Water Authority	Pyramid Hill
Coliban Region Water Authority	Trentham
Coliban Region Water Authority	Wedderburn
East Gippsland Region Water Authority	Bruthen
Glenelg Region Water Authority	Dunkeld
Goulburn Valley Region Water Authority	Rushworth
Goulburn Valley Region Water Authority	Stanhope
Grampians Region Water Authority	Hopetoun
Grampians Region Water Authority	Minyip
Grampians Region Water Authority	Ouyen
Lower Murray Region Water Authority	Lake Boga
Western Region Water Authority	Lancefield
Westernport Region Water Authority	Tenby Point

3. The following schemes are under investigation or in consultation with the community:

<i>Water Authority</i>	<i>Scheme</i>
Barwon Region Water Authority	Skenes Creek
Central Gippsland Region Water Authority	Seaspray
Central Highlands Region Water Authority	Maryborough Industrial Estate
Central Highlands Region Water Authority	Whitelaw Ave
East Gippsland Region Water Authority	Cann River
Glenelg Region Water Authority	Hamilton–Coleraine Rd – East of Young St
Glenelg Region Water Authority	Hamilton–Coleraine Rd – East of Young St to West Boundary Rd
Glenelg Region Water Authority	Hamilton–Coleraine Rd – Nth Boundary Rd to Young St
North East Region Water Authority	Harrietville
North East Region Water Authority	Milawa
North East Region Water Authority	Oxley
North East Region Water Authority	Porepunkah
South Gippsland Region Water Authority	Waratah Bay
Western Region Water Authority	Macedon/Mt Macedon

4. Of the 60 schemes listed in the media release, the following number of landowners are entitled to a refund of (a) lump sum contributions already paid exceeding \$800; and (b) instalments already paid exceeding \$800 are as follows:

<i>Water Authority</i>	<i>Scheme</i>	<i>How many landowners, were entitled to a refund (number)</i>	
		(a) lump sum	(b) instalments
Central Highlands Region Water Authority	Clunes	329	7
Coliban Region Water Authority	Axedale	2	1
Coliban Region Water Authority	Boort	2	5
Coliban Region Water Authority	Bridgewater	15	38
Coliban Region Water Authority	Campbells Creek	13	16
Coliban Region Water Authority	Chewton	2	9
Coliban Region Water Authority	Dunolly	2	7
Coliban Region Water Authority	Echuca (Hansen, Wharparilla)	2	3
Coliban Region Water Authority	Gunbower	4	10
Coliban Region Water Authority	Harcourt	2	5
Coliban Region Water Authority	Huntly	16	87
Coliban Region Water Authority	Inglewood	8	41
Coliban Region Water Authority	Kyneton-Tylden	3	2
Coliban Region Water Authority	Leitchville	1	3
Coliban Region Water Authority	Maldon	11	78
Coliban Region Water Authority	Marong	5	7
Coliban Region Water Authority	Newstead	2	0
Coliban Region Water Authority	Pyramid Hill	2	3
Coliban Region Water Authority	Trentham	4	13
Coliban Region Water Authority	Wedderburn	5	7
Goulburn Valley Region Water Authority	Merrigum	116	0
Goulburn Valley Region Water Authority	Wandong/Heathcote Junction	253	0
Lower Murray Region Water Authority	Koondrook	249	0
South Gippsland Region Water Authority	Port Albert	172	88
South West Region Water Authority	Koroit	106	317
Westernport Region Water Authority	Dalyston/Kilkunda	1	0
Westernport Region Water Authority	Newhaven (Rennison Rd)	3	0
Westernport Region Water Authority	Tenby Point	1	0

**Environment and conservation: fruit bats**

548. **MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Scientific Advisory Committee finding of March 2001 regarding the status of the grey-headed flying fox —

1. What advice did the Minister receive from the Scientific Advisory Committee.
2. Who were the members of the Scientific Advisory Committee.

3. Has there been any change of membership in the Scientific Advisory Committee since March 2001; if so — (a) what change; and (b) why.
4. Were any consultants engaged to give advice to the Scientific Advisory Committee on the endangered status of the flying foxes; if so — (a) who were the consultants; (b) what were they paid; and (c) what was their advice.

**ANSWER:**

I am informed that:

1. The Scientific Advisory Committee's (SAC) Final Recommendation in regard to a nomination (no. 500) for listing of the Grey-headed Flying-fox as threatened under the *Flora and Fauna Guarantee Act 1998* indicated that, in the SAC's view, the Grey-headed Flying-fox satisfied one of the listing criteria, namely that 'the taxon is very rare in terms of abundance or distribution.'
2. The SAC members at the time of the Final Recommendation were Prof. Virginia Studdert (Convenor), Prof. Margaret Clayton, Dr Angus Martin, Mr Neville Walsh, Dr Alan Yen, Dr Robyn Watson and Ms Julia Reed.
3. (a) Since this time, Dr Martin has resigned from SAC and I have appointed Dr Michael Clarke of La Trobe University to replace him.  
(b) Dr Martin resigned from SAC.
4. (a) An expert panel was convened on 24 January 2001 in Melbourne to provide additional information to assist SAC in formulating its Final Recommendation. The invited experts were: Assoc. Prof. Mark Burgman (Melbourne University), Peggy Eby (NSW), John Nelson (Monash University), Kerryn Parry-Jones (NSW), Greg Richards (consultant ACT), Chris Tidemann (ANU) and Michael Vardon (consultant NSW). This meeting was facilitated by one of the Department of Natural Resources and Environment's Chief Scientists, Prof. Graham Mitchell.  
(b) The total cost of convening the expert panel was \$5995.05.  
(c) The experts provided a range of advice in regard to the Grey-headed Flying-fox from a national perspective including population size and trends, migration patterns, habitat availability and decline and other aspects of their biology and ecology. As has been recognised, there are diverse views within the scientific community on these matters, and the discussion reflected this.

**Environment and conservation: littering prosecutions**

- 550. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation — what advice has the Minister received as to whether the number of prosecutions for littering is sufficient to act as a deterrent.

**ANSWER:**

I am informed that:

In 2001, EPA Victoria conducted a review of the statutory framework for litter to examine whether the existing framework was meeting current needs. The review found that while the *Litter Act* essentially contained an adequate suite of powers to deal with litter from an enforcement perspective, legislative amendment would improve local governments' ability to adequately enforce litter provisions.

In the recent *Resource Efficiency Act* passed by Parliament in June this year, the Victorian litter regime was strengthened in the following way:

- increasing penalties for littering offences in line with community expectations (with maximum penalties for the general litter offence increasing from \$2,000 to \$4,000 and the offence for aggravated litter increasing from \$4,000 to \$6,000);
- recognising that effective enforcement of our litter laws is the joint responsibility of EPA, local councils and other litter enforcement agencies by ensuring consistent enforcement powers for all litter enforcement authorities;
- enabling litter enforcement officers under the Act (eg local council officers) to better gather evidence about suspected offenders;
- recognising that companies have a responsibility for the environmental impacts of their products by building product stewardship responsibilities into the Act regarding material that may become litter; and
- clarifying that the posting of bills without permission of the property owner is an offence and introducing an offence for the delivery of unwanted advertising material.

The Government will be closely monitoring the number of fines issued by the agencies which enforce the legislation over the next year.

### **Environment and conservation: littering prosecutions**

**551. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the 46 major prosecutions conducted in 2000–2001 — (a) who were the respective parties; (b) what was the respective breach of law; and (c) what was the result of the prosecution.

**ANSWER:**

I am informed that:

As the report in which the prosecutions were mentioned was not named, the question cannot be answered.

### **Environment and conservation: EPA community outreach program**

**552. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation — what audits or assessments of the community outreach program of the Environment Protection Authority have been undertaken; if so — (a) who carried out such audits or assessments; and (b) what were the results.

**ANSWER:**

I am informed that as at the date of the question:

EPA Victoria is well aware of the need to evaluate all of its programs including the Community Outreach Program.

Progress has been informally tracked by regularly seeking community feedback as the program has been evolving and developing.

Feedback overall has been very positive. The program has been well received and the general consensus is that it has been a positive move to ensure EPA Victoria is able to maintain stronger links with the community.

Outreach staff have been developing strong links with key groups and organisations in their regions. This has assisted in enabling a better understanding of EPA's roles and responsibilities to develop as well as to clarify any misunderstandings.

**Environment and conservation: EPA team audit**

**553. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Environment Protection Authority team audit — (a) how many staff have been appointed to the team audit; (b) what is the budget for the team audit in 2000–2001; (c) what investigations have been undertaken by the team and what were the — (i) findings; and (ii) results of the investigations.

**ANSWER:**

I am informed that:

- (a) The audit team has six staff.
- (b) The 2000–2001 audit team expenditure was \$ 487,791.70.
- (c) The team has undertaken audits and investigations of the environmental risks posed by activities at over 60 sites across the state covering:
  - prescribed industrial waste management and disposal;
  - illegal waste dumping;
  - metropolitan landfills;
  - waste water treatment;
  - catchment management; and
  - the Petrochemical industry.
- (i) The audits and investigations identified a number of opportunities for improved environmental risk management, and in some cases found that activities did not meet environmental best practice standards. In some instances activities were found to be in breach of the requirements of the *Environment Protection Act 1970*.
- (ii) The audits and investigations have resulted in a range of recommendations being made to stakeholders to provide greater protection of the environment in both metropolitan Melbourne and regional Victoria. Investigations into illegal activities and acts of pollution have resulted in over 100 charges being laid, including use of the provisions of the *Environment Protection (Offences and Penalties) Act 2000*.

**Environment and conservation: neighbourhood environment improvement plans**

**554. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Environment Protection Authority’s annual report for 2000–2001 and the statement on page 3 that Neighbourhood Environment Improvement Plans will be piloted this year —

1. What are the proposed piloted Neighbourhood Environment Improvement Plans.
2. Who has been consulted on the pilot Neighbourhood Environment Improvement Plans.
3. What problems have been identified in the proposed pilot Neighbourhood Environment Improvement Plans.
4. Which people have been appointed to the advisory committee on Neighbourhood Environment Improvement Plans.

**ANSWER:**

I am informed that as at the date of the question:

1. Three pilot voluntary Neighbourhood EIPs have been established. Maribyrnong City Council is sponsoring a Neighbourhood EIP that aims to improve the Stony Creek neighbourhood environment. The Stony Creek



Neighbourhood EIP proposal was endorsed by the EPA and officially launched in July 2002. Darebin City Council is developing, with other partners, a Neighbourhood EIP proposal that seeks to improve the environmental quality of Edwardes Lake. The Surf Coast Shire, with the Anglesea community, is developing a Neighbourhood EIP proposal that will assist the local community progress towards sustainability.

2. Each pilot has involved extensive consultation with potential Neighbourhood EIP partners and interested parties including local government and local government peak bodies, local industries and industry peak bodies, government agencies including Parks Victoria, EPA, DoI, Vic Roads, water management authorities, catchment management authorities, regional waste management groups, tourism bodies, local environment and community groups, community members, Metropolitan Fire and Emergency Services, consultants, planners and social scientists.
3. All of the pilots are in the proposal development or plan development stage. A forthcoming review of the process will identify key learning from the pilot experiences and will identify any areas in which improvements to the process can be achieved. The Liveable Neighbourhoods Act also requires that mechanisms for review of a Neighbourhood EIP plan be developed within each plan and allows for amendment of plans where required.
4. The following people have been appointed to the Neighbourhood Environment Improvement Plans Advisory Panel:

<b>Name</b>	<b>Organisation</b>
Phil West	Vicroads
Brod Street	Department of Infrastructure
Nessie Hardy	Community representative
Peter Brotherton	Combined Environmental Groups representative
Peter Phillips	Victorian Economic Chamber of Commerce & Industry
Peter Lyon	Municipal Association of Victoria
Cheryl Batagol	Consultant
Richard Strauch	Boral Resources
Mike Hill	Victorian Local Governance Association
Irving Saulwick	Irving Saulwick and Associates
Steve Ray	Environs Australia

### **Environment and conservation: Paterson's curse**

- 564. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — how many weed infringement notices have been issued for Paterson's Curse by the Department of Natural Resources and Environment in the North East region for the years — (a) 1999–2000; (b) 2000–2001; and (c) 2001–2002 to date.

**ANSWER:**

I am informed that:

The Department of Natural Resources and Environment has issued the following weed infringement notices to landowners in the North East region for Paterson's Curse over the stated periods:

1999–2000	361 Directions and 8 Land Management Notices
2000–2001	607 Directions and 2 Land Management Notices
July–1 November 2001	1625 Directions and 10 Land Management Notices

**Environment and conservation: Mount Buangor — corellas**

- 566. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the large population of Long Billed Corellas in and adjacent to the Mt Buangor State Park and State Forest — (a) how many Corellas have been netted in — (i) 1999; (ii) 2000; and (iii) 2001 to date; (b) what is the estimated number of Corellas in the region; and (c) what other plans does the Department of Natural Resources and Environment have to manage the population.

**ANSWER:**

I am informed that:

- (a) Trapping and gassing of Long-billed Corella and Sulphur Crested Cockatoos occurred in areas adjacent to Mt Buangor State Park and State Forest in 2000 and 2001. The main objective of trapping and gassing is to reduce crop damage by breaking up large flocks, not to cull the population. When flocks disperse and damage is minimised, trapping ceases.

742 birds were caught in 2000 and up until 1 November 2001, 546 were caught. There was no trapping conducted in 1999.

- (b) No detailed population counts have been conducted recently in the Mt Buangor area. However, from sample counts conducted it is clear that Long-billed Corellas have increased in both numbers and range in recent years. There are several large flocks in this area.

- (c) This Government has funded the Department of Natural Resources and Environment to undertake a 5 year Integrated Cockatoo Management Project. This is the first such attempt at an integrated and long term approach to this long standing problem. This has a focus on trapping and gassing, research into population dynamics, age, diet and damage (jointly with Ballarat and Monash Universities), extension and community participation and population monitoring.

As part of the project, the Department is also working with some Local Government Councils and Committees of Management to build their capacity to participate in protecting community assets. Recently, Warrnambool City Council staff have been successfully trained in trapping and gassing and have significantly reduced cockatoo problems in the area. This approach is available to all councils wishing to participate.

**Environment and conservation: park information guides**

- 567. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — what languages, other than English, are National Park and State Park information guides and brochures published in.

**ANSWER:**

I am informed that:

Parks Victoria's brochures are predominantly printed in English. Werribee Park Mansion, which is a high international tourism site, prints its pre-visit brochure in Mandarin, Traditional Mandarin and Japanese.

During the 2000–2001 financial year, Parks Victoria's Grants Program awarded \$510,000 to a variety of 'multicultural' projects including a number of migrant resource centres and the Cambodian Association of Victoria. The grants included the development of over 12,000 parks information flyers in the following languages: Japanese, Greek, Turkish, Maltese, Hindi, Italian, Vietnamese, Russian, Ethiopian, Eritrean, Spanish, Serbian, Philippino, Khmer, Croatian, Arabic, Cantonese, Bosnian, Kurdish, Samoan, Chaldean, and Assyrian.

Parks Victoria has also translated the Healthy Parks Healthy People program into Arabic, Chinese, Croatian, Greek, Italian, Macedonian, Spanish and Vietnamese and advertised in the following papers: *An Nahar*, *21st Century*

*Chinese Weekly, The Croatian Herald, Neos Kosmos, Il Globo, Macedonian Weekly, Spanish Herald and Viet Luan.*

**Environment and conservation: northern Pacific seastar**

**568. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation — what protocols are in place to eliminate the risk of the transfer of the northern Pacific seastar from Port Phillip Bay to Westernport Bay, in particular the cleaning of nets by dual license Port Phillip/Westernport commercial fishing operators.

**ANSWER:**

I am informed that:

Nets are one of many potential vectors that could lead to the movement of marine pests. Priorities have been set based on an understanding of the relative risk associated with the different vectors. The movements of aquaculture equipment and ballast water are high-risk vectors.

Aquaculture Licences authorising the culture of mussels in Western Port and Port Phillip Bay were varied in April 2002 to ensure that mussel culture ropes and equipment can only be moved from the Bay to Western Port if they are treated to rid them of marine pests, using the Victorian Mussel Translocation Protocol 2002. In the current absence of effective ways for ships to treat ballast water, ballast water originating from Port Phillip Bay cannot be discharged in Western Port.

With respect to small vessels and gear, including nets, the commercial fishing sector has worked with the Department of Natural Resources and Environment and CSIRO – Centre for Research on Introduced Marine Pests (CRIMP) to identify and rank the problem areas that might lead to the movement of marine pests. Guidelines to help keep vessels and gear clean have been drafted to assist skippers and local port operators.

**Environment and conservation: Bunyip State Park**

**577. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Bunyip State Park and to a report of damage made by Stephen Dobinson over the Melbourne Cup Day weekend 2001 —

1. What damage was done to bollards and cabling at Steeges Road and what is the cost of repair.
2. What damage was done to sign posting near Steeges Road and what is the cost of repair.
3. What damage was done to the horse hitching rail at Mortimer Park and what is the cost of repair.
4. What staff were on duty on Melbourne Cup Day.
5. Were any observations of vandalism made by park staff
6. What is the total cost of vandalism in the Park in — (a) 2000; and (b) 2001.

**ANSWER:**

I am informed that:

1. One of the reinforced concrete bollards forming a vehicle barrier fence at the intersection of Steeges Road and Tonimbuk Road was broken and the threaded wire cable was pulled from its end anchor point and partially removed. The cable could be reused. The cost of damage was approximately \$200 (materials and labour).
2. At the same time the damage was done to bollards and cabling at Steeges Road a large metal trail bike regulation sign was stolen. The cost of the sign was approximately \$250 (materials and labour).

3. There may have been minor damage done to the Mortimer hitching rail during the Oct/ Nov 2001 period however, during the same period, Park staff had removed the hitching rail with the aim of relocating it within the Mortimer Picnic Ground but further away from the edge of Tonimbuk Road. This was in response to concerns from horse riders about its inappropriate location. The hitching rail will be relocated to the northern end of the Picnic Ground.
4. A ranger was on duty on Tuesday 6 November (Melbourne Cup Day). As an authorised officer the ranger was patrolling and working in the Park between the hours of 8:00 am and 4:30 pm on that day. Mr Dobinson telephoned the Gembrook Parks Victoria office, which is not staffed on weekends and public holidays, during Melbourne Cup day and left a message on the answering machine in relation to visitor activities in Bunyip State Park.
5. The ranger was the first Parks Victoria staff member to observe that there was damage done to the bollards, cabling and the sign at Steeges Road. Parks Victoria staff did not observe the persons carrying out the activity, and there were no public witnesses to the incident or leads to follow up on. The damage occurred on or about the 23 October 2001.
6. The cost of vandalism to facilities and infrastructure in Bunyip State Park was approximately: (a) \$6,000 in 2000 and (b) \$5,000 in 2001.

#### **Environment and conservation: unanswered QONs**

- 589. MR WILSON** — To ask the Honourable the Minister for Environment and Conservation — when will the Minister provide an answer to question on notice — (a) number 223 from Notice Paper dated 30 August 2000; and (b) number 232 from Notice Paper dated 4 October 2000.

**ANSWER:**

I am informed that responses to the questions referred to above were tabled on Wednesday 29 May 2002.

#### **Environment and conservation: water sources**

- 596(a). MR WILSON** — To ask the Honourable the Minister for Environment and Conservation with reference to page 3 of the Plumbing Industry Commission's 2000–2001 annual report which states that 'our water resources are limited' and further 'it has been estimated that, with our present resources, this demand is not sustainable far into the next decade' — how does this statement accord with Melbourne Water's *The Source* magazine, edition 16, page 2, which states that new water sources are not required for Melbourne until 2040.

**ANSWER:**

I am informed that:

*The Source* magazine quoted in the question refers specifically to water supply for Melbourne. The comments from the Plumbing Industry Commissioner in their Annual Report are not referring specifically to the Melbourne situation but to the broader issue of a limited resource and the need to conserve this vital resource.

A consultative committee was established in October 2000 to overview the development of a Water Resources Strategy for the Melbourne Area to ensure a safe and reliable supply of water is delivered in an environmentally sustainable manner and at a cost acceptable to the community.

The committee released the '21st Century Melbourne: a WaterSmart City, Strategy Directions Report' on 26 May 2002. The report outlines a range of draft options available to achieve a sustainable water future for Melbourne for the next 50 years. The report is a consultation document inviting comments over the two months. Submissions closed on 26 July 2002. A copy of the report is available on the web site [www.watersmart.vic.gov.au](http://www.watersmart.vic.gov.au) or by phoning the NRE Call Centre on 13 61 86.

It is expected that the Committee's final strategy will be completed by the end of September 2002.

**Environment and conservation: northern Pacific seastar**

**601. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Marine and Freshwater Resources Institute Report No. 33 what — (a) procedures and programs are in place; and (b) resources have been made available to preclude the transfer of the northern Pacific seastar to Westernport Bay from Port Phillip Bay.

**ANSWER:**

I am informed that:

(a) Procedures to reduce the risk of moving marine pests, such as the northern Pacific seastar, from Port Phillip Bay to Western Port were initiated in 1999. Priorities were set to reduce the risk associated with mussel rope and ballast water transfers. Alterations to aquaculture licence conditions will soon be made to ensure that mussel ropes can only be moved if they are treated, using agreed techniques, to rid them of marine pests. In the current absence of effective ways for ships to treat ballast water only low risk ballast water can be discharged in Western Port and no ballast water can be discharged in Port Phillip Bay. With respect to small vessels and gear, the commercial fishing sector has worked with the Department of Natural Resources and Environment and CSIRO-Centre for Research on Introduced Marine Pests (CRIMP) to identify and rank the problem areas that might lead to the movement of marine pests. Guidelines to help keep vessels and gear clean have been drafted for comment by skippers and local port operators to ensure that they are as effective as possible.

In addition Western Port is also monitored to provide an early warning of the presence of northern Pacific seastar larvae. The effectiveness of this monitoring will continue to be evaluated as part of a national approach to the seastar problem.

(b) With respect to resourcing, the Victorian Government has taken an active role in working with marine industries and the community to identify and implement practical options. Victorian resources in association with the Commonwealth's Natural Heritage Trust Coasts and Clean Seas funding program have:

- helped the mussel industry work with the Marine and Freshwater Resources Institute to develop practical and innovative ways to remove marine pests from mussel ropes;
- in association with the Australian Quarantine Inspection Service and CRIMP, assisted the trial of a single national ballast water management regime that deals with ballast water from overseas and other Australian ports. This work is based at Port of Hastings, Western Port, and is supported by Australia's shipping and ports sectors; and
- helped small vessel owner's work with CRIMP to identify how vessels and associated gear could move marine pests and ways to deal with this problem.

**Environment and conservation: northern Pacific seastar**

**602. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Marine and Freshwater Resources Institute Report No. 33 which comments on pages 1 and 15 that the benthic community in Port Phillip Bay is likely to be permanently altered as a consequence of the impact of the northern Pacific seastar — what future programs are in place over and above existing programs to minimise the impact of the seastar on fish stocks in Port Phillip Bay.

**ANSWER:**

I am informed that:

Because of the risks posed by the seastar to Australia's southern ocean coastline, a national response has been adopted and is outlined in a National Control Plan that is coordinated by the Commonwealth Government. The national priority is to reduce the seastar's further introduction across Australia's southern ocean coastline. For

Victoria this means reducing the chance that the seastar could be introduced to new areas of Victoria from existing populations in Port Phillip Bay, the Derwent River Estuary, or from its home range in the northern Pacific. In addition to existing programs Victoria is joining forces with other State and Commonwealth agencies and the CSIRO – Centre for Research on Introduced Marine Pests (CRIMP) to prioritise, according to risk, all activities that might lead to the seastar’s further introduction. This will help target efforts by Australia’s marine industries, coastal communities and Governments.

**Environment and conservation: park management services**

**603. MR WILSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Department of Natural Resources and Environment’s park management services, discussed on page 41 of the Department’s 2000–2001 annual report —

1. What were the five most common reasons suggested by users as to why they were only 66 per cent satisfied overall with the Department’s park management services compared with the target of 70 to 75 per cent.
2. Why did the percentage of satisfied customers decline from 69 per cent in 1999–2000.
3. Were there any variances in the main reasons users of different regions’ parks were dissatisfied; if so, what where they.
4. Whether park users from Melbourne metropolitan areas express any concerns differently from rural-based park users; if so, how did they differ.
5. What types of users, and how many, were surveyed.
6. When, and by whom, was the customer satisfaction survey conducted.
7. What areas of Victoria were users selected from to participate in any satisfaction surveys.
8. What — (a) funding; and (b) other action is the Government taking to increase satisfaction with park services in 2001–2002.

**ANSWER:**

I am informed that:

The scores used in the table on page 41 of the Department of Natural Resources and Environment’s 2000–2001 annual report in relation to rating of Customer Satisfaction with park services, are indices on a 100 point scale. The figures are not a percent measure but a positive scaled index which is weighted for visitation. A score of 33 means Satisfied, 67 means Very Satisfied and 100 means Fully Satisfied.

1. The five most common suggestions that visitors made to improve their satisfaction were:
  - 11% said they needed more or better BBQ or picnic facilities.
  - 11% said to provide more/better/cleaner/toilet facilities.
  - 9% said they needed more shaded areas/shelters.
  - 8% said they needed more or better maintenance of rubbish bins.
  - 6% said to have more drinking taps, fountains or fresh water.
2. The score of 66 means the overall customer satisfaction ranking was between Satisfied and Very Satisfied. At this stage it is not possible to be definitive on reasons for the change.
3. There were several increases in the level of response, as a percentage of the total number surveyed, between the 1999–2000 and 2000–2001 surveys on suggested improvements at Metropolitan Parks. They are listed below.

- More Picnic Areas or BBQs & Better BBQs: 5% to 20%
- More Shelter, Rotundas, Shade or Gazebos: 3% to 18%
- More Rubbish Bins or Recycling Bins: 8% to 12%
- More Drinking Fountains or Taps: 4% to 9%
- Cleaner or Better Toilets: 2% to 8%
- More Playground Equipment: 4% to 9%

There were no increases in suggested improvements in Protected Area Parks (National and State Parks).

4. There is no data currently available on whether the visitors surveyed are metropolitan or rural based.

5. Survey parameters were:

- 2,684 people were surveyed
- 53% were male 47% were female.
- 3% were aged 18–19 years,
- 23% were 20–29 years,
- 32% were 30–39 years,
- 24% were 40–49 years,
- 12% were 50–59 years,
- 5% were 60–69 years,
- 1% were 70+ years

(Note: Children are not interviewed.)

- 15% were attending a special or major event, eg Christmas party, or birthday party, etc,
- 15% were sightseeing,
- 7% were there for the environment, atmosphere, etc
- 6% were picnicking or having a barbecue,
- 6% were there for a short walk (up to 1 hour).

(Note: Activity groups that comprise less than 5% of the survey population are not listed.)

6. The surveys were conducted over weekends in December 2000 and January 2001.

The surveys were conducted by interviewers from Millward Brown Australia, a leading market research consultancy.

7. The surveys are of visitors, selected at random at 42 visitor sites in 21 parks including: 204 people at Albert Park, 88 at the Alpine National Park, 102 at Angahook-Lorne State Park, 100 at Bay of Islands Coastal Park, 99 at Braeside Park, 101 at Brimbank Park, 107 at Cardinia Reservoir Park, 93 at Croajingolong National Park, 206 at Dandenong Ranges National Park, 186 at Grampians National Park, 203 at Jells Park, 96 at Maroondah Reservoir Park, 200 at Mornington Peninsula National Park, 100 at Mount Buffalo National Park, 103 at Otway National Park, 73 at Pipemakers Park, 209 at Port Campbell National Park, 108 at Wattle Park, 100 at Westerfolds Park, 100 at Wilsons Promontory National Park and 106 at Yarra Bend Park.

Note: Survey subject quotas are; 200 for higher visitation parks and 100 for lower visitation parks.

8. (a) Parks Victoria is funded by government in accord with Government priorities and the agreed Corporate Plan developed by the Board of Parks Victoria.
- (b) Following statistical analysis of survey results, a targeted response has been developed and will be implemented progressively subject to funding priorities.

**Environment and conservation: pier and jetty services**

**604(a). MR WILSON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Department of Natural Resources and Environment’s Pier and Jetty services, discussed on page 37 of the Department’s 2000–2001 annual report —

1. What were the five most common reasons suggested by users as to why they were only 52 per cent satisfied overall with the Department’s services compared with the target of 60 to 65 per cent.
2. What types of users, and how many, were surveyed.
3. What areas of Victoria were users selected from to participate in any satisfaction surveys.
4. What were any expenses over \$500,000 that were reclassified from the ‘Asset Investment Program’ to ‘Outputs’ that led to the budgeted expenditure of \$13.9 million increasing to the actual expenditure of \$25.2 million in 2000–2001.

**ANSWER:**

I am informed that:

1. The five most common suggestions that visitors made to improve their satisfaction were:
  - to extend or upgrade the pier (17%);
  - to have more or better or cleaner toilets (15%);
  - to have more or better kiosks or restaurants (11%);
  - to have more benches or seating facilities (11%); and
  - better maintenance was required (with no further information from the respondent) (10%).

The score of 52 is not a percent measure but a positive scaled index which is weighted for visitation. A score of 33 means Satisfied, 67 means Very Satisfied and 100 means Fully Satisfied. Only 7% of respondents were not satisfied.

2. 523 people were surveyed in December 2000. 64% were male and 36% were female. 3% were aged 18–19 years; 21% were 20–29; 21% were 30–39; 21% were 40–49 years; 20% were 50–59; 10% were 60–69 years, and 4% were 70+ years (no children are interviewed). 21% were visiting for sightseeing purposes; 18% for a short walk; 17% were fishing; 7% were enjoying the environment or atmosphere; 5% were waiting to ride a ferry, and 5% were there to appreciate historical or cultural features.
3. The surveys are of visitors, selected at random, at five piers around the bays including 108 people at Gem Pier (Williamstown) 100 at Mornington Pier; 112 at Queenscliff Pier; 100 at Sorrento Pier and 103 at St Kilda Pier.
4. The expenses for the following fund sources were reclassified from the ‘Asset Investment Program’ to ‘Outputs’.

Associated Ports Works	\$2.035M
Bringing the Bay to Life	\$ 967K
Coastal Board Action Plans	\$ 709K
Coasts & Ports Improvement Works	\$ 500K

The other contributing factor to the increase relates to the inappropriate distribution of business overheads, including the Capital Charge across all Outputs. In 2001–2002 the distribution of business overheads will be adjusted to more accurately reflect each Output’s costs.



**Transport: train station staff**

**701. MR LEIGH** — To ask the Honourable the Minister for Transport with reference to train station staff employed on the public transport system for each month since September 1999 — (a) how many train station staff have been employed by each private operator; and (b) how much money did the Government pay for their employment.

**ANSWER:**

The following figures represent the approximate numbers of staff employed at railway stations by the private operators since the commencement of franchising in September 1999:

– V/Line Passenger:	180
– Connex:	290
– M>Train:	350

In addition, the Government has provided funding for an extra 100 staff at railway stations (known as ‘Roving Safety Officers’) as part of its commitment to improve passenger safety on the network, particularly in the evening period. The full complement of 100 new staff was introduced during December 2000. Currently, Connex and M>Train employ 43 and 57 Roving Safety Officers respectively.

The costs associated with the employment of Station Staff, other than the Roving Safety Staff, are the responsibility of the franchisees and do not involve any additional funding from Government over and above general subsidy levels.

From 1 July 2000 to 30 November 2001, M>Train has been paid \$3.97m and Connex has been paid \$2.86m for the Roving Safety Staff initiative (inclusive of GST). These figures include start up capital costs such as the provision of staff facilities at railway stations. The difference in payments between the businesses reflects the greater number of staff being employed by M>Train.

This answer is correct up and to the date this Question was asked.

**Transport: tram conductors**

**705. MR LEIGH** — To ask the Honourable the Minister for Transport with reference to tram conductors employed on the public transport system for each month since September 1999 — (a) how many tram conductors have been employed by each private operator; and (b) how much money did the Government pay for their employment.

**ANSWER:**

(a) The conductor initiative was launched by the Minister for Transport in October 2000. Under the agreement M>Tram employs 55 conductors and Yarra Trams 45 conductors.

After October 2000 M>Tram and Yarra Trams undertook an extensive recruitment and training program and developed facilities to accommodate these new staff. As a result, conductors were progressively introduced onto the tram network in the first months of this year (2001). Other than as a result of staff turnover, required conductor numbers have been maintained. M>Tram and Yarra Trams receive ongoing payments only for the conductors they employ so that, if there is a temporary reduction in numbers due to natural turnover, payments are reduced accordingly.

(b) From the start of the conductor initiative up to 30 November 2001, M>Tram has been paid \$3.006m and Yarra Trams \$2.359m (figures include GST).

This answer is correct up and to the date this Question was asked.

**Environment and conservation: Parks Victoria-funded projects**

**710. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation —

- (1) What multicultural or ethno-specific projects has Parks Victoria funded for 1999–2000, 2000–2001, and 2001–2002.
- (2) What has been the dollar value of each of the projects funded.

**ANSWER:**

I am informed that:

A range of multicultural or ethno-specific projects have been funded by Parks Victoria via the Indigenous Partnerships Program and the Grants Program.

**Indigenous Partnerships Program**

There was no formal Indigenous Partnerships Program for the 1999–00 financial year but funding was allocated for the ongoing employment of 12 Indigenous people totalling approximately \$480,000. Over the past two years, from 2000–01 to 2001–02, the Parks Victoria Indigenous Partnerships Program has allocated funding to a total of 23 Indigenous projects.

<b>Project Title</b>	<b>Total Funded</b>
<b>2000–01 Cross-Cultural Training</b>	
Delivery of nine workshops for Parks Victoria staff.	\$50,000
<b>2000–01 Cultural Values Management Program</b>	
Lake Boort Integrated Management Plan	\$20,000
Protection of Indigenous Cultural Sites.	\$336,350
Archaeological surveys.	\$102,500
<b>2000–01 Indigenous Employment</b>	
Indigenous Employment	\$730,000
Koori Business Review of Tendering	\$5,000
<b>2000–01 Legislative Compliance &amp; Consultation</b>	
Development of the ‘Guidelines for Working with Aboriginal Communities and Protection of Cultural Sites & training in the use of the ‘Guidelines for Parks Victoria staff’	\$55,000

During 2001–02, Parks Victoria funded 16 projects through the Indigenous Partnerships Program:

<b>Project Title</b>	<b>Total Funded</b>
<b>2001–02 Cross-Cultural Training</b>	
Cross-Cultural Training Workshops for Corporate and Field Staff.	\$110,600
<b>2001–02 Cultural Values Management Program</b>	
Arrange Meetings with Peak Indigenous Organisation	\$1,800
Indigenous Management Strategy	\$2,000
Anthropological Assessments	\$12,500
Yirrkala Community Exchange Trip	\$5,000
Indigenous Interpretation Program	\$6,500
Protection of Indigenous Cultural Sites.	\$403,824
Archaeological surveys.	\$205,750
Re-establish Indigenous Cultural Ties to Dandenong Police Paddocks	\$1,000

<b>Project Title</b>	<b>Total Funded</b>
Development of Lysterfield Cultural Centre	\$3,000
<b>2001–02 Indigenous Partnerships Strategy</b>	
Preparation and Distribution of the Indigenous Partnerships Strategy	\$12,000
2001–02 Legislative Compliance and Consultation	
Finalise Guidelines for Working with Aboriginal Communities and Protection of Cultural Sites and Undertake Staff Training	\$23,900
<b>2001–02 Indigenous Employment &amp; Training</b>	
Indigenous Employment & Training	\$1,356,900
Koori Business	\$5,000
<b>2001–02 Legislative Compliance &amp; Consultation</b>	
Development of a Native Title Notification Register Database	\$2,000
Victorian Government Policy for the Management of Indigenous Issues	\$1,000

Grants Program

Parks Victoria funds two grants programs, the Community Grants Program and the Agency Grants Program. Over the past three years, from 1999–2000 to 2001–02, the Parks Victoria Grants Program has funded a total of 32 multicultural projects, which included 6 indigenous projects.

During 1999–00, Parks Victoria funded 11 multicultural projects through the Agency and Community Grants Programs:

<b>Organisation</b>	<b>Project Title</b>	<b>Grant Funded</b>
<b>1999–00 Agency Grants</b>		
Moreland City Council	Moreland Autumn Planting Festival – Moomba Park	\$15,000
<b>1999–00 Community Grants Program</b>		
Australian Romanian Community Welfare Health and Services Association	Information and education of the Romanian community about nature, environment and National parks in Victoria	\$6,000
Carlton Contact Neighbourhood House	Low-income and refugee/migrants residing in public housing in Carlton, accessing and discovering Victorian National Parks	\$2,468
CERES Environment Park	The Return of the Sacred Kingfisher Festival	\$6,000
CERES Environment Park	CERES Park Bushfood Project – supporting CERES Park Aboriginal Cultural Centre	\$6,000
Darebin Ethnic Communities Council	Reflecting Multicultural diversity in Park planning and design – forum and workshops	\$2,500
Ecumenical Migration Centre	Reconciling Youth – Connecting Refugee/Migrant young people with the Victorian environment.	\$3,847
Inner Western Region Migrant Resource Centre	Information on parks and beaches in Melbourne’s west for newly arrived migrants.	\$11,970
Park Community Association Inc.	Corroboree Tree Grasslands, Albert Park Reserve	\$6,000
West Footscray Rotary Club	Multicultural Summer Participation in Footscray Park.	\$3,850
Westgate Migrant Resource Centre	Multicultural Promotion video of the Hobsons Bay Coast.	\$6,000

During 2000–01, Parks Victoria funded 10 multicultural projects through the Agency and Community Grants Programs:

Organisation	Project Title	Grant Funded
<b>2000–01 Agency Grants</b>		
CERES Environment Park	Multicultural Coordinator – ‘Another Face to the Community’	\$50,000
Migrant Resource Centre – North West	Resettlement & Recreation – Responding to the Social and Recreational Issues of New Arrivals in Brimbank	\$40,000
Cambodian Association of Victoria	An Ethno-specific Indo-Chinese Environment Education Program	\$39,500
Inner Western Region Migrant Resource Centre	Involvement of Multicultural Communities in the Use and Management of Parks in Melbourne’s West	\$39,846
Victoria University of Technology – Faculty of Science	Koori Food and Culture Trail Schools and Community at ARC for Grasslands	\$23,810
<b>2000–01 Community Grants Program</b>		
Western Young People’s Independent Network	Connecting Refugee and Migrant Young People to Victorian Parks	\$1,008
Carlton Contact Neighbourhood House	Linking Carlton Newly Arrived Migrants and Refugees into Victorian National Parks	\$1,200
Centre For Philippine Concerns Australia Inc	Information on Parks Environmental Heritage in Melbourne’s West for the Filipino Community	\$1,500
Australian Romanian Community Welfare Health and Services Assoc. of Victoria.	Information/Education of Romanian Community About Natural Environment, Ecology and Ecotourism	\$10,000
Brambuk Aboriginal Cultural Centre	The Gariwerd/ Grampians National Park Multimedia Project	\$20,060

During 2001–02, Parks Victoria has funded 11 multicultural projects through the Agency and Community Grants Programs:

Project Title	Organisation	Grant Funded
<b>2001–02 Agency Grants Program</b>		
Hume City Council	Corridors and Connections	\$36,478
Victoria University of Technology – Faculty of Science	Environmental Festivals & Programs Incorporating Reconciliation & Community Diversity	\$37,500
CERES-Centre for Education and Research in Environmental Strategies	Multicultural Coordinator: Another Face in the Community, Brunswick, Stage 2	\$50,000
Cambodian Association of Victoria	Stage 2 of the Ethno-specific Indochinese Environment Education Program at Springvale	\$49,200
Footscray Community Arts Centre	The Lie of the Land	\$30,823
Migrant Resource Centre – North West	Resettlement and Recreation Orientation Project: Responding to the Recreational and Social Needs and Issues of Newly Arrived Residents of Brimbank Stage 2	\$58,505
Northern Metropolitan Migrant Resource Centre	The Hume/Moreland Multicultural Environmental Network	\$40,000

Project Title	Organisation	Grant Funded
<b>2001–02 Community Grants Program</b>		
Ballarat and District Aboriginal Cooperative Ltd	Ballarat Koori Heritage Trail	\$7,800
Darebin Parklands Association Inc	Darebin Parkland Olive Festival	\$1,500
Kurdish Association of Victoria	Kurdish Community awareness about caring our natural and cultural heritage in Parks	\$1,500
North West Region Aboriginal Cultural Heritage	Little Lake Boort Visitor Information	\$7,500

**Energy and resources: Stonehaven peak load power station**

**714. MR PATERSON** — To ask the Honourable the Minister for Environment and Conservation for the Honourable the Minister for Energy and Resources — to clarify the number of days per year that the proposed Stonehaven peak load power station will be permitted to operate.

**ANSWER:**

I am informed that:

In the works approval application, the company advised that it expected that the station would operate for around 5% of the year. This would include operation on very hot days in summer (when air conditioner use increases demand) and very cold days in winter (evening heating use), and to cover reduced supply and outages at other power plants. Due to the nature of the peak power requirements there will be no set limit on the number of days that the proposed station could operate in any particular year. Peak power stations are operated to be available for service whenever additional power is needed.

To ensure the community is aware of how often the station is being used, VCAT included conditions in the planning permit requiring the company to publish reports on operating hours in a local newspaper (a) at the end of each financial year (b) when use reaches 5% full output equivalent and (c) for each additional 1% usage above that, including details on fuel type and the reasons for operation.

Since this question was asked on February 26 2002, AES announced on 15 March 2002, that it has postponed any decision to construct the Stonehaven power station, due to internal financial hurdles.

**Health: Barwon Health**

**716. MR PATERSON** — To ask the Honourable the Minister for Health — to outline any penalties which could be applied to Barwon Health should the Agency’s ‘Weighted Inlier Equivalent Separations’ points target not be met.

**ANSWER:**

The casemix funding system was implemented in 1993 and funds acute hospitals according to the number and type of patient treated.

The document ‘Victoria – Public Hospitals Policy and Funding Guidelines 2001–2002’ Section A sets out the budget for each public hospital and the key conditions that relate to casemix funding.

**Health: anaesthetists at Geelong Hospital**

**717. MR PATERSON** — To ask the Honourable the Minister for Health — to outline any action being taken by the Government to address the shortage of anaesthetists at Geelong Hospital.

**ANSWER:**

Geelong Hospital currently has a full complement of eleven full time anaesthetists. In addition it has attracted four VMO sessions per week and two Provisional Fellows (one for twelve months and one for six months).

Geelong Hospital is operating at full strength as sabbatical and long service leave have been completed or deferred.

**Corrections: prisoner escapees**

**726. MR WELLS** — To ask the Honourable the Minister for Corrections — how many prisoners have escaped from legal custody from each of HM Prison Ararat, HM Prison Barwon, HM Prison Beechworth, HM Prison Bendigo, HM Prison Dhurringile, HM Prison Langi Kal Kal, HM Prison Loddon, HM Melbourne Assessment Prison, HM Prison Tarrengower, HM Prison Won Wron, Fulham Correctional Centre, Came Phyllis Frost Centre and Port Phillip Prison during each of 2000 and 2001, and for each individual escapee —

- (1) What offences led to his or her imprisonment and what additional offences were committed, if any, before the escapee was apprehended.
- (2) What were the dates of escape from legal custody, and of final apprehension and return to legal custody.

**ANSWER:**

I am informed that information relevant to escapes can be obtained from the *Statistical Profile: The Victorian Prison System 1995–96 to 2000–01* which is expected to be published shortly and will be available from the Office of the Correctional Services Commissioner.

**Police and emergency services: police services for the Australian Grand Prix Corporation**

**729. MR WELLS** — To ask the Honourable the Minister for Police and Emergency Services —

- (1) What was the invoiced amount for police services and when were payments received for each invoice for each of the Australian Formula One Grand Prix held in 2000 and 2001 at Albert Park and the Australian Motorcycle Grand Prix held in 2000 and 2001 at Phillip Island.
- (2) What is the expected cost of police services for the 2002 Australian Formula One Grand Prix at Albert Park and the 2002 Australian Motorcycle Grand Prix at Phillip Island.

**ANSWER:**

I am advised that:

The charges for police services at these events are in accordance with the cost recovery policies that operated under both the current and previous Government.

**Multicultural affairs: review of language services**

**731. MR KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs — to advise whether a review has taken place; if so —

- (1) Who comprised the review committee.
- (2) What was its time frame.
- (3) What were its terms of reference.

- (4) What was the total cost of the review.
- (5) What were the recommendations of the review.
- (6) Has the report been released; if not, when will it be released to the public.

**ANSWER:**

I am informed that:

The Victorian Office of Multicultural Affairs (VOMA) is examining language services provided by Victorian Government agencies with a view to improving access of clients to Government services. The examination includes a needs analysis and consideration of service delivery arrangements, in particular looking at the Department of Human Services, the Department of Education and Training and the Department of Justice. An interdepartmental committee was established to assist VOMA.

As part of this examination, a report was commissioned from the Allen Consulting Group (ACG) on the Needs Analysis.

The cost of the consultancy was \$89,147.81, including GST.

An executive summary of the ACG report is available from the VOMA web site.

**Police and emergency services: crimes on public transport**

**732(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how many incidents have been reported to police regarding crime on public transport for each year between 1985 and 2001 inclusive.

**ANSWER:**

Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au)

**Police and emergency services: crimes on public transport**

**733(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — of the reported incidents regarding crime on public transport how many have resulted in fines or other penalties for each year between 1985 and 2001 inclusive.

**ANSWER:**

I am advised that

This matter falls within the Portfolio responsibilities of the Attorney-General.

**Police and emergency services: crimes on public transport**

**734(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive, of the reported incidents regarding crime on public transport, which have resulted in fines or other penalties, and what is the total penalty issued (both financial and non-financial).

**ANSWER:**

The issue of penalties, both financial and non-financial, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

**Police and emergency services: crimes on public transport**

**735(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — what are the top 10 railway stations with the highest crime rates in metropolitan Melbourne for each year between 1994 and 2001 inclusive, and for each of these years —

- (1) What were the reported crimes at each station identified.
- (2) How many crimes were committed at each station identified.

**ANSWER:**

I am advised that:

Preparing an answer to these questions would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).

**Police and emergency services: graffiti offences on the public transport system**

**736(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What has been the financial cost of rectifying offences.
- (5) What other non-financial penalties have been issued.

**ANSWER:**

1. Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
2. The issue of penalties is outside my portfolio.
3. The issue of penalties, including court ordered jail terms, is a matter that belongs outside my portfolio.
4. This matter does not sit within my Portfolio responsibilities.
5. The issue of penalties, both financial and non-financial, is a matter that belongs outside my Portfolio.



**Transport: excessive car sound system offences**

**737(a). MR LEIGH** — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

This question does not fall within my portfolio. The member may wish to refer this question to the Honourable the Attorney-General.

**Police and emergency services: excessive car sound system offences**

**737(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) This matter does not sit within my Portfolio responsibilities.
- 3) This matter does not sit within my Portfolio responsibilities.
- 4) This matter does not sit within my Portfolio responsibilities.

**Transport: excessive car engine noise offences**

**738(a). MR LEIGH** — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

This question does not fall within my portfolio. The member may wish to refer this question to the Honourable the Attorney-General.

**Police and emergency services: excessive car engine noise offences**

**738(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) This matter does not sit within my Portfolio responsibilities.
- 3) This matter does not sit within my Portfolio responsibilities.
- 4) This matter does not sit within my Portfolio responsibilities.

**Transport: offences involving burnouts in cars on public roads**

**739(a). MR LEIGH** — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Honourable the Attorney-General who is the more appropriate Minister.

**Police and emergency services: offences involving burnouts in cars on public roads**

**739(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.

- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) This matter does not sit within my Portfolio responsibilities.
- 3) This matter does not sit within my Portfolio responsibilities.
- 4) This matter does not sit within my Portfolio responsibilities.

**Transport: offences involving street racing on public roads**

**740(a). MR LEIGH** — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Honourable the Attorney-General who is the more appropriate Minister.

**Police and emergency services: offences involving street racing on public roads**

**740(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics'

which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).

- 2) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 3) The issue of penalties, including court ordered jail terms, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 4) The issue falls outside my Portfolio. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

**Transport: offences involving operating modified cars**

**741(a). MR LEIGH** — To ask the Honourable the Minister for Transport — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Honourable the Attorney-General who is the more appropriate Minister.

**Police and emergency services: offences involving operating modified cars**

**741(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

- 3) The issue of penalties, including court ordered jail terms, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 4) The issue of non-financial penalties belongs outside my Portfolio. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

**Police and emergency services: illegal rubbish dumping on public transport property offences**

**742(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many people have been arrested and charged.
- (2) What was the total financial penalty enforced.
- (3) What was the total court ordered jail terms.
- (4) What has been the financial cost of rectifying the dumping.
- (5) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to the question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victorian Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 3) The issue of penalties, including court ordered jail terms, is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.
- 4) This question cannot be answered.
- 5) The issue of non-financial penalties belongs outside my Portfolio. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

**Transport: revenue collected through fines**

**743(a). MR LEIGH** — To ask the Honourable the Minister for Transport — How much revenue was collected annually between 1985 and 2001 inclusive by each of the Victoria Police and non-police agencies, for each of speeding fines, drink driving fines, parking infringement fines, unlicensed driving fines, unregistered vehicle driving offences and unroadworthy vehicle driving offences.

**ANSWER:**

The Victorian Taxi and Tow Truck Directorate (VTTD) has officers authorised to issue fines under the Road Safety Act 1986 for speeding, drink driving, parking infringements, unlicensed driving, unregistered vehicles and unroadworthy vehicles.

The VTDD has the responsibility for regulating the taxi, hire car and tow truck industries. It does not collect or hold information concerning revenue collected from the issue of fines. The fines are paid directly to Civic Compliance Victoria.

Prior to January 2000 the Public Transport Corporation (PTC) collected parking fine revenue for vehicles parked illegally at railway stations.

- i Records for the period 1985 to 1995 have been finalised by payment, appeal or Court and have been removed from the system in accordance with the disposal policy at the time.
- ii Details of the revenue collected from parking infringements issued by the PTC for the period 1996 to December 1999 is not readily available as the PERIN (Penalty Enforcement by Registration of Infringement Notice) computerised system is not able to breakdown fine revenue by the category requested. Extraction of the information is therefore a manual task and would require significant time and resources to provide the data.

### **Police and emergency services: revenue collected through fines**

**743(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — How much revenue was collected annually between 1985 and 2001 inclusive by each of the Victoria Police and non-police agencies, for each of speeding fines, drink driving fines, parking infringement fines, unlicensed driving fines, unregistered vehicle driving offences and unroadworthy vehicle driving offences.

**ANSWER:**

I am advised that

Preparing an answer to the question of revenue in relation to the above infringements collected by Victoria Police would require a substantial and unreasonable diversion of Victoria Police time and resources. Revenue collection by non-police agencies is a matter which does not sit within my Portfolio responsibilities.

### **Police and emergency services: motorists failing to stop at tram stops**

**749(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many incidents have been reported to police regarding motorists failing to stop at tram stops, and what is the annual data.
- (2) Of the incidents reported, how many have resulted in fines or other penalties.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled 'Victoria Police Crime Statistics' which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) The issue of financial or other penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

**Police and emergency services: drunken behaviour on public transport**

**751(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many incidents of drunken behaviour have been reported to police.
- (2) Of those incidents, how many have resulted in fines or other penalties.

**ANSWER:**

I am advised that:

- 1) Preparing an answer to this question would require a substantial and unreasonable diversion of Victoria Police time and resources. I refer the Honourable Member to the publication titled ‘Victoria Police Crime Statistics’ which is published annually. Alternatively, crime statistics can be accessed via the Victoria Police web site at [www.police.vic.gov.au](http://www.police.vic.gov.au).
- 2) The issue of financial or other penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

**Police and emergency services: vandalism on public transport**

**752(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — for each year between 1985 and 2001 inclusive —

- (1) How many incidents of vandalism have been reported to police.
- (2) Of those incidents, how many have resulted in fines or other penalties.
- (3) How many people have been arrested and charged.
- (4) What was the total financial penalty enforced.
- (5) What was the total court ordered jail terms.
- (6) What has been the financial cost of rectifying vandalism.
- (7) What other non-financial penalties have been issued.

**ANSWER:**

I am advised that:

- 1) These figures are publicly available from the ‘Victoria Police Crime Statistics’ published each year.
- 2) The issue of financial and non-financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General.
- 3) The number of offenders arrested for the above public transport property damage offences, 1994 to 2001 is:

<b>Year:</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>	<b>2001</b>
<b>Alleged offenders:</b>	173	156	165	134	237	152	127	259

Source: Data extracted from LEAP on 20 June 2002, by Statistical Services Division, Victoria Police.

Note: The LEAP database contains data from March 1993 onwards. Earlier data is not available and is not comparable with LEAP data. The above figures relate to the year in which the offence record was created on

LEAP, and for which an offender was processed. The year an offender was charged was not considered. The above offences and offenders were those processed for the whole police force, not only Transit Police.

- 4) The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General.
- 5) The issue of court ordered jail terms is a matter that belongs within the Portfolio responsibilities of the Attorney-General.
- 6) This matter does not sit within my portfolio responsibilities.
- 7) The issue of non-financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General.

**Transport: 50 km/h speed limits**

**757(a). MR LEIGH** — To ask the Honourable the Minister for Transport — how many people have been booked for speeding above 50 km/h for each month since the introduction of that limit in residential streets.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

**Police and emergency services: 50 km/h speed limits**

**757(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how many people have been booked for speeding above 50 km/h for each month since the introduction of that limit in residential streets.

**ANSWER:**

I am advised that:

The Government introduced 50 km/h speed zones in order to reduce the road toll. In the 2001 calendar year 80 pedestrians were killed in Victoria, a 31% increase on the previous year. There is very substantial evidence from numerous sources that decreasing vehicle speed results in decreased motor vehicle accidents. This general position has been given local validity in a recent analysis by the Monash University Accident Research Centre of casualty rates before and after the introduction of the 50 km/h zones. The analysis indicated a statistically reliable reduction in casualty crashes in the order of 12–13% in 50 km/h zones as compared to 60 km/h zones.

Another way of thinking about the 50 km/h restriction is to consider the following figures relating to pedestrians being hit by vehicles:

<b>Speed of collision</b>	<b>Approx. % probability of pedestrian death</b>
50 km/h	35%
60 km/h	65%
70 km/h	90%

For details on other components of the Governments Road Safety Strategy I would refer you to the various published ‘Arrive Alive’ documents.



**Transport: fines for breaching 50 km/h speed limits**

**758(a). MR LEIGH** — To ask the Honourable the Minister for Transport — how much in fine revenue for breaches of the 50 km/h speed limit has been raised for each month since the introduction of that limit in residential streets.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

**Police and emergency services: fines for breaching 50 km/h speed limits**

**758(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how much in fine revenue for breaches of the 50 km/h speed limit has been raised for each month since the introduction of that limit in residential streets.

**ANSWER:**

I am advised that:

The issue of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to him, and I would refer you to his response.

**Transport: warning notices for breaching 50 km/h speed limits**

**759(a). MR LEIGH** — To ask the Honourable the Minister for Transport — how many warning notices for breaches of the 50 km/h speed limit have been issued for each month since the introduction of that limit in residential streets.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

**Police and emergency services: warning notices for breaching 50 km/h speed limits**

**759(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how many warning notices for breaches of the 50 km/h speed limit have been issued for each month since the introduction of that limit in residential streets.

**ANSWER:**

I am advised:

The Government introduced 50 km/h speed zones in order to reduce the road toll. In the 2001 calendar year 80 pedestrians were killed in Victoria, a 31% increase on the previous year. There is very substantial evidence from numerous sources that decreasing vehicle speed results in decreased motor vehicle accidents. This general position has been given local validity in a recent analysis by the Monash University Accident Research Centre of casualty rates before and after the introduction of the 50 km/h zones. The analysis indicated a statistically reliable reduction in casualty crashes in the order of 12–13% in 50 km/h zones as compared to 60 km/h zones.

Another way of thinking about the 50 km/h restriction is to consider the following figures relating to pedestrians being hit by vehicles:

Speed of collision	Approx. % probability of pedestrian death
50 km/h	35%
60 km/h	65%
70 km/h	90%

For details on other components of the Government's Road Safety Strategy I would refer you to the various published 'Arrive Alive' documents.

**Transport: withdrawal of penalties for breaching 50 km/h speed limits**

760(a). **MR LEIGH** — To ask the Honourable the Minister for Transport — how many people have been detected for speeding, but have had their fines withdrawn, for each month since the introduction of 50 km/h speed limits in residential streets.

**ANSWER:**

This question does not fall within my portfolio. I note that you have also asked the Minister for Police and Emergency Services who is the more appropriate Minister.

**Transport: rail standardisation program**

766. **MR LEIGH** — To ask the Honourable the Minister for Transport — what are the top priority projects for the \$96 million program.

**ANSWER:**

The top priority is to provide standard gauge access to the Ports of Portland and Geelong and adjacent areas and to the Port of Melbourne and to rail facilities in Melbourne's west from Mildura, Kulwin and Robinvale lines. This will enable grain, mineral sands and general freight to compete with road in accessing all three ports and interstate markets from the productive North West of the State.

**Transport: level crossing upgrades**

767. **MR LEIGH** — To ask the Honourable the Minister for Transport — what are the top priority projects for upgrades in each of metropolitan Melbourne, and rural and regional Victoria.

**ANSWER:**

The information requested is publicly available on the Department of Infrastructure's web site [www.doi.vic.gov.au](http://www.doi.vic.gov.au).

**Health: health services in City of Kingston**

772. **MR LEIGH** — To ask the Honourable the Minister for Health, for each year between 1995 and 2001 inclusive —

- (1) How much has been spent on health services.
- (2) How many patients have been treated at public health care services.

**ANSWER:**

Health service funding comes from a range of sources – including Commonwealth, State and Local Government as well as non-government organisations, and is not calculated on an LGA basis. Consequently the information requested by the Honourable Member is not readily available.

However, as Southern Health is the major State-funded health and aged care agency for this catchment I refer the Honourable Member to Southern Health (and its predecessors') Annual Reports for the relevant period.

In researching the level of health services in the City of Kingston since 1995, I would remind the Honourable Member of the closure of the Mordialloc Hospital by the Kennett Government in 1996.

### **Transport: rail projects group — renovations**

**782. MR LEIGH** — To ask the Honourable the Minister for Transport — how much money was spent on renovations for the Group since its establishment.

#### **ANSWER:**

The renovations of the two areas occupied by Rail Projects Group (RPG) (and another group of the Department of Infrastructure which shares a floor) have cost \$1,976,080 to 28 February, 2002.

Expenditure for 2000/01 was \$1,830,000 and expenditure for 2001/02 is \$144,080.

The 2001/02 expenditure is made up of:

- Residual invoices for \$78,358 being received and paid in 2001/02; and
- Additional minor works in late 2002, to the value of \$65,722 that were required to accommodate a restructure of another Division within the department that shares a floor with RPG.

### **Health: coronial autopsies**

**787(b). MR PATERSON** — To ask the Honourable the Minister for Health — whether the Government will provide the necessary funding for coronial autopsies to be conducted at Geelong Hospital.

#### **ANSWER:**

I am informed as follows:

The issue of post-mortems being conducted in Geelong is primarily an issue for the Attorney-General and I would refer the honourable member to the response provided by the Attorney-General.

### **Health: Geelong hospital**

**789. MR PATERSON** — To ask the Honourable the Minister for Health — to explain why the performance of the hospital continues to deteriorate as demonstrated in the Hospital Services Report December Quarter 2001.

#### **ANSWER:**

The Geelong Hospital has shown major improvements in a number of key indicators in the latest Hospital Services Report.

The March 2002 Hospital Services Report shows that Geelong Hospital is treating 9.6% more patients and that the Hospital's Emergency Department is treating 4.7% more patients than for the same period in 2001. The March Report shows a reduction in semi-urgent patients on the Hospital's elective surgery waiting list and an increase in waiting list patients admitted for surgery – 967 in the March 2002 quarter, compared with 739 in the March quarter 2001.

Under the Bracks Government 162 nurses have joined Barwon Health and since January this year 88 nurses have joined Barwon Health's nurse bank. This year's State Budget has provided a \$1.5 million boost for medical equipment for Barwon South-West and Barwon Health has received an extra \$560,000 to treat extra patients this

financial year who have been waiting for urology, orthopaedics and general surgery. The Government's elective surgery strategy is currently fast-tracking surgery for 225 local patients.

**Environment and conservation: Princes Highway centre strip — weeds**

**791. MR PERTON** — To ask the Honourable the Minister for Conservation and Environment with reference to the roadside weeds in the centre strip on the Princes Highway between Warragul and Yarragon observed in January 2002 —

- (1) What agency has responsibility for control of the weeds.
- (2) Have the Minister's departmental officers taken any steps to ensure the removal of such weeds.
- (3) When was the task last undertaken.
- (4) What was the cost.
- (5) What new initiatives have been implemented to prevent re-infestation of roadside weeds in this area or on highways generally.

**ANSWER:**

I am informed that:

- (1) Vicroads has responsibility for the Princes Highway between Warragul and Yarragon as it is a declared road under the Transport Act 1983. Section 3 of the Catchment and Land Protection Act 1994 provides that the land owner is the Roads Corporation, if land is a declared road within the meaning of the Transport Act 1983.
- (2) Department of Natural Resources and Environment (NRE) Catchment Management officers throughout Gippsland have an ongoing and close working relationship with staff from Vicroads. Regular contact between the two departments ensures that the highest priority weeds are treated as per the joint NRE / Vicroads roadside weed treatment schedule that is updated biannually. As part of normal Catchment Management Officer duties, contact is made with Vic Roads offering technical advice and advising of areas requiring treatment.
- (3) Vicroads has treated Ragwort on the Princes Highway between the Bunyip River and Traralgon on two separate occasions in January 2002 and March 2002.

Blackberries are being controlled on the Princes Highway between the Bunyip River and Stratford under a current three year maintenance contract. Blackberry treatments were carried out between December 2000 and February 2001 and between March 2002 and April 2002. A third treatment is planned for between November 2002 and January 2003 under the maintenance contract.

The areas referred to above include the centre strip between Warragul and Yarragon.

- (4) The cost of these treatments in any particular area cannot be accurately determined.
- (5) Gippsland NRE Catchment Management Officers work closely with Vicroads in identifying and controlling noxious weed infestations on roadsides. This involves biannual roadside surveys of noxious weed infestations and identification of treatment priorities by NRE Catchment Management Officers.

Vic Roads has recently assigned an external consultant to conduct a specialist review of its overall response to managing roadside weed infestations.

The findings of this study will be used to build on the work already under way between Vicroads Regional Environmental Officers and NRE Regional Pest & Weed Program Leaders across the State in the prioritisation and management of roadside treatments.

Vic Roads Environmental Officers, in cooperation with NRE Catchment Management Officers, have, or are in the process of, developing draft Weed Strategies on a Regional Level.

Vic Roads, Eastern Region, continues to liaise with NRE in developing annual treatment programs and has input into the development of NRE community based Local Area Plans for weed management.

Vic Roads has increased the effort on weed control on declared roads in Gippsland over recent years. While this may take many years to be reflected in reduced annual establishment of weeds, it is expected these benefits will occur if the current commitment continues.

**Environment and conservation: alpine walking track**

**793. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the section of track between Mushroom Rocks and Mount Saint Gwinear —

- (1) When was the last time a safety assessment was made of this overgrown section of the track.
- (2) How often is the track patrolled.
- (3) How often is the track maintained.
- (4) How many complaints about the safety of the walking track have been registered with the Department during the period 25 January 2001 and 24 January 2002.

**ANSWER:**

I am informed that:

- (1) The last full inspection, looking for hazards, obstacles and maintenance works required was undertaken on this section of track by Parks Victoria on 8 December 2001, prior to the summer walking season. The track is not overgrown.
- (2) This section of track is patrolled on every long weekend and randomly at other times throughout the year. Patrol dates for this summer were: 8 December 2001; 19 and 20 January 2002; 27 January 2002; 16 and 17 February 2002; 9, 10 and 11 March 2002; 30 March and 1 April 2002.

No patrols were undertaken on the New Years Holiday weekend due to the deployment of local staff to the NSW Fires.

- (3) Different sections of the track have different maintenance schedules designed to protect the values in the Baw Baw National Park Remote and Natural Area. These are detailed in the current management plan.

Tracks in the Mushroom Rocks and St Gwinear area are slashed and drained every two years. The section across the Baw Baw Plateau is slashed every 10 to 15 years as required (last slashed in 1992). This section of track is not considered to be overgrown.

The section to the summit of Mt Erica was slashed this year (2002).

Parks Victoria currently undertaking erosion control works at Mount St Gwinear utilising stonemasons to place natural stone drains and rehabilitate eroded areas.

The Baw Baw National Park has an active group of volunteers (Friends) who assist with track maintenance and weed control works. Volunteers completed drainage works from Mt Erica to the summit of Talbot Peak this summer.

308 hours works has already been undertaken on this section of track in 2001/02 financial year using Parks Victoria and NRE crews: a further 124 volunteer hours were spent on this section of track this summer.

The walking track is in the best condition it has been for many years.

- (4) There are no complaints on file regarding this section, nor any other sections of the Australian Alps Walking Track, in the Baw Baw National Parks for the period 25 January 2001 to 24 January 2002. The only complaint received this year was regarding the AAWT in State Forest areas, north of the park.

**Environment and conservation: Barwon Water developer charges**

**799. MR PATERSON** — To ask the Honourable the Minister for Environment and Conservation —

- (1) Whether the Minister supports the steep increase in ‘Developer Charges’ to be imposed by Barwon Water from 1 July 2002.
- (2) Whether the Minister would support the new charges being phased in over a staged period.

**ANSWER:**

I am informed that:

- (1) While the setting of developer charges is a matter for individual water authorities, there is general support for the principle that developer charges should reflect the cost of providing water and sewerage services to new developments, rather than have these works heavily subsidised by other rate payers in established areas.
- (2) A decision on whether to phase new charges in over a staged period lies with Barwon Water.

**Police and emergency services: Torquay police numbers**

**801. MR PATERSON** — To ask the Honourable the Minister for Police and Emergency Services — to confirm that police numbers in Torquay will not be reduced.

**ANSWER:**

I am advised as follows:

The previous Liberal/National Government savagely reduced Police numbers in Victoria. It is the Bracks Government that has restored Police numbers in Victoria.

Prior to the last State election, the Bracks Government gave a commitment to put 800 officers back on the front line. The Government has now already reached the key election promise of boosting police numbers by 800 extra police officers by the end of this term of Government, at an annual cost of over \$64 million. To date, the current recruiting campaign has resulted in over 80,000 inquiries regarding policing as a career. By 30 June 2003 the Bracks Government will achieve 10,300 FTE sworn police on the frontline – an overall increase of 953 sworn police since 30 June 1999 and over 1000 since we came to office in October 1999.

I am surprised that the honourable Member is now concerned about cuts to police numbers when this Government has significantly increased police numbers, and when the honourable Member did not once raise any question or concern when he and his Party cut police numbers severely.

However, as the member should know, actual deployment of Police to local stations, districts and squads is not a political call but rather an operational matter for the Chief Commissioner of Police and her senior managers based upon operational criteria. What the Bracks Government has done is provide the 800 additional full-time equivalent sworn Police for deployment on the frontline against crime according to operational needs criteria.

I understand that in the case of the Surf Coast Police District and Torquay Police Station, there are absolutely no plans to reduce the staffing profile at Torquay.

The staffing levels as at 30 March 2002 at Torquay Police Station consist of 1 sergeant and 7 senior constables. The Station also shares a part-time position of a senior constable with Anglesea Police Station.

**Police and emergency services: breaches of 50 km/h speed limit**

**803. MR WELLS** — To ask the Honourable the Minister for Police and Emergency Services — of the total number of vehicles tested by speed measuring devices in 50 km/h zones, how many vehicles, in actual number and percentage terms, have breached the limit since its introduction on 22 January 2001.

**ANSWER:**

I am advised that:

The 50 km/h default speed limit in built up areas was implemented to enhance safety in residential streets and not as a revenue raiser.

**Police and emergency services: penalty notices for 50 km/h speed limit**

**804. MR WELLS** — To ask the Honourable the Minister for Police and Emergency Services — how much revenue has been generated from traffic infringement penalty notices for breaches of the limit since 22 January 2001.

**ANSWER:**

I am advised that:

The 50 km/h default speed limit in built up areas was implemented to enhance safety in residential streets and not as a revenue raiser.

**Environment and conservation: the Great Dividing trail**

**809. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the 235 kilometre Great Dividing Trail from Bendigo to Bacchus Marsh and from Ballarat to Daylesford —

- (1) Whether the Department has clear felled and burnt one third of the trail with a further third currently being logged; if not what portion, if any, has been clear felled and logged in any other way.
- (2) Are there any plans for further logging along or in the vicinity of the trail.
- (3) Has the Department removed any of the signs marking the trail.
- (4) Has the Minister investigated any negative impacts of such destruction of the trail on the businesses of Blackwood and the surrounding area.
- (5) Whether the Honourable Member for Ballarat East is in charge of the Tracks and Trails Committee.
- (6) Whether the Honourable Member for Ballarat East took any steps to prevent the damage to the trail; if so, what.
- (7) Were there any agreements between the Department and the Great Dividing Trail Association with respect to logging operations in the vicinity of the trail; if so, what were the agreements and have the terms of those agreements been breached.

- (8) Whether the local, state and federal governments have supported the construction of the trail with financial donations of over \$300,000 and the support of thousands of hours of volunteer labour and effort.

**ANSWER:**

I am informed that:

- (1) Timber harvesting will occur at 8 points along about 4 kilometres of the 235 kilometre Great Dividing Trail during 2001/2002. Of the eight coupes adjacent to the trail, one is a first cut shelterwood operation. The remainder are second cut operations which involve the removal of a small proportion of the trees on the coupe. This amounts to 1.7% of the 235 kilometre trail.
- (2) Harvesting may occur along a further 8 kilometres of the trail during 2002/2003 subject to timber industry resource requirements.
- (3) In accordance with the Great Dividing Trail Association Strategic Plan, the Department of Natural Resources and Environment has established diversion signs around active harvesting operations. The Department will ensure the trail is re-opened and that permanent signs are replaced following completion of harvesting.
- (4) No. The Trail is a community managed project that has not been officially opened and there is no data on its level of use to enable such an assessment.
- (5) Mr Geoff Howard MP, Member for Ballarat East is the Chairperson of the Victorian Trails Advisory Committee.
- (6) Mr Geoff Howard MP, Member for Ballarat East, has advised that although he has had regular discussions with the Great Dividing Trail Association, no one has contacted him or his office with regard to this issue. After the matter came to his attention, Mr Howard instigated discussions with executive members of the Great Dividing Trail Association. They advised Mr Howard that they were satisfied with their ability to work directly with NRE staff and were concerned that external groups have been using the Association's name to push political arguments not supported by the Association.
- (7) The Department has been aware of the Great Dividing Trail project since 1997. The Great Dividing Trail Association has been advised that the route of the Trail passes through forest areas that are generally available for timber production and has proceeded to build the Trail with this knowledge. The Great Dividing Trail Association advises walkers in trail notes that they may encounter harvesting operations. No formal agreement exists between the Government and the Great Dividing Trail Association.
- (8) No State Government funding has been provided to support the Great Dividing Trail Project other than some in kind assistance from Departmental staff. The Great Dividing Trail Association is a private organisation and the Government does not hold information on other funding sources.

**Environment and conservation: motorcycle activity in Bunyip State Park at Easter**

**812. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Easter weekend 2002 —

- (1) Has the Minister received any advice or complaints on inappropriate activity by motorcyclists in the Park over the weekend.
- (2) Were any rangers on duty over the weekend; if so, how many.
- (3) Did the rangers observe any inappropriate activity in the park.
- (4) Did the rangers take any action to prevent such activity.
- (5) Did the rangers ask for any police assistance; if so, what was requested.



- (6) Was any damage caused to tracks or facilities over the weekend; if so, what was the damage and the cost of reinstatement.

**ANSWER:**

I am informed that:

- (1) On Monday 8 April 2002 an email was sent to me by a resident adjoining the Bunyip State Park. The resident complained about excessive and continuing noise of trail bikes over the Easter weekend. Concerns were raised in the email about trail bike riders damaging roads and tracks and riding off-road on grassed picnic areas.
- (2) Two rangers were on duty over the Easter weekend from 29 March 2002 to 1 April 2002 (Easter Friday, Saturday, Sunday and Monday). They were both authorised officers and were patrolling and working in the Park between the hours of 8:00 AM and 4:30 PM on each day.
- (3) The riding of unregistered trail bikes was the only inappropriate activity observed by Park staff.
- (4) On this weekend, Park Staff actively approached trail bike riders for the purpose of educating them about the provisions of the Road Safety Act and the appropriate conduct required of riders in relation to registered trail bike use in Bunyip State Park.
- (5) Rangers did not ask for police assistance during the Easter weekend.
- (6) There was the usual wear and impact on roads and tracks by vehicles. Rain fell during the first half of the weekend and caused some of the Park's 4WD tracks to become slippery and muddy, which is considered normal for this category of track after such a weather event.

**Environment and conservation: weeds in parks**

**814. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the following parks administered by Parks Victoria —

- 1 Agnes Falls Scenic Reserve
- 2 Albert Park
- 3 Alfred National Park
- 4 Alfred Nicholas Gardens
- 5 Alpine National Park
- 6 Anderson's Mill
- 7 Angahook-Lorne State Park
- 8 Arthurs Seat State Park
- 9 Aura Vale Lake Park
- 10 Avon Wilderness Park
- 11 Banksia Park
- 12 Barmah State Park
- 13 Baw Baw National Park
- 14 Bay of Islands Coastal Park
- 15 Beechworth Historic Park
- 16 Bemm River Scenic Reserve
- 17 Big Desert Wilderness Park
- 18 Birrarung Park
- 19 Black Range State Park
- 20 Braeside Park
- 21 Brimbank Park
- 22 Brisbane Ranges National Park
- 23 Buchan Caves Reserve

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- 24 Bunurong Marine and Coastal Park
  - 25 Bunyip State Park
  - 26 Burrowa-Pine Mountain National Park
  - 27 Bushy Park Wetlands
  - 28 Candlebark Park
  - 29 Cape Conran Coastal Park
  - 30 Cape Liptrap Coastal Park
  - 31 Cape Nelson State Park
  - 32 Cape Otway Lightstation
  - 33 Cape Schanck Lighthouse Reserve
  - 34 Cardinia Reservoir Park
  - 35 Carlisle State Park
  - 36 Castlemaine-Chewton Historic Reserve
  - 37 Cathedral Range State Park
  - 38 Cheetham Wetlands
  - 39 Chiltern Box-Ironbark National Park
  - 40 Churchill National Park
  - 41 Collins Settlement Historic Site
  - 42 Coolart Wetlands and Homestead
  - 43 Coopracambra National Park
  - 44 Crawford River Regional Park
  - 45 Creswick Regional Park
  - 46 Croajingolong National Park
  - 47 Dandenong Police Paddocks Reserve
  - 48 Dandenong Ranges National Park
  - 49 Dergholm State Park
  - 50 Discovery Bay Coastal Park
  - 51 Enfield State Park
  - 52 Errinundra National Park
  - 53 French Island National Park
  - 54 Gabo Island
  - 55 George Tindale Memorial Gardens
  - 56 Gippsland Lakes Coastal Park
  - 57 Grampians National Park
  - 58 Greenvale Reservoir Park
  - 59 Hattah-Kulkyne National Park
  - 60 Hawkstowe Park
  - 61 Hepburn Regional Park
  - 62 Herring Island Environmental Sculpture Park
  - 63 Holey Plains State Park
  - 64 Horseshoe Bend Farm
  - 65 Howqua Hills Historic Area
  - 66 Jack Smith Lake State Game Reserve
  - 67 Jells Park
  - 68 Kalorama Park
  - 69 Kamarooka State Park
  - 70 Kara Kara State Park
  - 71 Karkarook Park
  - 72 Kinglake National Park
  - 73 Koomba Park
  - 74 Kooyoora State Park

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- 75 Lake Albacutya Regional Park
  - 76 Lake Eildon National Park
  - 77 Lake Hindmarsh Reserve
  - 78 Langi Ghiran State Park
  - 79 Langwarrin Flora and Fauna Reserve
  - 80 Leaghur State Park
  - 81 Lerderderg State Park
  - 82 Lind National Park
  - 83 Little Desert National Park
  - 84 Long Forest Flora Reserve
  - 85 Longridge Park Camp
  - 86 Lower Glenelg National Park
  - 87 Lysterfield Lake Park
  - 88 Macedon Regional Park
  - 89 Maldon Historic Reserve
  - 90 Maribymong River
  - 91 Maroondah Reservoir Park
  - 92 Melba Gully State Park
  - 93 Middle Gorge Park
  - 94 Mitchell River National Park
  - 95 Moondarra State Park
  - 96 Mornington Peninsula National Park
  - 97 Morwell National Park
  - 98 Mount Alexander Regional Park
  - 99 Mount Arapiles-Tooan State Park
  - 100 Mount Beckworh Scenic Reserve
  - 101 Mount Buangor State Park
  - 102 Mount Buffalo National Park
  - 103 Mount Dandenong Arboretum
  - 104 Mount Eccles National Park
  - 105 Mount Granya State Park
  - 106 Mount Lawson State Park
  - 107 Mount Napier State Park
  - 108 Mount Richmond National Park
  - 109 Mount Samaria State Park
  - 110 Mount Worth State Park
  - 111 Murray-Kulkyne Regional Park
  - 112 Murray-Sunset National Park
  - 113 National Rhododendron Gardens
  - 114 Nioka Bush Camp
  - 115 Nooramunga and Corner Inlet Marine and Coastal Parks
  - 116 Nortons Park
  - 117 Nyerimilang Park
  - 118 Organ Pipes National Park
  - 119 Oriental Claims Historic Reserve
  - 120 Otway National Park
  - 121 Paddys Ranges State Park
  - 122 Patterson River
  - 123 Pettys Orchard
  - 124 Pipemakers Park
  - 125 Pirianda Garden

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- 126 Point Cook Coastal Park
  - 127 Port Campbell National Park
  - 128 Port Phillip Bay Marine Reserves
  - 129 Power's Lookout Reserve
  - 130 Reef Hills Park
  - 131 RJ Hamer Arboretum
  - 132 Rosebud Foreshore Reserve
  - 133 Sale Common State Game Reserve
  - 134 Serendip Sanctuary
  - 135 Shallow Inlet Marine and Coastal Park
  - 136 Shepherds Bush
  - 137 Silvan Reservoir Park
  - 138 Snowy River National Park
  - 139 State Coal Mine
  - 140 Steiglitz Historic Park
  - 141 Sugarloaf Reservoir Park
  - 142 Sweeneys Flat
  - 143 Tarago Reservoir Park
  - 144 Tarra-Bulga National Park
  - 145 Terrick Terrick National Park
  - 146 The Lakes National Park
  - 147 The Mansion at Werribee Park
  - 148 The Pines Flora and Fauna Reserve
  - 149 Toorourrong Reservoir Park
  - 150 Tower Hill State Game Reserve
  - 151 Tyers Park
  - 152 Upper Goulburn Historic Area
  - 153 Upper Yarra Reservoir Park
  - 154 Wabba Wilderness Park
  - 155 Warby Range State Park
  - 156 Warrandyte State Park
  - 157 Wattle Park
  - 158 Werribee Gorge State Park
  - 159 Westerfolds Park
  - 160 Western Port
  - 161 Westgate Park
  - 162 Whipstick State Park
  - 163 Whroo Historic Reserve
  - 164 William Ricketts Sanctuary
  - 165 Wilsons Promontory National Park
  - 166 Woodlands Historic Park
  - 167 Wyperfeld National Park
  - 168 Yan Yean Reservoir Park
  - 169 Yarra Bend Park
  - 170 Yarra Flats
  - 171 Yarra Ranges National Park
  - 172 Yarra River
  - 173 Yarrambat Park
  - 174 Yellow Gum Park
  - 175 You Yangs Regional Park

- (1) What were the weed species identified as being present at each of 30 June 2000, 30 June 2001 and today or any other date on which such an assessment has been made.
- (2) What were the weed species identified as being a problem at each of 30 June 2000, 30 June 2001 and today or any other date on which such an assessment has been made.
- (3) What were the weed species identified as causing a danger to native species at each of 30 June 2000, 30 June 2001 and today or any other date on which such an assessment has been made, and what is their extent and quantity.
- (4) What eradication methods have been used for the elimination of each of the weed species identified.
- (5) What chemicals are used in the elimination of each of the weed species identified.
- (6) What were the results of such eradication methods.
- (7) How are the results of such eradication work measured.
- (8) What budget was made available to the managers of each park for the eradication of weeds in the financial years ending 30 June 2000 and 30 June 2001.
- (9) What amount of the budget has been spent by the managers of each park for the eradication of weeds in the financial years ending 30 June 2000 and 30 June 2001.
- (10) How many officers, contractors or other persons are currently engaged to eradicate or manage weeds in each park.
- (11) How many officers, contractors or other persons were engaged to eradicate or manage weeds in each park in the financial years ending 30 June 2000 and 30 June 2001.

**ANSWER:**

I am informed that:

Preparing a response to this question would require a substantial and unreasonable diversion of time and resources. I refer the Honourable Member to the section on weeds in the Management Issues chapter of the publication entitled 'State of the Parks Report 2000'. This Report is available at the cost of \$65 from the Parks Victoria Information Centre or the NRE Information Centre. Alternatively, the report can be accessed free of charge through the Parks Victoria web site at [www.parkweb.vic.gov.au](http://www.parkweb.vic.gov.au).

**Environment and conservation: ecologically sustainable development**

**816. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Consultation Paper released in December 2000 relating to the proposed establishment, role and responsibilities of a Commissioner for Ecologically Sustainable Development —

- (1) What work has been done by the Minister and the Department on this proposal since that date.
- (2) How many and which officers have been working on the proposal.
- (3) Which officer is responsible for the implementation of the proposal.
- (4) How many submissions have been received and from whom.
- (5) What do the submissions say.
- (6) What support has been expressed for the proposal.
- (7) What opposition has been expressed to the proposal.
- (8) What budget has been allocated to this since 18 September 1999.
- (9) What expenditure has been incurred in work on this proposal since 18 September 1999.
- (10) What workshops have been held on this proposal.
- (11) Has a draft bill been prepared; if so, why has the bill not yet been introduced into the House.

**ANSWER:**

I am informed that:

- (1) The Minister and Department have done considerable work on the proposal since the release of the Consultation Paper in December 2000. This work has included review of submissions received in response to the Consultation Paper, further meetings with stakeholder groups and the development of possible models for the establishment of a Commissioner for consideration by the Government.
- (2) Officers from the Policy Coordination Branch have been working on the proposal. These officers have been supported by a Departmental Working Group and also an Interdepartmental Working Group.
- (3) Implementation responsibilities will be determined when a final decision is taken on the form in which the office is to be established.
- (4) A total of sixty-six submissions were received including eleven from environment/community groups, three from educational institutions, eight from industry groups, eleven from individuals, four from local government, and twenty nine from State Government agencies, statutory authorities and other Government bodies.
- (5) It is not feasible nor would it do justice to the sixty-six submissions received to summarise them as an answer to this question.
- (6) Most submissions essentially supported the establishment of a Commissioner for Ecologically Sustainable Development but with varying views about the appropriate roles and responsibilities and the basis on which it should be established.
- (7) Four submissions did not support the establishment of a Commissioner.
- (8) \$1 million was appropriated in 2000–01 to establish the Commissioner for Ecologically Sustainable Development. This funding was carried forward to the 2001–02 budget and will be carried forward to the 2002–03 financial year.
- (9) The only expenditures incurred to date have been against normal departmental operating provision for policy development.
- (10) A number of workshops have been held with key stakeholders on the proposal prior to the release of the Consultation Paper in December 2000.
- (11) No.

**Environment and conservation: state of the environment reports**

**817. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the proposal to reintroduce State of the Environment Reports for Victoria —

- (1) What work has been done by the Minister and the Department on this proposal since the election of the Government.
- (2) How many and which officers have been working on the proposal.
- (3) Which officer is responsible for the implementation of the proposal.
- (4) What support has been expressed for the proposal.
- (5) What opposition has been expressed to the proposal.
- (6) What budget has been allocated to this work since 18 September 1999.

- (7) What expenditure has been incurred in work on this proposal since 18 September 1999.
- (8) What workshops have been held on this proposal.
- (9) Have any reports been prepared on the proposal or in preparation for the implementation of the proposal; if so, what are the contents of such reports and are such reports publicly available.

**ANSWER:**

I am informed that:

- (1) Considerable progress has been achieved on the proposal to reintroduce State of the Environment (SoE) Reporting for Victoria. This work has been closely linked with activity associated with the establishment of a Commissioner for Ecologically Sustainable Development, with SoE reporting being identified as a key function of the Commissioner. Submissions received in response to questions related to State of the Environment reporting raised in the Commissioner for Ecologically Sustainable Development Consultation Paper have been analysed, and research undertaken to identify relevant reporting models, both within Australia and internationally.
- (2) Officers from the Policy Coordination Branch have been working on the proposal. These officers have been supported by a Departmental Working Group and Interdepartmental Working Group.
- (3) Implementation responsibility will be determined when a final decision is taken on the form and roles of the Commissioner.
- (4) There was strong support for the reintroduction of SoE reporting expressed in the sixty six submissions received in response to the Consultation Paper. Stakeholders expressed a desire for the Commissioner and stakeholders to be involved in the development of an SoE Framework. Submissions noted that there is currently a lot of data collection and reporting on indicators across Victoria, and that this may be relevant to SoE reporting in Victoria.
- (5) There was no opposition to the reintroduction of SoE reporting expressed in submissions to the Consultation Paper.
- (6) On the 10 February 2000 funding of \$1 million per annum ongoing from 2000–01 was approved to implement the Commissioner initiative, which includes the reintroduction of SoE reporting.
- (7) All expenditure associated with work to date on SoE reporting has come from within the Department of Natural Resources and Environment's budget and has related to staffing to progress this issue.
- (8) A number of workshops were held with key stakeholders on the establishment of a Commissioner prior to the release of the Consultation Paper in December 2000. SoE reporting was discussed in the course of those workshops. Since that time there have been a number of internal Government agency workshops to further consider possible SoE reporting options.
- (9) No reports have been prepared on the proposal to reintroduce SoE reporting, however a paper is being prepared. It is proposed that the paper will not be finalised until such time as a Commissioner is established and has had an opportunity to provide input.

**Multicultural affairs: staff numbers**

**824. MR KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs —

- (1) How many full time equivalent staff, part-time staff and casual staff are employed in the Victorian Office of Multicultural Affairs, as at 18 April 2002.
- (2) How many full time equivalent staff, part-time staff and casual staff are employed in the Victorian Multicultural Commission, as at 18 April 2002.

**ANSWER:**

I am informed that:

As at 18 April 2002:

- (a) the Victorian Office of Multicultural Affairs had a total of 17 staff of which eleven are permanent and six are temporary staff.
- (b) the Victorian Multicultural Commission had a total of five full-time staff and no temporary staff.

**Police and emergency services: road injuries in various speed zones**

**825(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how many road injuries have been recorded since 22 January 2001 on roads with each of the following speed limits — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

**ANSWER:**

I am advised that/as follows:

This matter falls within the Portfolio responsibilities of the Minister for Transport. I note that you have also addressed this question to him, and I would refer you to his response.

**Transport: road injuries in various speed zones**

**825(c). MR LEIGH** — To ask the Honourable the Minister for Transport — how many road injuries have been recorded since 22 January 2001 on roads with each of the following speed limits — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

**ANSWER:**

The total number of road injuries since 22 January 2001, as recorded in Vicroads' Road Crash Information System as at 24 April 2002, on roads with each of the following speed limits – 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h is as follows:

Speed zone	Number of injuries
50 km/h	3006
60 km/h	11034
70 km/h	2154
80 km/h	3265
100 km/h	4737
110 km/h	292

This includes persons fatally injured, seriously injured or receiving other injuries

**Attorney-General: revenue raised by speeding fines in various speed limit zones**

**826(a). MR LEIGH** — To ask the Honourable the Attorney-General — how much revenue has been raised in fines for speeding since 22 January 2001 —

- (1) Above the 50 km/h limit by each of the speed amounts 50–51km/h, 52–54km/h, 55–59km/h, 60–64km/h, 65–69km/h, 70–79km/h and over 80 km/h.



- (2) Above the 60 km/h limit by each of the speed amounts 60–61km/h, 62–64km/h, 65–69km/h, 70–74km/h, 75–79km/h, 80–89km/h and over 90 km/h.
- (3) Above the 70 km/h limit by each of the speed amounts 70–71km/h, 72–74km/h, 75–79km/h, 80–84km/h, 85–89km/h, 90–99km/h and over 100 km/h.
- (4) Above the 80 km/h limit by each of the speed amounts 80–81km/h, 82–84km/h, 85–89km/h, 90–94km/h, 95–99km/h, 100–109km/h and over 110 km/h.
- (5) Above the 100 km/h limit by each of the speed amounts 100–101km/h, 102–104km/h, 105–109km/h, 110–114km/h, 115–119km/h, 120–129km/h and over 130 km/h.
- (6) Above the 110 km/h limit by each of the speed amounts 110–111km/h, 112–114km/h, 115–119km/h, 120–124km/h, 125–129km/h, 130–139km/h and over 140 km/h.

**ANSWER:**

I am advised that the information requested by the Honourable Member cannot be provided as figures are not available that disaggregate cash collections for all speeding infringements from other traffic infringements.

**Police and emergency services: revenue raised by speeding fines in various speed limit zones**

**826(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how much revenue has been raised in fines for speeding since 22 January 2001 —

- (1) Above the 50 km/h limit by each of the speed amounts 50–51km/h, 52–54km/h, 55–59km/h, 60–64km/h, 65–69km/h, 70–79km/h and over 80 km/h.
- (2) Above the 60 km/h limit by each of the speed amounts 60–61km/h, 62–64km/h, 65–69km/h, 70–74km/h, 75–79km/h, 80–89km/h and over 90 km/h.
- (3) Above the 70 km/h limit by each of the speed amounts 70–71km/h, 72–74km/h, 75–79km/h, 80–84km/h, 85–89km/h, 90–99km/h and over 100 km/h.
- (4) Above the 80 km/h limit by each of the speed amounts 80–81km/h, 82–84km/h, 85–89km/h, 90–94km/h, 95–99km/h, 100–109km/h and over 110 km/h.
- (5) Above the 100 km/h limit by each of the speed amounts 100–101km/h, 102–104km/h, 105–109km/h, 110–114km/h, 115–119km/h, 120–129km/h and over 130 km/h.
- (6) Above the 110 km/h limit by each of the speed amounts 110–111km/h, 112–114km/h, 115–119km/h, 120–124km/h, 125–129km/h, 130–139km/h and over 140 km/h.

**ANSWER:**

I am advised that/as follows:

The collection of financial penalties is a matter that belongs within the Portfolio responsibilities of the Attorney-General. I note that you have also addressed this question to the Attorney-General, and I would refer you to his response.

**Police and emergency services: road deaths in various speed limit zones**

**827(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — how many road deaths have been recorded since 22 January 2001 on roads with each of the following speed limit zones — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

**ANSWER:**

I am advised that:

This matter falls within the Portfolio responsibilities of the Minister for Transport. I note that you have also addressed this question to him, and I would refer you to his response.

**Transport: road deaths in various speed limit zones**

**827(c). MR LEIGH** — To ask the Honourable the Minister for Transport — how many road deaths have been recorded since 22 January 2001 on roads with each of the following speed limit zones — 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h.

**ANSWER:**

The total number of road deaths since 22 January 2001, as recorded in Vicroads Road Crash Information System as at 24 April 2002, on roads with each of the following speed limits – 50 km/h, 60 km/h, 70 km/h, 80 km/h, 100 km/h and 110 km/h is as follows:

Speed zone	Number of deaths
50 km/h	22
60 km/h	119
70 km/h	47
80 km/h	62
100 km/h	200
110 km/h	14

**Police and emergency services: speeding during Easter 2002**

**828(a). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services — with reference to speeding offences over the Easter 2002 holidays booked at the San Remo bridge near Phillip Island and on Warrigal Road in the Oakleigh South area —

- (1) How many motorists were booked for speeding by speed cameras at each location.
- (2) How much revenue was raised at each location.
- (3) What were the speeds at which motorists were booked.

**ANSWER:**

I am advised as follows:

No speed cameras operated at the San Remo bridge near Phillip Island or on Warrigal Road in the Oakleigh South area during the Easter 2002 holidays (29 March to 1 April 2002 inclusive).

**Attorney-General: fake driver licences**

**830(a). MR LEIGH** — To ask the Honourable the Attorney-General —

- (1) How many incidents of fake driver licences have been discovered annually since 1990.
- (2) What have been the penalties enforced annually since 1990.

**ANSWER:**

I note that this question has also been directed to the Minister for Transport and I refer the Honourable Member to his reply.

**Police and emergency services: fake driver licences**

**830(b). MR LEIGH** — To ask the Honourable the Minister for Police and Emergency Services —

- (1) How many incidents of fake driver licences have been discovered annually since 1990.
- (2) What have been the penalties enforced annually since 1990.

**ANSWER:**

I note that this question has also been directed to my colleague the Minister for Transport. I refer you to his response.

**Local government: purchase of paintings**

**836(a). MR LEIGH** — To ask the Honourable the Minister for Local Government — how many paintings has the Department of Infrastructure purchased since October 1999 and what has been the cost of these on a monthly basis.

**ANSWER:**

This information has previously been provided to an Opposition Member of Parliament on 2 May 2002 under Freedom of Information.

**Planning: purchase of paintings**

**836(b). MR LEIGH** — To ask the Honourable the Minister for Planning — how many paintings has the Department of Infrastructure purchased since October 1999 and what has been the cost of these on a monthly basis.

**ANSWER:**

This information has previously been provided to an Opposition Member of Parliament on 2 May 2002 under Freedom of Information.

**Transport: Spencer Street station**

**837. MR LEIGH** — To ask the Honourable the Minister for Transport — what was the cost of the large ‘Southern Cross Station’ banner that is posted on the facade of the station.

**ANSWER:**

The cost of printing and installing the banner was \$20,165.

**Transport: Spencer Street station**

**838. MR LEIGH** — To ask the Honourable the Minister for Transport — what was the original cost estimate of the subway upgrade and who were awarded the contracts for the projects.

**ANSWER:**

The original cost estimate of the subway upgrade was \$737,938.85 (including GST). Allmore Construction was awarded the contract.

**State and regional development: natural gas connections**

**845. MR SPRY** — To ask the Honourable the Minister for State and Regional Development — what is the timetable for the following areas of North Bellarine to be connected to natural gas —

- (1) The lower bluff areas of St Leonards, including houses on the southern end of Bluff Road.
- (2) Sproat Street North, Turner Court and Franzel Avenue, Portarlington.
- (3) Point Richards areas of Portarlington, including Ramblers Road and Point Richards North.
- (4) North end of Grassy Point Road, Indented Head.
- (5) Church Road, Indented Head.

**ANSWER:**

I am informed as follows:

The Honourable Member's question falls outside my portfolio responsibilities. The Honourable Member should direct his question to the Honourable the Minister for Energy and Resources.

**Local government: money raised by councils**

**847. MS BURKE** — To ask the Honourable the Minister for Local Government — what is the total amount of money raised by each municipal council for each of 1999–2000, 2000–2001 and 2001–2002 to date through —

- (1) Rates.
- (2) Fees and charges.
- (3) Government grants and parking fines.

**ANSWER:**

Attached please find information, collated from returns provided by Councils to the Victoria Grants Commission, for financial years 1999–2000 and 2000–2001. Figures for the financial year 2001–2002 have not yet been received.

In regard to these figures it should be noted that increases in rate revenue do not necessarily equate to rate rises.

I am advised that the Division of Local Government in the Department of Infrastructure is unable to provide reliable figures on parking fines from the information it receives from councils.

I am further advised that the questions regarding fees and charges; and government grants are so wide in their present form that the time and resources required to provide you with detailed responses would unreasonably divert the resources of the Department. Should you wish to ask more specific questions on these matters, I will endeavour to provide you with a response.

VICTORIA GRANTS COMMISSION

QUESTION 847

Municipality	Rate Revenue	
	1999/2000 Financial Year (\$)	2000/2001 Financial Year (\$)
ALPINE(S)	5,426,000	6,048,000
ARARAT(RC)	4,767,000	5,226,000
BALLARAT(C)	27,290,500	29,797,400
BANYULE(C)	29,831,000	31,476,000
BASS COAST(S)	10,789,000	11,917,000
BAW BAW(S)	12,605,000	13,502,000
BAYSIDE(C)	26,592,000	28,843,000
BOROONDARA(C)	50,544,000	55,182,000
BRIMBANK(C)	38,876,000	43,363,000
BULOKE(S)	4,243,000	4,474,000
CAMPASPE(S)	11,962,000	13,660,000
CARDINIA(S)	12,437,000	13,406,000
CASEY(C)	37,069,000	42,205,000
CENTRAL GOLDFIELDS(S)	3,751,000	4,117,000
COLAC-OTWAY(S)	8,892,000	9,763,000
CORANGAMITE(S)	7,506,000	7,864,000
DAREBIN(C)	39,113,478	41,552,000
DELATITE(S)	7,342,000	8,512,000
EAST GIPPSLAND(S)	15,637,000	17,244,000
FRANKSTON(C)	26,871,000	29,335,000
GANNAWARRA(S)	3,936,000	4,101,000
GLEN EIRA(C)	32,136,000	34,146,851
GLENELG(S)	8,906,454	9,419,528
GOLDEN PLAINS(S)	3,388,000	3,704,000
GREATER BENDIGO(C)	29,040,000	30,802,000
GREATER DANDENONG(C)	33,591,000	36,877,000
GREATER GEELONG(C)	58,012,000	63,281,000
GREATER SHEPPARTON(C)	20,043,000	22,161,000
HEPBURN(S)	4,336,000	4,755,000
HINDMARSH(S)	2,644,000	2,866,000
HOBSONS BAY(C)	29,899,000	31,994,000
HORSHAM(RC)	6,273,000	6,899,998
HUME(C)	33,049,000	37,257,000
INDIGO(S)	4,222,432	4,647,000
KINGSTON(C)	34,560,000	37,633,000
KNOX(C)	30,762,000	33,620,000
LATROBE(C)	26,066,000	28,149,000
LODDON(S)	4,123,000	4,238,710
MACEDON RANGES(S)	12,468,000	13,265,000
MANNINGHAM(C)	32,428,000	35,151,000

Municipality	Rate Revenue	
	1999/2000	2000/2001
	Financial Year (\$)	Financial Year (\$)
MARIBYRNONG(C)	28,131,000	30,375,000
MAROONDAH(C)	24,254,000	26,030,000
MELBOURNE(C)	94,776,000	98,586,000
MELTON(S)	15,760,000	17,902,000
MILDURA(RC)	16,802,000	18,262,000
MITCHELL(S)	7,995,000	8,475,365
MOIRA(S)	9,605,000	10,311,000
MONASH(C)	37,567,000	39,542,000
MOONEE VALLEY(C)	33,139,000	35,161,000
MOORABOOL(S)	7,915,000	8,515,000
MORELAND(C)	37,591,000	39,395,000
MORNINGTON PENINSULA(S)	43,147,000	46,374,000
MOUNT ALEXANDER(S)	5,272,000	5,702,000
MOYNE(S)	6,583,000	7,079,000
MURRINDINDI(S)	5,463,000	5,861,000
NILLUMBIK(S)	18,298,000	19,533,000
NORTHERN GRAMPIANS(S)	4,874,000	5,458,000
PORT PHILLIP(C)	39,902,000	44,356,000
PYRENEES(S)	2,885,000	3,078,000
QUEENSCLIFFE(B)	2,126,000	2,235,000
SOUTH GIPPSLAND(S)	10,680,000	11,540,000
SOUTHERN GRAMPIANS(S)	7,113,000	7,265,000
STONNINGTON(C)	34,900,000	37,013,000
STRATHBOGIE(S)	3,995,000	4,493,000
SURF COAST(S)	9,204,000	10,665,000
SWAN HILL(RC)	8,170,000	8,607,000
TOWONG(S)	2,572,000	2,890,000
WANGARATTA(RC)	8,763,000	9,511,000
WARRNAMBOOL(C)	9,088,000	9,901,000
WELLINGTON(S)	18,732,000	18,933,000
WEST WIMMERA(S)	2,411,000	2,614,000
WHITEHORSE(C)	32,496,000	34,319,000
WHITTLESEA(C)	30,696,000	34,229,000
WODONGA(RC)	10,622,000	11,847,000
WYNDHAM(C)	31,622,000	34,308,000
YARRA (C)	38,046,000	39,530,000
YARRA RANGES(S)	43,309,000	45,832,000
YARRIAMBIA(S)	3,886,000	4,232,000
<b>Totals</b>	<b>1,539,816,864</b>	<b>1,662,413,852</b>

\* Data for 2001/2002 Financial Year is currently unavailable

\* Rate revenue includes separate waste management charges

\* Source of data is the Victoria Grants Commission annual return to councils

**Local government: Workcover costs**

**848(a). MS BURKE** — To ask the Honourable the Minister for Local Government — what is the total cost of Workcover with respect to each Victorian municipality for each of 1999–2000, 2000–2001 and 2001–2002 to date.

**ANSWER:**

I am advised that this information is not held by the Local Government Division of the Department of Infrastructure.

**Workcover: Workcover costs**

**848(b). MS BURKE** — To ask the Honourable the Minister for Workcover — what is the total cost of Workcover with respect to each Victorian municipality for each of 1999–2000, 2000–2001 and 2001–2002 to date.

**ANSWER:**

I am informed that:

This question does not fall within my Portfolio responsibilities.

**Local government: funding for non-government organisations**

**849. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister's administration for each of 1999–2000, 2000–2001 and 2001–2002 to date — what funding was made to non-government organisations, indicating —

- (1) The name of the organisation.
- (2) The amount and purpose of the funding.
- (3) Whether the organisation concerned made any contribution to particular projects; if so, what was the project and the amount contributed.

**ANSWER:**

I am advised that the time and resources required to provide you with a detailed response to this 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.

**Local government: representatives on statutory authority boards**

**850. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each statutory authority within the Minister's administration — whether provision has been made for elected representatives or trade union-nominated representatives on their boards, indicating —

- (1) What is the basis of their representation and when was it established.
- (2) Who are the current trade union representatives and who held the positions previously.
- (3) What fees or remuneration are paid to the representatives.

**ANSWER:**

The only Statutory Authority within the administration of the Minister for Local Government is the Victoria Grants Commission. Membership of this Commission has not changed since December 1997. There are no elected representatives or trade union nominated representatives on the Victoria Grants Commission.

**Local government: publications produced**

**852. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister's administration — what publications are produced, indicating —

- (1) How many copies are produced.
- (2) What the unit cost is, including production and distribution of the publication.
- (3) What income, if any, is derived from the publication.
- (4) What is the purpose of the publication.
- (5) Whether the publication was solely printed in Victoria; if not, why.

**ANSWER:**

I am advised that the time and resources required to provide you with a detailed 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.

**Local government: staff employed in local government**

**853. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister's administration — what was the number and total salary bill for staff employed for each of 1999–2000, 2000–2001 and 2001–2002 to date.

**ANSWER:**

I am advised that the staff numbers and salaries of the Local Government Division (cost code 155) of the Department of Infrastructure are as listed below

Staff Numbers

30 June 2000	24
30 June 2001	30
30 June 2002	Figures have not yet been audited.

Salary

1999–2000	\$1,851,237
2000–2001	\$1,925,496
2001–2002	Figures have not yet been audited.

**Local government: permit applications**

**854. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each municipal council —



- (1) How many permit applications were approved in each of 1999–2000, 2000–2001 and 2001–2002 to date.
- (2) Of those approved, how many were appealed to the Victorian Civil and Administrative Tribunal (VCAT) resulting in the Council’s decision being overturned.
- (3) How many permit applications were refused in 1999–2000, 2000–2001 and 2001–2002 to date.
- (4) Of those refused, how many applications were appealed to VCAT resulting in the Council’s decision being overturned.

**ANSWER:**

I am advised that my Department does not collect data in the categories requested.

**Local government: consultants in local government**

**855. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what are the names of each consultant employed since September 1999, indicating —

- (1) The purpose for which they were employed.
- (2) What instructions and/or working plans they were given.
- (3) The cost of their services.
- (4) The duration of their contract.
- (5) Any additional payments made in excess of the contract price.

**ANSWER:**

I am advised that the Department of Infrastructure lists consultancies each year in its Annual Report. In the Annual Report for year 1999–2000 the information is located in Appendixes–Consultants on page 123, and for 2000–2001 Appendixes–Consultants on page 173.

I am further advised that the time and resources required to provide you with a detailed 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.

**Local government: training and self-development programs**

**857. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what is the cost and nature of all training and self-development programs in which officers have participated since September 1999, indicating in each case —

- (1) Particulars of the training or self-development program.
- (2) The provider.
- (3) The cost.
- (4) The participants.
- (5) The venue.

**ANSWER:**

The cost and nature of all training and self-development programs in which officers have participated since September 1999 are attached. Names of individuals are not provided as this is considered to be an unreasonable disclosure of personal affairs.

<b>Department of Infrastructure (on Corporate Training &amp; Development programs) 1 September 1999–15 May 2002</b>	
Total number of programs :	536
Total number of participants :	3468
Total cost :	<b>\$958,904.35</b>
45% of all corporate training & development programs were conducted at DOI's training facilities in Nauru House, Level 13 – 80 Collins Street, Melbourne.	

<b>Department of Infrastructure Attendances (on Corporate Training &amp; Development programs) 1 September 1999–15 May 2002</b>				
PROGRAM	PROVIDER	Cost \$	No. of Participants	VENUE

**Business Consultancies**

Business Planning Workshop	All-iN Productions Pty Ltd	1,810.00	10	Hepburn Springs
Business Planning Workshop	Nita Cherry Pty Ltd	1,700.00	10	DOI – SW Regional Office
Business Planning Workshop	The Nous Group	5,618.18	24	DOI – Nauru House
Business Planning Workshop	Julian Lippi Pty Ltd	5,475.00	64	DOI – Nauru House
CDSE/Lotus Notes	Wizard Computer Training	3,998.00	30	Transport House, 589 Collins St
DOI Mentoring Program	RMIT University	8,000.00	10	DOI – Nauru House
MBTI Facilitation Session	The Nous Group	2,293.50	10	DOI – Nauru House
Ministerial Correspondence	All-iN Productions Pty Ltd	4,000.00	36	DOI – Nauru House
Performance Management	Julian Lippi Pty Ltd	5,700.00	37	NW Metropolitan Region
Team Building Workshop	Julian Lippi Pty Ltd	4,800.00	23	DOI – Nauru House
Teamroom Training	Drake	2,297.00	37	DOI – Nauru House
Telephone Techniques/Customer Service	All-iN Productions Pty Ltd	3,270.00	35	VTTD, Blackwood St Nth Melb
Time Management	All-iN Productions Pty Ltd	1,656.00	10	DOI – Eastern Regional Office
Word Customised	Wizard Computer Training	3,827.27	31	DOI – Nauru House
<b>Subtotal :</b>		<b>\$54,444.95</b>	<b>367</b>	

**Management / Leadership Development**

Advanced Negotiation Skills	Australian Institute of Management	5,796.00	7	181 Fitzroy St, St Kilda
Advanced Influencing & Negotiation Skills	Mt Eliza Business School	1,414.00	1	Kunyang Road, Mt Eliza
Advanced Refresher Presentation Skills	First Impressions Marketing	1,700.00	6	DOI–Nauru House
Coaching	Coyne Didsbury	2,560.00	3	DOI–Nauru House
Coaching	Julian Lippi	4,312.50	5	DOI–Nauru House
Coaching	The Nous Group	3,057.25	2	DOI–Nauru House
Contract Management	APESMA	15,355.00	17	Lvl 4 – 163 Eastern Rd, Melb
Cranlana Program	Office of Public Employment (OPE)	1,950.00	1	Macarthur St, Melbourne
Creating Valuable Outcomes in the Public Sector	Melbourne Business School	15,329.72	20	200 Leicester St, Carlton
Deliberate Creative Thinking	Mindwerx International	2,309.09	12	230 Rae St, North Fitzroy

QUESTIONS ON NOTICE

Tuesday, 8 October 2002

ASSEMBLY

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<b>Department of Infrastructure Attendances</b>				
<b>(on Corporate Training &amp; Development programs)</b>				
<b>1 September 1999–15 May 2002</b>				
<b>PROGRAM</b>	<b>PROVIDER</b>	<b>Cost \$</b>	<b>No. of Participants</b>	<b>VENUE</b>
Focusing on Clients in the Public Sector	Melbourne Business School	1,180.00	3	200 Leicester St, Carlton
Gain The Edge	IPAA & The Nous Group	71,520.00	27	VUT, Flinders & Elizabeth St
Graduate Certificate in Business Administration	Mt Eliza Business School	97,424.46	16	Kunyang Road, Mt Eliza
Graduate Certificate in Public Policy & Management	Monash University	6,148.90	2	Monash Uni, 30 Collins St, Melb
Infrastructure Market Economy	National University of Singapore	10,400.00	2	Singapore University
Innovation & Creative Problem Solving	Australian Institute of Management	660.00	1	181 Fitzroy St, St Kilda
Lateral Thinking	Mindwerx International	6,006.00	7	230 Rae St, North Fitzroy
Leading Edge Management	Australian Institute of Management	7,500.00	3	181 Fitzroy St, St Kilda
Management Development Program	Australian Institute of Management	11,800.00	2	181 Fitzroy St, St Kilda
Managing Knowledge for Competitive Advantage	Australian Institute of Management	2,388.00	4	181 Fitzroy St, St Kilda
Managing Projects The New Management Approach	Mt Eliza Business School	10,620.00	4	Kunyang Road, Mt Eliza
Masterful Facilitation	Gadria	8,345.00	10	Toorak Road, Melbourne
Masters of Business Administration	APESMA	1,840.00	1	Distance Learning
Mediation	Mark McPherson Mediation	1,600.00	12	DOI–Nauru House
Negotiation & Influencing Skills for Managers	Mt Eliza Business School	34,440.00	12	Kunyang Road, Mt Eliza
Performance Management	Julian Lippi Pty Ltd	7,890.00	39	DOI–Nauru House
Presentation Skills	First Impressions Marketing	5,800.00	13	DOI–Nauru House
Principles of Management	Australian Institute of Management	6,040.20	6	181 Fitzroy St, St Kilda
Project Management	APESMA	13,776.50	16	Lvl 4 – 163 Eastern Rd, Melb
Risk Management	APESMA	3,805.00	4	Lvl 4 – 163 Eastern Rd, Melb
Statistics & Analysis	Australian Bureau of Statistics	905.00	1	Lvl 7 – 485 Latrobe St, Melbourne
Strategic Partnering – New Insights in public sector Contracting	Melbourne Business School	2,400.00	4	200 Leicester St, Carlton
Strategic Women in Leadership	RMIT University	2,250.00	10	DOI–Nauru House
Think on Your Feet	Australian Institute of Management	3,260.00	4	181 Fitzroy St, St Kilda
Young Manager’s Program	Australian Institute of Management	19,219.20	16	181 Fitzroy St, St Kilda
<b>Subtotal :</b>		<b>\$391,001.82</b>	<b>293</b>	

**Staff Development**

A Professional Approach	RMIT University	5,900.00	21	DOI–Nauru House
Cdata 96 Program	Australian Bureau of Statistics	1,500.00	4	Lvl 7, 485 Latrobe St, Melbourne
Certificate in Business Development	RMIT University	15,750.00	7	RMIT, Bourke St, Melbourne
Certificate in Document & Knowledge Management	RMIT University	15,750.00	9	RMIT, Bourke St, Melbourne
Certificate in Leadership	RMIT University	17,500.00	15	RMIT, Bourke St, Melbourne
Certificate in Project Consulting	RMIT University	15,750.00	11	RMIT, Bourke St, Melbourne
Coaching	Coyne Didsbury	2,090.00	3	DOI–Nauru House
Coaching	Julian Lippi Pty Ltd	4,642.50	6	DOI–Nauru House
Coaching	Nita Cherry	900.00	3	DOI–Nauru House
Coaching	The Nous Group	3,057.25	2	DOI–Nauru House
Communication Skills	RMIT University	3,200.00	14	DOI–Nauru House
Desktop Publishing	Council of Adult Education	320.00	2	Flinders St, Melbourne
Diploma of Government (Project Management)	RMIT University	20,400.00	16	RMIT, Bourke St, Melbourne
DOI Report Writing	All-iN Productions Pty Ltd	8,097.91	49	DOI–Nauru House
Facilitation Skills	Gadria	8,040.00	10	DOI–Nauru House

QUESTIONS ON NOTICE

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ASSEMBLY

Tuesday, 8 October 2002

<b>Department of Infrastructure Attendances</b>				
<b>(on Corporate Training &amp; Development programs)</b>				
<b>1 September 1999–15 May 2002</b>				
<b>PROGRAM</b>	<b>PROVIDER</b>	<b>Cost \$</b>	<b>No. of Participants</b>	<b>VENUE</b>
Going Further Workshop	Going Further	2,500.00	4	Hotel Sofitel, Melbourne
Introduction to Project Management	RMIT University	2,250.00	13	DOI–Nauru House
Leading and Managing People	Australian Institute of Management	4,995.00	3	181 Fitzroy St, St Kilda
Management Skills for Executive Assistants	Australian Institute of Management	682.60	1	181 Fitzroy St, St Kilda
Managing Stakeholder/Mediation	Mark McPherson Mediation	6,000.00	41	DOI–Nauru House
Mind Mapping	Mindwerx International	5,130.00	19	230 Rae St, North Fitzroy
Ministerial Correspondence / Services to Ministers	All-iN Productions Pty Ltd	5,404.00	40	DOI–Nauru House
Negotiation Skills	RMIT University	3,400.00	20	DOI–Nauru House
Performance Management	Julian Lippi Pty Ltd	2,900.00	15	DOI–Nauru House
Presentation Skills	First Impressions Marketing	17,400.00	50	DOI–Nauru House
Procurement Program – Intro to Procurement & Contracting	PACCER	641.00	1	Dept of Treasury & Finance
Procurement Program – Service Contract Management	PACCER	1,304.64	2	Dept of Treasury & Finance
Procurement Program – Specification Writing & Tender Prep	PACCER	6,123.64	9	Dept of Treasury & Finance
Professional Receptionist Skills	RMIT University	325.00	1	RMIT, Bourke St, Melbourne
Project Management	Australian Institute of Management	6,369.94	10	181 Fitzroy St, St Kilda
Six Thinking Hats	Mindwerx International	4,600.00	11	230 Rae St, North Fitzroy
Statistics & Analysis	Australian Bureau of Statistics	8,567.19	18	Lvl 7, 485 Latrobe St, Melbourne
Turning Data into Information	Australian Bureau of Statistics	1,472.73	3	Lvl 7, 485 Latrobe St, Melbourne
Working in Teams	Julian Lippi Pty Ltd	1,800.00	15	DOI–Nauru House
Writing Skills DOI Style	All-iN Productions Pty Ltd	8,202.91	69	DOI–Nauru House
<b>Subtotal :</b>		<b>\$212,966.31</b>	<b>517</b>	

**Information Technology Skills**

Access Advanced	Drake & Wizard Computer Training	7,367.19	13	Collins St & Flinders St, Melb
Access Essentials	Drake & Wizard Computer Training	14,261.80	42	Collins St & Flinders St, Melb
Access Intermediate	Wizard Computer Training	1,935.00	4	474–482 Flinders St, Melbourne
Advanced Powerpoint	Wizard Computer Training	1,345.00	5	474–482 Flinders St, Melbourne
CDSE/ Lotus Notes	Drake & Wizard Computer Training	36,414.08	425	DOI–Nauru House
Publishing to Infraweb	Drake & Entercorp Solutions	27,850.00	231	DOI–Nauru House
Excel Advanced	Drake & Wizard Computer Training	8,935.99	31	Collins St & Flinders St, Melb
Excel Essentials	Drake & Wizard Computer Training	10,560.65	45	Collins St & Flinders St, Melb
Excel Intermediate	Drake & Wizard Computer Training	12,662.70	54	Collins St & Flinders St, Melb
Info@DOI	Wizard Computer Training	3,302.73	30	DOI–Nauru House
Introduction to InfoSearch	Wizard Computer Training	6,366.37	91	DOI–Nauru House
Knowledge Management	Drake & Wizard Computer Training	22,640.18	220	DOI–Nauru House
Lotus Notes Power Users	Wizard Computer Training	1,004.00	16	DOI–Nauru House
Lotus Notes R5 Rollout	Wizard Computer Training	54,305.25	473	DOI–Nauru House
L-View Pro	Wizard Computer Training	3,530.44	46	DOI–Nauru House
MiBS – Action Officer	Wizard Computer Training	2,031.82	33	DOI–Nauru House
Powerpoint Advanced	Wizard Computer Training	1,271.82	6	474–482 Flinders St, Melbourne
Powerpoint Essentials	Drake & Wizard Computer Training	14,439.15	58	Collins St & Flinders St, Melb
Powerpoint Intermediate	Wizard Computer Training	1,370.41	7	474–482 Flinders St, Melbourne
Project 98 Essentials	Drake & Wizard Computer Training	12,372.36	34	Collins St & Flinders St, Melb
QuickPlace	Wizard Computer Training	4,272.72	40	DOI–Nauru House
Sametime	Wizard Computer Training	17,087.46	146	DOI–Nauru House

<b>Department of Infrastructure Attendances</b>				
<b>(on Corporate Training &amp; Development programs)</b>				
<b>1 September 1999–15 May 2002</b>				
<b>PROGRAM</b>	<b>PROVIDER</b>	<b>Cost \$</b>	<b>No. of Participants</b>	<b>VENUE</b>
Teamroom Training Facilitator & Project Team	Drake & Wizard Computer Training	11,726.18	136	DOI–Nauru House
VISIO	Drake & Wizard Computer Training	1,866.00	14	DOI–Nauru House
Word Advanced	Drake & Wizard Computer Training	5,230.46	19	Collins St & Flinders St, Melb
Word Essentials	Drake & Wizard Computer Training	8,360.09	31	Collins St & Flinders St, Melb
Word Intermediate	Drake & Wizard Computer Training	7,981.42	41	Collins St & Flinders St, Melb
<b>Subtotal :</b>		<b>\$300,491.27</b>	<b>2291</b>	
<b>Total :</b>		<b>\$958,904.35</b>	<b>3468</b>	

**Local government: overseas trips**

**858. MS BURKE** — To ask the Honourable the Minister for Local Government —

- (1) What overseas trips has the Minister made since September 1999 to date.
- (2) In relation to each trip — what was the purpose, what countries were visited, what was the time away from Victoria and what was the total cost, including allowances.
- (3) Was the Minister’s spouse included in any trip.
- (4) What staff was taken on each trip and what was the total cost of their travel, including expenses.

**ANSWER:**

In my capacity as Minister for Local Government, the answer is Nil.

**Local government: mayoral and councillor expenses**

**859. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each municipal authority for each of 1999–2000, 2000–2001 and 2001–2002 to date —

- (1) What is the total cost of mayoral and councillor salaries.
- (2) What is the total cost of mayoral and councillor expenses reimbursement.

**ANSWER:**

I am advised that, other than what is shown in Councils’ Annual Reports, the information requested is not collated by the Local Government Division of the Department of Infrastructure.

**Local government: municipal council assets**

**860. MS BURKE** — To ask the Honourable the Minister for Local Government — what is the total monetary value of assets which have been sold by each municipal council since September 1999.

**ANSWER:**

Attached please find information requested to the end of financial year 2000–2001. Returns for 2001–2002 have not as yet been received.

The information has been provided from returns made by Councils to the Victoria Grants Commission.

**VICTORIA GRANTS COMMISSION**

**QUESTION 860**

Municipality	Capital Asset Sales	
	1999/2000 (\$)	2000/2001 (\$)
ALPINE(S)	956,000	798,000
ARARAT(RC)	430,000	391,000
BALLARAT(C)	1,164,100	3,331,400
BANYULE(C)	3,973,000	1,162,000
BASS COAST(S)	648,000	329,000
BAW BAW(S)	1,393,000	459,000
BAYSIDE(C)	61,000	6,000
BOROONDARA(C)	2,802,000	2,376,000
BRIMBANK(C)	2,148,000	618,000
BULOKE(S)	953,000	858,000
CAMPASPE(S)	1,306,000	1,044,000
CARDINIA(S)	6,530,000	2,174,000
CASEY(C)	2,475,000	0
CENTRAL GOLDFIELDS(S)	770,000	837,000
COLAC-OTWAY(S)	1,233,000	932,500
CORANGAMITE(S)	1,420,000	1,078,000
DAREBIN(C)	2,032,334	933,996
DELATITE(S)	513,000	480,236
EAST GIPPSLAND(S)	286,000	44,000
FRANKSTON(C)	1,695,000	969,000
GANNAWARRA(S)	514,000	404,000
GLEN EIRA(C)	1,252,000	10,072,000
GLENELG(S)	130,959	867,521
GOLDEN PLAINS(S)	528,000	534,110
GREATER BENDIGO(C)	1,458,000	693,000
GREATER DANDENONG(C)	987,000	1,085,000
GREATER GEELONG(C)	4,032,000	4,305,000
GREATER SHEPPARTON(C)	330,000	0
HEPBURN(S)	786,000	429,000
HINDMARSH(S)	616,000	488,897
HOBSONS BAY(C)	302,000	1,197,000
HORSHAM(RC)	1,618,000	328,000
HUME(C)	2,908,000	1,524,000
INDIGO(S)	0	148,000
KINGSTON(C)	1,215,000	1,263,000
KNOX(C)	0	1,037,000

QUESTIONS ON NOTICE

Tuesday, 8 October 2002

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Municipality	Capital Asset Sales	
	1999/2000 (\$)	2000/2001 (\$)
LATROBE(C)	1,955,000	1,367,000
LODDON(S)	582,000	521,847
MACEDON RANGES(S)	442,000	302,800
MANNINGHAM(C)	1,509,000	5,579,000
MARIBYRNONG(C)	3,118,000	1,711,000
MAROONDAH(C)	1,446,000	1,412,000
MELBOURNE(C)	6,281,000	52,420,000
MELTON(S)	1,064,000	1,669,000
MILDURA(RC)	857,000	691,000
MITCHELL(S)	340,445	217,000
MOIRA(S)	453,000	66,000
MONASH(C)	8,560,000	6,084,000
MOONEE VALLEY(C)	2,535,000	845,000
MOORABOOL(S)	1,277,000	1,569,000
MORELAND(C)	1,947,000	2,357,000
MORNINGTON PENINSULA(S)	2,453,000	1,005,000
MOUNT ALEXANDER(S)	480,000	395,000
MOYNE(S)	796,000	791,000
MURRINDINDI(S)	726,000	553,000
NILLUMBIK(S)	766,000	823,000
NORTHERN GRAMPIANS(S)	2,269,000	395,000
PORT PHILLIP(C)	9,155,000	150,000
PYRENEES(S)	608,000	458,000
QUEENSCLIFFE(B)	30,000	0
SOUTH GIPPSLAND(S)	3,220,000	592,000
SOUTHERN GRAMPIANS(S)	46,000	484,000
STONNINGTON(C)	776,000	2,121,000
STRATHBOGIE(S)	36,000	40,000
SURF COAST(S)	534,000	455,000
SWAN HILL(RC)	1,316,000	627,000
TOWONG(S)	319,000	468,000
WANGARATTA(RC)	314,000	357,000
WARRNAMBOOL(C)	2,142,000	1,840,000
WELLINGTON(S)	876,000	411,000
WEST WIMMERA(S)	664,000	369,000
WHITEHORSE(C)	1,554,000	686,000
WHITTLESEA(C)	2,665,000	630,605
WODONGA(RC)	0	0
WYNDHAM(C)	476,000	5,779,000
YARRA (C)	341,840	919,000
YARRA RANGES(S)	605,000	694,000
YARRIAMBIAK(S)	425,000	65,000
<b>Totals</b>	<b>115,424,678</b>	<b>141,115,912</b>

\* Source of data is the Victoria Grants Commission annual return to councils

**Local government: benchmarks**

**861. MS BURKE** — To ask the Honourable the Minister for Local Government with reference to each department, agency and authority within the Minister’s administration — what indicators and/or benchmarks have been used to measure performance and to analyse the merits of particular State Government proposals and policy initiatives since September 1999.

**ANSWER:**

The performance of the Local Government Division of the Department of Infrastructure (DOI) is publicly reported on an annual basis in the DOI Annual Report and in Budget Paper 3 document. The Department’s series of ‘Supporting Local Government’ outputs ensure that there is an effective and accountable system of local government, which is based on good governance, quality services, effective infrastructure, management and community accountability. These outputs and their associated measures and targets are reviewed on an annual basis as part of the ERC process.

The outputs make a significant contribution to the following Departmental overarching outcomes: Local Governance, Liveable Communities, and Infrastructure Delivery and Management. A range of indicators against these outcomes are published in the DOI Corporate Plan (recently revised edition: 2002–2005).

The Local Government Division also participates in DOI’s project development, delivery and evaluation processes, as well as the annual business planning cycle, which are designed to ensure close alignment with the Growing Victoria Together framework and other State Government policies.

**Multicultural affairs: consultation with community groups**

**862. MR KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs — what is the total cost of each consultation and forum within community groups held since January 2000 organised by each of the Victorian Office of Multicultural Affairs and the Victorian Multicultural Commission.

**ANSWER:**

I am informed that:

Within their respective work programs, the Victorian Office of Multicultural Affairs and the Victorian Multicultural Commission have undertaken numerous consultations and hosted a range of forums since January 2000. Such consultations and forums have been undertaken within their respective allocated budgets.

The request for individual costings of each forum and consultation would unreasonably divert resources from the respective agencies.

**Multicultural affairs: interpreting and translating costs**

**863. MR KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs — to advise of the total spent across each department on such services in 2000–2001, expected expenditure in 2001–2002, and targeted expenditure in 2002–2003.

**ANSWER:**

I am informed that:

Based on consultation across several Victorian Government Departments and language service providers, expenditure on interpreting services by Government in 2000–01 is estimated at approximately \$12 million.



**Multicultural affairs: Victorian Office of Multicultural Affairs and Victorian Multicultural Commission supplies and services**

**864. MR KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs — to advise of the total cost of all purchase of supplies and services for each of VOMA and VMC for 2000–2001, expected outcome cost for 2001–2002 and targeted outcome cost for 2002–2003.

**ANSWER:**

I am informed that:

The total cost of purchases of supplies and services for the Victorian Office of Multicultural Affairs (VOMA) for financial year 2000–01 was \$117,718. Expected outcome for VOMA in FY 2001–02 is \$221,334 and the projected outcome for 2002–03 is expected to be a similar amount.

The total cost of purchases of supplies and services for the Victorian Multicultural Commission (VMC) for financial year 2000–01 was \$232,804. Expected outcome for VMC in FY 2001–02 is \$240,487 and the projected outcome for 2002–03 is expected to be a similar amount.

**Multicultural affairs: Ethnic Community Council of Victoria funding**

**865. Mr KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs — to advise of the amount of funding provided to the ECCV for 2001–2002 and 2002–2003 and what special requirements, if any, have been placed on the ECCV in receiving this funding.

**ANSWER:**

I am informed that:

The ECCV receives \$140,000 per annum through a triennial government funding arrangement, under which the ECCV is required to submit annually an agreed work plan, an audited financial statement and a report on activities undertaken with the grant monies.

This does not preclude funding being provided for additional activities not covered by the funding arrangement.

**Multicultural affairs: Victorian Office of Multicultural Affairs and Victorian Multicultural Commission staff expenses**

**866. MR KOTSIRAS** — To ask the Honourable the Minister for Multicultural Affairs — to advise of the total employee-related expenses for all full-time, part-time and casual staff in each of VOMA and VMC for 2001–2002, expected cost for 2001–2002 and projected cost for 2002–2003.

**ANSWER:**

I am informed that:

The total amount of employee related expenses for the Victorian Office of Multicultural Affairs (VOMA) for financial year 2000–01 was \$634,043. Expected outcome for VOMA in FY 2001–02 is \$1,122,880 and the projected outcome cost for 2002–03 is \$916,400.

The total amount of employee related expenses for the Victorian Multicultural Commission (VMC) for financial year 2000–01 was \$455,291. Expected outcome for VMC in FY 2001–02 is \$410,726 and the projected outcome cost for 2002–03 is \$426,000.

**Health: aged care budget 2002–03**

**883. MRS SHARDEY** — To ask the Honourable the Minister for Health — to provide a detailed explanation of the apparent underspending in the Home and Community Care program in 2002–2001 and 2001–2002.

**ANSWER:**

- The 2000–2001 Commonwealth-State matched HACC Program budget has been financially acquitted with the Commonwealth and there has not been any underspending. There was an underspend of \$1.2 million on State-only funding which was carried forward and spent in 2001–02.
- The apparent underspending in the 2002–03 Budget Papers is primarily a result of different accounting treatment of certain corporate expenses in Budget Paper No. 3, in particular differences in the way the capital asset charge and depreciation were allocated.
- To reconcile these differing accounting treatments, separate adjustments are required to the figures in both the 2001–02 and 2002–03 Budget Papers. This means that the target figures for HACC for 2000–01 (as shown in *Budget Estimates, 2001–02*) are not directly comparable with the reported actuals for that year. Similarly, the target figures for HACC for 2001–02 are not directly comparable with the expected outcome figures (as shown in *Budget Estimates, 2002–03*).
- In the 2001–02 Budget Paper No. 3 the 2000–01 Target figures should be adjusted by an amount of \$43.2 million. Therefore, the adjusted 2000–01 Target should be \$273.5 million. This can then be directly compared with the 2000–01 Actual of \$273.7 million in the 2002–03 Budget Paper No. 3.
- In the 2002–03 Budget Paper No 3 the 2001–02 Target figures should be adjusted by an amount of \$32.8 million. Therefore, the adjusted 2001–02 Target figure is \$304.3 million. This can then be directly compared with the 2001–02 Expected Outcome of \$311.8 million.
- These adjusted figures are consistent with the program performance and do not represent any real underspending in the HACC program.

**Health: expenditure in the home and community care (HACC) program**

**884. Mrs SHARDEY** — To ask the Honourable the Minister for Health with reference to the Government's claimed increase in expenditure of \$29 million over four years under the HACC program with \$6.9 million budgeted for 2002–2003 — how will the \$6.9 million be provided given that the Budget target for 2001–2002 was \$337.1 million and the target for 2002–2003 is \$329.2 million.

**ANSWER:**

- The additional \$6.9 million will be used to match an offer of growth in HACC funding from the Commonwealth that was projected at the time of the State Budget to amount to \$10.4 million.
- The specific purposes to which these funds will be applied will be settled as part of the preparation of the HACC Annual Plan which will be submitted to the Commonwealth after the formal offer of funding is received.
- The apparent reduction between the 2001–02 Target and the 2002–03 Target is primarily a result of different accounting treatment between years of certain corporate expenses in Budget Paper No. 3, in particular differences in the way the capital asset charge and depreciation were allocated.
- To reconcile these differing accounting treatments, adjustments are required to the 2001–02 Target that was first published in the 2001–02 Budget Paper No 3 and is republished in the 2002–03 Budget Paper No. 3.
- In the 2002–03 Budget Paper No 3 the 2001–02 Target figures should be adjusted by an amount of \$32.8 million. Therefore, the adjusted 2001–02 Target figure is \$304.3 million. This can then be directly compared with the 2002–03 Target of \$329.2 million, and shows a year-on-year increase of \$24.9 million.

- The \$24.9 million year-on-year increase is made up of \$6.9 million announced in the State budget together with additional funding from the Commonwealth and DVA, funding for wage increases and funds carried forward from 2001–02.

**Health: commonwealth accreditation standards for nursing homes and hostels**

**885. MRS SHARDEY** — To ask the Honourable the Minister for Health with reference to capital and other works required for State-owned nursing homes and hostels to meet the standards for the 2003 and 2008 benchmarks —

- (1) Which facilities require upgrades.
- (2) What is the expected cost of the works required.
- (3) What is the nature of the work required.
- (4) What are the expected start and completion times for each upgrade.

**ANSWER:**

All facilities are required to comply with the specific requirements of the Commonwealth's Certification Instrument. Facilities are required to score a minimum of 19 out of 25 for fire safety, and an overall total of 60 out of 100 on the Commonwealth's 2001 Certification Instrument.

The Department of Human Services has appointed a project director and assessors to assess the minor works needed to enable facilities to meet the Commonwealth's 2003 Certification requirements. Some works are under way and cost estimates and details for the remainder are currently being finalised. Work will be required across a number of facilities, however none of the works are major in nature and they will all be completed on time.

The current budget for the 2003 Certification requirements is \$4.7 million. An allocation of \$700,000 was provided in the 2001/2002 State Budget, and \$4 million was provided in the 2002/2003 State Budget. This budget will adequately cover all works required.

By 2008 all residential aged care services will be required to meet new privacy and space requirements set by the Commonwealth Government, including:

- a maximum of four residents in any room;
- a maximum of six residents per toilet; and
- a maximum of seven residents per shower.

On coming into office the Labor Government reviewed the residential aged care policies adopted by the previous government and increased investment by committing funds of \$47.5 million in the 2000/2001 State Budget, \$25 million in 2001/02 and another \$40 million in 2002/03. These funds are being used to conduct a major capital works program to redevelop nursing homes to meet 2008 Commonwealth certification requirements and to address the backlog of nursing homes with poor fabric.

The Government's increased expenditure on public sector residential aged care facilities has demonstrated its commitment to improve standards in the sector and achieve certification requirements for all facilities by 2008. Facilities that require redevelopment to meet the 2008 Commonwealth Certification requirements will be prioritised, with completion prior to the certification deadline.

**Environment and conservation: hazardous waste landfills**

**889. MS ASHER** — To ask the Honourable the Minister for Environment and Conservation — to itemise how many tonnes of material have been accepted at both Lyndhurst and Tullamarine hazardous waste landfills for each of 1999, 2000, 2001 and 2002 to date.

**ANSWER:**

I am informed that:

Based on the data supplied by EPA Victoria's waste transport certificate system,

the total quantities of prescribed industrial waste accepted at Lyndhurst landfill for the requested periods were:

1999	92,176 tonnes
2000	243,669 tonnes
2001	173,013 tonnes
2002 (until the end of April)	25,669 tonnes

the total quantities of prescribed industrial waste accepted at Tullamarine landfill for the requested periods were:

1999	81,361 tonnes
2000	122,382 tonnes
2001	129,339 tonnes
2002 (until the end of April)	31,808 tonnes

**Environment and conservation: foreshore committees**

**890. MR PATERSON** — To ask the Honourable the Minister for Environment and Conservation — to clarify the status of the Torquay and Anglesea foreshore committees, including the tenure of committee members and the current and proposed governance structures.

**ANSWER:**

I am informed that:

The Anglesea Foreshore Committee of Management is appointed until 27 February 2003, and the Torquay Public Reserves Committee of Management is appointed until 30 June 2003. The current Committees will remain in place to allow the necessary reforms to coastal management arrangements in the Surf Coast Shire to be completed.

**Environment and conservation: survey reform project**

**893. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to an email dated 20 December 2000 from Mr Ivan Powell, Assistant Director of Land Records and Information Services which includes the statement 'Keith Bell [Surveyor General] knows nothing of the so-called survey project. It is a creation of Steve McIntosh [Manager of Budget and Finance, Land Victoria] for the \$6 million round robin ... [t]he closer the scrutiny, the "susser" it will get' — what was meant by this statement.

**ANSWER:**

I am informed that:

Mr Powell was involved in the preparation of some components of the EAGF application by Land Victoria. He was not involved directly in the Survey Project component. His comments were based on incomplete information and lack of full knowledge of the EAGF application.

**Environment and conservation: motorcycles and four-wheel-drive vehicles in Bunyip State Park**

**899. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation —

- (1) Did a meeting take place on 27 February 2002 in the Bunyip State Park office, or at another place, relating to the use of such vehicles, and behaviour of drivers, in the park.
- (2) Who was present at the meeting and what organisations did they represent.
- (3) Were any agreements made at the meeting.
- (4) Were any undertakings given at the meeting.
- (5) What agreements and undertakings have been adhered to.
- (6) What agreements and undertakings have not been adhered to.

**ANSWER:**

I am informed that:

- (1) Parks Victoria arranged a meeting at 4.30 pm on 27 February 2002 at the Parks Victoria Gembrook Office.
- (2) The following persons were present at the meeting:
 

George Pearce	Resident
Stephen Dobinson	Resident
Mike Benton	Resident
Peter Ellard	Australian Motor Train Riders Association
Ian Lacey	Victorian Association of Four Wheel Drive Clubs
Peter McLean	Manager Technical Services, Shire of Cardinia
Tony Varcoe	Chief Ranger, Parks Victoria and
Greg Young	Ranger in Charge, Parks Victoria.
- (3) Eight specific actions were agreed to which included management of trail bike unloading areas and access roads, improved signage and trialing of a Voluntary Riding Code.
- (4) There was an undertaking given to carry out certain works as soon as possible.
- (5) & (6) All of the agreements and undertakings have either been fully or partially implemented or have been programmed for completion in the second half of 2002.

**Transport: slip lanes**

**903. MR PATERSON** — To ask the Honourable the Minister for Transport — will the Minister ensure left hand turn slip lanes from the Great Ocean Road into Duffields Road, Jan Juc, are included in the current intersection upgrade works.

**ANSWER:**

1. Vicroads has carried out a traffic analysis of the intersection and advises that the proposed lane configuration would provide an acceptable level of traffic movement, during normal traffic periods, without the need to construct left turn slip lanes.
2. The construction of left turn slip lanes could increase the safety risk for pedestrians, particularly school children, crossing these lanes.

3. The adjacent Hoylake Avenue will continue to provide for much of the left turning traffic from the Great Ocean Road requiring access to the beaches of Jan Juc.
4. Vicroads will monitor the intersection following the construction of the traffic signals to determine if further work will be needed in the future.

**Environment and conservation: fisheries job numbers in Geelong**

**904. MR PATERSON** — To ask the Honourable the Minister for Environment and Conservation for the Honourable the Minister for Energy and Resources —

- (1) How many jobs in the fisheries section of the Department of Natural Resource and Environment's Geelong office have been transferred to Melbourne or elsewhere in 2000, 2001 and 2002 to date.
- (2) What are the Government's future intentions regarding job numbers in the fisheries section of the Department in Geelong.

**ANSWER:**

I am informed that:

- (1) Over this period the following Fisheries Division positions were transferred from Geelong on a full time basis either on vacancy, or through voluntary transfer;
  - 1 in 2000
  - 2 in 2001
  - 1 in 2002
- (2) Recruitment action has recently been initiated to engage an additional 2 Fisheries Officers at Geelong within the Department's Regional Services Division, as part of the 'Enhanced Fisheries Compliance' component of the Bracks Government's Marine National Parks and Sanctuaries initiative. These Officers are expected to be operational by November this year.

**Environment and conservation: illegal mining on public land**

**905. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Minister's answer to Question 476 given on 29 May 2002 in which the Minister states that 'In relation to the exercise of miners' rights on public land no prosecutions were recorded for the categories outlined in the question although a number of complaints concerning illegal mining have been investigated. Only one of these resulted in a person being found to be operating without a miners right and this person was instructed to immediately cease prospecting'—

- (1) How many complaints were received in 1999, 2000, 2001 and 2002 to date.
- (2) What action was taken in respect of each such complaint.
- (3) In the case of the person 'found to be operating without a miners right', where was the offence committed, what was the nature of the offence and why was the person warned and not prosecuted.

**ANSWER:**

I am informed that:

- (1) Records indicate that one complaint regarding alleged illegal mining on public land was made in 1999, five in 2000 (2 complaints regarding the one issue) and two in 2001 with none recorded so far in 2002.

- (2) A range of actions are taken according to the circumstances of the complaint. In five cases no evidence of illegal mining was found. Two complaints (same issue) were referred to the local forester and the other complaint is detailed below.
- (3) The location was the Yarra State Forest, the offence was prospecting without a Miner's Right and the Inspector used discretion to ensure that a Miners Right was subsequently obtained and that the disturbed areas were restored.

**Environment and conservation: weed control projects**

**906. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the answer to Question 458 given on 29 May 2002 in which the Minister states that 'As the "land owner" Vicroads is responsible for weed control on the "declared road network" which includes freeways, highways, main roads, tourist roads and forest roads. At the regional level, officers of the Department have been working with Vicroads officers to identify the priority infestations of weeds on the declared road network that require attention, to support community action. Weed control projects have been developed to be conducted by or on behalf of Vicroads' —

- (1) What is the name of each weed control project developed to be conducted by or on behalf of Vicroads.
- (2) How many of such weed control projects have been completed.
- (3) Has any assessment been made of the success of any of the weed control projects completed; if so —
  - (a) by whom has such assessment been made and what are the results of such assessment;
  - (b) which of such assessments have been published.
- (4) What priority infestations of weeds on the declared road network that require attention have been identified and has any action been undertaken to deal with such identified infestations.
- (5) Have any notices been served on Vicroads by Department of Natural Resources and Environment enforcement officers in respect of weed infestations; if so, in relation to which infestations.
- (6) How many complaints have been received from the public in respect of weed infestations on roads and roadsides within Vicroads' responsibility in 1999, 2000, 2001 and 2002 to date and what action has been taken in respect of each such complaint.

**ANSWER:**

I am informed that:

- (1) Weed control projects conducted by or on behalf of Vicroads do not have specific names.
- (2) Details of these projects and progress should be sought from Vicroads. In my last reply, I stated that officers of the Department of Natural Resources and Environment have been working with Vicroads officers at the regional level to identify priority projects to support community action. This liaison has also included local government when the Shires act as agents for Vicroads. This process is continuing and I expect an increased number of projects to be identified for treatment in future years as we move from an ad-hoc, reactive situation to a planned approach.
- (3) Assessment techniques and follow up treatments will be discussed and identified in these continuing discussions.
- (4) Steps have been taken to identify projects that accord with the agreed priorities expressed in Regional Weed Action Plans. Increased coordination and cooperation between government agencies in addressing agreed community priorities is the approach advocated in *Victorian Pest Management — A Framework for Action*

which I recently launched. Substantial progress has been made between these two Government agencies recently and further improvements can be expected in the future.

- (5) In the past, it has been customary to seek cooperation from government agencies rather than issue Land Management Notices. That approach continues, but is being made more effective. I am advised that no Land Management Notices have been issued to Vicroads since the *Catchment and Land Protection Act 1994* was introduced in 1994.
- (6) In regard to public complaint, I am advised that such records are not held centrally and that a comprehensive reply would entail a search of records at state and regional level of correspondence to Ministers, Departmental heads, regional managers and officers of both agencies. I do not believe that is a valuable exercise, and would prefer that officers spend their time in continuing the productive cooperative actions previously outlined. Anecdotal evidence suggests that public complaint is diminishing as projects are conducted in line with the priorities of the Regional Weed Action Plans.

### Environment and conservation: fire retardants

910. **MR PERTON** — To ask the Honourable the Minister for Environment and Conservation with reference to the Minister's answer to Question 481 given on 30 May 2002 in which the Minister stated that 'Within Victoria, in our State and National Parks, the only fire retardants permitted are those that have been subject to lengthy testing and approval by the United States Department of Agriculture' — what are the actual fire retardants that have been used in 2001 and 2002 to date.

#### ANSWER:

I am informed that:

The only fire retardant used strategically in Victoria's parks and forests during 2001 and 2002 to 30 May 2002 was 'Phos-Chek D75R'. It is classified as a long-term type retardant that is approved for use in natural environments by the USDA Forests Service.

The use of retardant in Victoria was reviewed for my Department by the CSIRO in 1999. A report of this review titled *Assessment of the Effectiveness and Environmental Risk of the Use of Retardants to Assist in Wildfire Control in Victoria — Research Report No. 50*, which includes the product data sheets, can be found at [www.nre.vic.gov.au/fires](http://www.nre.vic.gov.au/fires) by following the links to Fire Research in the Fire Management section on this web page.

### Sport and recreation: Victorian Institute of Sport annual report

912. **MR THOMPSON** — To ask the Honourable the Minister for Employment for the Minister for Sport and Recreation — what are the direct and indirect production costs of the Institute's Annual Report 2000–2001

#### ANSWER:

I am informed as follows:

The direct costs for a print run of 1,000 copies of the Victorian Institute of Sport (VIS) Annual Report 2000–01 were \$28,260.

Indirect costs are estimated at \$10,080.

The Annual Report is a primary promotional and marketing tool of the VIS and the costs of its production amounts to almost 30 per cent of the total VIS marketing budget.

The Annual Report, as well as containing valuable and detailed information on VIS operations, is used as a tool in attracting program sponsors to support the VIS.



In addition, servicing of sponsors is achieved through the Annual Report, as is promotion of the VIS and elite athlete development in Victoria.

The Annual Report is provided to various international visitors and delegations for information, as well as demonstrating the many and varied services of the VIS that may be contracted to overseas organisations, thereby providing a further income stream for the VIS.

**Energy and resources: Sustainable Energy Authority annual report**

**913. MR THOMPSON** — To ask the Honourable the Minister for Environment and Conservation for the Minister for Energy and Resources — what are the direct and indirect production costs of the Authority's Annual Report 2000–2001.

**ANSWER:**

I am informed that:

In relation to the 2000–2001 Annual Report of the Sustainable Energy Authority, the direct costs were \$16,757 and the indirect costs were \$9,700.

**Ports: ports annual reports**

**914. MR THOMPSON** — To ask the Honourable the Minister for Transport for the Minister for Ports — what are the direct and indirect production costs of the following annual reports for the year 2000–2001 —

- (1) Hastings Port (Holdings) Corporation.
- (2) Melbourne Port Corporation.
- (3) Victorian Channels Authority.

**ANSWER:**

Total production costs, both direct and indirect, of the 2000/01 Annual Report for each of the publicly-owned Port Corporations in Victoria is as follows:

**Melbourne Port Corporation**

\$44,169.95.

**Victorian Channels Authority**

\$32,000.

**Hastings Port (Holding) Corporation**

\$583.02.

**Environment and conservation: weed control**

**915. MR PERTON** — To ask the Honourable the Minister for Environment and Conservation —

- (1) Has the Minister had any advice on the effectiveness of controlled plantings of indigenous species of plants to control weeds; if so, what are the reports that contain such advice.
- (2) Has the Minister had any advice on the effectiveness of controlled plantings of indigenous species of plants to control airborne distribution of weeds; if so, what are the reports that contain such advice.

- (3) Has the Department undertaken controlled plantings of indigenous species of plants, mass plantings of indigenous trees, mass plantings of indigenous shrubs and mass plantings of indigenous grasses to control weeds; if so, where did the plantings take place and what was the effectiveness of the planting in achieving the objectives.

**ANSWER:**

I am informed that:

- (1) & (2) There are a range of articles and conference papers which provide information on these matters and I have arranged for copies of a number of them to be sent to the Honourable Member.
- (3) The Department of Natural Resources and Environment has not undertaken any controlled or mass plantings of indigenous species to assess weed growth. There have been trials on tree establishment however there has been no ongoing trial work to assess weed growth.

There are a number of demonstration sites where the Department has provided assistance (technical advice, financial assistance, etc), where farmers have clearly shown a reduction in Serrated Tussock by previous plantings of exotic pines, Sugar Gums and mixed species plantings. Many farmers have observed the role that vegetation belts can play in restricting seed movement via wind, such as Serrated Tussock.

**Workcover: motorcycle registration**

**919(b). MR LEIGH** — To ask the Honourable the Minister for Workcover — how many motorcycles have been registered in Victoria for each year since 1980 to date.

**ANSWER:**

This question does not fall within my Portfolio responsibilities.

**Transport: daily validation figures for trams**

**922. MR LEIGH** — To ask the Honourable the Minister for Transport — what are the average daily ticket validation figures for March 2002 for each of the tram lines Airport West (59), West Maribyrnong (57), Footscray (82), West Coburg (55), North Coburg (19), East Coburg (1), West Preston (11), Bundoora (86), East Brunswick (96), North Balwyn (48), Mont Albert (109), Wattle Park (70), East Burwood (75), Camberwell (72), Kew (69), North Richmond to St Kilda Beach (79), North Richmond to Prahran (78), East Melbourne (34), Route 12, Toorak (8), Glen Iris (6), Malvern (5), East Malvern (3), Carnegie (67), East Brighton (64), St Kilda Beach to Melbourne University (16) and South Melbourne to St Kilda Beach (12).

**ANSWER:**

The Onelink validation data is progressively archived and the recovery of data for the month of March 2002 would require Onelink to allocate significant time and resources to retrieve.

**Transport: daily validation figures for trains**

**923. MR LEIGH** — To ask the Honourable the Minister for Transport — what are the average daily ticket validation figures for March 2002 for each of the train lines Lilydale, Belgrave, Alamein, Epping, Sandringham, Frankston, Williamstown, St Albans/Sydenham, Melton, Werribee, Broadmeadows, Upfield, Hurstbridge, Glen Waverley, Pakenham, Cranbourne and Stony Point.

**ANSWER:**

The Onelink validation data is progressively archived and the recovery of data for the month of March 2002 would require Onelink to allocate significant time and resources to retrieve.

In addition, the data for trains is not reported by line but by line section, as validations occur at stations serving more than one line and it is not possible to determine to which line to allocate validations at these stations.

**Police and emergency services: speeding in residential streets**

**927. MR LEIGH** — To ask the Honourable Minister for Police and Emergency Services in relation to residential streets —

- (1) How many people have been booked monthly for speeding since the introduction of 50 km/h speed limits.
- (2) What revenue from fines has been raised monthly for speeding since the introduction of 50 km/h speed limits.
- (3) How many warning notices have been issued monthly for speeding above 50 km/h since the introduction of residential speed limits.
- (4) How many people have been detected for speeding but have had their fines withdrawn since the introduction of 50 km/h speed limits.

**ANSWER:**

I am advised that:

- (1) This information has been sought by the Honourable Member in question 757 and I refer him to my reply.
- (2) This information has been sought by the Honourable Member in question 758 and I refer him to my reply.
- (3) This information has been sought by the Honourable Member in question 759 and I refer him to my reply.
- (4) This information has been sought by the Honourable Member in question 760 and I refer him to my reply.

**Transport: costs of providing public transport services**

**928. MR LEIGH** — To ask the Honourable the Minister for Transport — what was the cost of providing public transport services in 2001 to areas serviced by —

- (1) Zone 1.
- (2) Zone 2.
- (3) Zone 3.

**ANSWER:**

The cost of providing public transport services to areas serviced by individual zone is not available. Costs are allocated by contract to the public transport operators.



**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, 15 October 2002**

**Premier: staff numbers**

**823. MR KOTSIRAS** — To ask the Honourable the Premier —

- (1) How many full time equivalent staff, part-time staff and casual staff are employed in the Private Office of the Premier, as at 18 April 2002.
- (2) How many full time equivalent staff, part-time staff and casual staff are employed in the Department of Premier and Cabinet, as at 18 April 2002.

**ANSWER:**

- (a) As at 18 April 2002, 47.00 full time, 2.30 part time and no casual staff were employed in the Private Office of the Premier.
- (b) As at 18 April 2002, 359 full time, 23.70 part time and 17.63 casual staff were employed in the Department of Premier and Cabinet.

**Education services: East Doncaster Secondary College**

**900. MR PERTON** — To ask the Honourable the Minister for Education and Training for the Honourable the Minister for Education Services with reference to the proposed master plan submitted by the College in September 2000—

- (1) Is there a priority list for master planning; if so, where is the College on such list.
- (2) How, and by whom, are priorities for master planning in schools decided.
- (3) Is the Government aware of the length of time taken to endorse master plans in schools; if so, does it have a strategy for reducing that time.
- (4) Is the Government aware of the growth patterns in several schools in the Doncaster area; if so, does it have a plan for managing that growth.
- (5) Does the Government plan to respond to growth proactively when it sees clear patterns emerging, or retrospectively after that growth has occurred.
- (6) Is the Government concerned about the impact on secondary schools as an outcome of the provision of additional classroom space for primary schools as a result of reducing class sizes in the early years.
- (7) Does the Government have a strategy for working with schools that wish to implement building programs funded outside the normal grants to schools, to ensure that all monies are spent efficiently.

**ANSWER:**

I am unable to answer this question as it does not fall within my portfolio responsibilities and should be more appropriately referred to the Minister for Education and Training.